

David Jensen and Dennis Hamro-Drotz

UNEP Post-Conflict and Disaster Management Branch
Geneva, Switzerland

Lessons Learned on Environmental Diplomacy

1. Introduction

Since 1999, UNEP's Post-Conflict and Disaster Management Branch (PCDMB) has worked to assess the environmental impacts of conflicts and disasters and address the subsequent risks to human health, livelihoods and security. As the work has progressed, opportunities for UNEP to connect environment and peacebuilding have arisen. In this regard, the aim is for UNEP to use its relatively apolitical and neutral position along with its scientific basis to leverage discussions and/or cooperation on environmental issues between conflicting or formerly conflicting groups. In the four different cases discussed in this paper, UNEP piloted the concept of using natural resources and environmental issues as a platform for cooperation, dialogue, and confidence building. This work, branded "Environmental Diplomacy", aims to transform conflict over resources into a basis for lasting cooperation, with the aim that sustainable management can form a foundation for long term stability and peace. The cases presented in this paper outline the lessons learned as well as the barriers encountered.

2. Environmental diplomacy between Israel and OPT

The first case considered is UNEP's involvement in Israel – OPT in 2002. In February of 2002, the UNEP Governing Council requested a desk study on the environmental situation in the Occupied Palestinian Territories (OPT). This request was stimulated by several environmental concerns, some of which were linked to the on-going conflict, while others were more general disputes regarding access to natural resources and waste management. UNEP's approach for conducting the study in OPT was to deal with both sides in a transparent manner and on an equal basis. Each letter, phone call, or meeting, if held with one side, would be matched on the other. For every site visited within OPT, the Israelis were kept informed of the information collected. Fieldwork took place in the fall of 2002 by ten international experts. Due to security restrictions, there was limited access and field sampling. The final assessment

was based on the documentation available, interviews with experts, and site verification during in-country visits. The focal areas were freshwater, wastewater, solid waste, hazardous waste, conservation and biodiversity, laws, institutions and land use. Both parties were given the opportunity to review the technical content of the report, and to provide any factual corrections. Suggestions by both sides to remove accurate technical information they found to be politically unfavourable were not adopted by UNEP. While both sides were unhappy with aspects of the final product, but they could live with it. For UNEP, this was considered a success.

The release of the desk study in 2003 prompted action as both sides agreed to begin with "quick wins" and to start moving forward with a handful of issues, predominantly relating to solid and hazardous waste, as well as reconvening the Joint Environmental Expert Committee. UNEP offered its services as an impartial moderator, to assist in solving urgent environmental concerns where there is a clear incentive for both sides to work together to achieve common goals and to facilitate future cooperation.

To jointly agree on priorities and to formalize an action plan, a meeting of both parties was held in July of 2003 in Geneva, with facilitation provided by UNEP. Although a tentative agreement for specific activities on waste management was reached, it was eventually undermined by concurrent high-level meetings in Washington that were taking place with Prime Minister Sharon. Due to the prevailing political situation, any new accord between the two parties would have been seen as political engagement and therefore could not be agreed. As a result there was really no way to make any headway and the process was put on hold until another opportunity presented itself. This occurred in early 2005 at a regional meeting (with Egypt, Israel, Palestine, Jordan, Syria in attendance) regarding regional approaches to waste management. Hosted in Helsinki, it was during this larger summit the Israelis and Palestinians reconvened bilaterally where they agreed on specific issues, and joint projects were proposed.

To follow up on these developments, a date was set in May 2005 to convene a Joint Environmental Expert Committee meeting in Jerusalem. The meeting was between Israelis and Palestinians, with UNEP playing the role of a facilitator. This meeting was to take place in a UN building in Jerusalem. However, in the hours before the meeting, Israel's delegation cancelled without providing a formal

explanation. The Jerusalem meeting was UNEP's last attempt to bring the parties together, as the political and security situation further deteriorated.

Lessons learned from this intervention include:

- Common environmental threats can be a source of cooperation, even between hostile parties.
- Diplomacy needs to be low key to be successful. It is not UNEP's role to advertise successes along the way. Having a low profile and moving forward is more important than visibility.
- This type of facilitation and negotiation requires very talented individuals with strong environmental skills, political skills, and diplomatic tact. Former members of parliament and former ministers of environment are ideal provided they are seen as neutral and trusted by both sides.
- Finding workable solutions requires creativity in finding issues of common concern where technical cooperation is possible, and fully understanding the importance and implications of any minor issues.
- High-level politics can always get in the way of moving forward. In many cases, multiple attempts must be made if discussions are derailed by other political factors. A lot of time is required and is to be expected.
- There was both a need and value added with UNEP supplying high-quality technical information that allowed both sides to understand the true nature of the problem as well as neutral meeting facilitation.

3. Environmental diplomacy between Iran and Afghanistan

The Sistan Basin Wetlands is an inland delta where Afghanistan is upstream, and Iran is downstream. In the decade leading up to 2005 this area experienced more frequent and prolonged drought, with 2001 and 2005 being totally dry. As the wetlands are located in a drought prone area, where droughts are generally of the 3-4 year or 5-8 year variety, serious problems can result when these two drought cycles overlap. This was the case in the early 2000s, and as a result both Afghanistan and Iran experienced failed fisheries and lost livelihoods, ultimately leading to substantial population displacement. The

Iranian portion of the wetland is protected by RAMSAR, however the Afghanistan portion lacks any conservation status whatsoever.

Against this background, UNEP was requested by Iran to facilitate a technical dialogue with Afghanistan over the status and restoration of the Sistan Basin. Iran, as the downstream country, was dependent on decisions and management practices taken on the Afghanistan side, and had a vested interest in improved transboundary water management. Iran also had a political interest, as their portion of the Sistan basin contains one of two Sunni provinces. When there is not adequate water in the region the Sunni populations that have historically caused internal conflicts migrate to inner parts of Iran.

Two technical meetings between the environmental administrations of each country took place in Geneva in December of 2005 and May of 2006, both facilitated by UNEP. Meetings involved participation of interministerial delegations headed by the respective environmental administrations of both countries. To support the meetings, UNEP's role included: a) Facilitate general preparations, which included consultations with government and partner organizations; b) Preparation of technical studies, field visits, and regular follow-up with governments in Kabul, Tehran, and Geneva; and c) Logistical preparations to ensure the full participation of both sides.

During this process national committees on the Sistan wetlands were established in both countries to help strengthen inter-sectoral coordination and management. These groups adopted Terms of Reference for the Joint Committee on the Sistan Basin Wetlands under a UNEP facilitated meeting in March 2007 in Tehran.

At the same time the above activities were unfolding, in collaboration with UNDP, UNEP also assisted the development of a joint project proposal entitled "Restoration, Protection and Sustainable Use of the Sistan Basin" which was submitted to the Global Environmental Facility (GEF) in late 2006. This US\$ 1 million (of which \$678,000 is the GEF allocation) would enable the two countries to develop an environmental investment programme that could be supported by the GEF for up to US \$4 million. This was a strong financial incentive to stimulate continued dialogue and cooperation.

Although the transboundary dialogue started out positively, asymmetric negotiating and technical capacity on the Afghanistan side eventually became a major impediment. As the security situation in Afghanistan began to further deteriorate, and Iran's political cooperation with the international community strained, the dialogue process was placed on hold.

Lessons learned from this intervention include:

- Environmental diplomacy is time consuming, staff-consuming, and resource-consuming. It is a long-term investment that should be well planned and financed from the outset, while also maintaining the flexibility to adapt to demand driven needs and changes in the negotiation trajectory.
- Good technical understanding of the environmental problem and its history is vital. An independent expert report by UNEP served as an excellent source of objective information that could not be disputed on technical grounds and also served to defuse potential politically charged arguments. This served to “level the playing field” and reduce information asymmetries.
- Monitoring of political developments is needed to frame the dialogue in an appropriate and evolving context. Identifying political opportunities and correctly timing interventions is essential. Third party facilitators need to be well equipped to take action when it presents itself. Political windows and opportunities cannot wait for additional fund raising and or internal UN approval procedures. Breakthroughs must be anticipated and supported immediately.
- Availability of potential funding for a transboundary management project served as a powerful incentive to maintain the interest of both parties.

3. Environmental diplomacy between Iran and Iraq

Recognizing the potential of UNEP facilitated negotiations with Afghanistan, Iran also approached UNEP in 2004 to assist in bilateral discussions with Iraq regarding water management in the Mesopotamian Marshes. The two sides had not met in 27 years, and cooperation was needed to address the grave situation faced by the marshes. In particular, a UNEP study released in 2000, demonstrated that over 90% of the area had dried out as saltpans with severe ecosystem damage, accelerated by the construction of extensive drainage works. Based on the rapid rate of decline, the marshlands were

considered likely to disappear by mid 2000 if nothing was done. This would have catastrophic consequences for the marshland inhabitants on both sides of the border.

To facilitate initial dialogue between the two sides, the process began with an integrated water resources management seminar. The workshop was to be exclusively about technical issues. Its primary intention was to increase information sharing and understanding—there was no suggestion of any treaty or outcome regarding water resource management from the outset. As a result, the talks proceeded gradually, and were formatted not as negotiations but technical discussions. The overarching dialogue process objectives were simply to introduce these groups to one another, to keep discussions as politically neutral and technical as possible and framed as "water resources management in a broad way". The meeting introduced the concepts and the process of setting up a water management plan, focusing on concepts, tools, and approaches rather than the specific case of the Marshes. Case studies from other countries were used to illustrate many of these ideas and best practices. Prior to hearing formal presentations from both sides, UNEP then presented technical details from its own assessments regarding water consumption and presence in the area, with a focus on rapid changes from destruction, re-flooding problems, and emergent threats. UNEP experts noted both threats as well as restoration and rehabilitation possibilities on both sides of the border.

It was only after this priming that the delegates were asked to express their own water-related issues as they pertained to their respective countries. In their presentations the Iraqi side emphasized restoration as a priority issue and the need for a regional approach. In contrast, the Iranian side presented their long term vision, including plans to build both a dam and a dyke across the transboundary marsh. Both sides then discussed the socio-economic importance of the region and the kinship between the Iraqi and Iranian marsh dwellers. They identified the potential role of local communities and associations in restoration planning and execution, especially concerning optimum water levels and fishing.

Although neither side suggested they would agree on a management plan, to even have these conversations openly after the 27 year hiatus of contact was significant. A further request for facilitated meetings signifies their value to the parties. Another critical point was the depth and breadth of the participants involved. From Iraq three ministries were represented (Water Resources, Environment, and Foreign Affairs) along with an engineer from the Centre for the Restoration of Iraqi Marshlands. From

Iran, the department of Environment and Ministry of Foreign Affairs representatives were present, but they also had their Ambassador to the UN in Geneva, the Governor of the Irani province housing the marshlands, and a Professor of Law from Tehran. However, the political nature of the delegations from both sides may have also presented key political constraints. The meetings were placed on hold following the deterioration of the security situation in Iraq.

Lessons learned from this intervention include:

- In regions where tensions over resources are high, it is important to facilitate dialogue and basic communication first before touching sensitive political issues. In the initial phase, objectives should be limited and potential political outcomes left open. Expectations of a political agreement should not be raised. At the outset of the Iraq-Iran dialogue, while the parties were not prepared to discuss specific issues in the Marshlands, they could discuss general principles of water management. After some initial exchange of views on best practice, the process did lead to an exchange of technical information on the Marshlands. Both parties agreed on the value of the meeting and requested for further facilitation from UNEP.
- It is important, to the extent possible, to ensure the parties present the same level of information in the initial stages of the dialogue. In the case of the Marshes, the Iranian delegation started by putting their long term vision on the table, including plans to build both a dam and a dyke. While they were frank, this approach may have backfired.
- Water in particular tends to be a topic that garners political interest. Since water issues can link to agriculture and food security, as well as other more politically charged topics like energy, other Ministries can take an interest in technical dialogues. This Marshlands dialogue got the attention of other ministries, including the Ministry of Foreign Affairs. This gave the entire process a higher profile overall, possibly more media coverage, and may have introduced important political constraints that might not have existed if a more technical and narrow focus could have been maintained.

4. Environmental diplomacy between North and South Sudan

During UNEP's post-conflict environmental assessment (PCEA) for Sudan in 2006, UNEP attempted to capitalize on the opportunity to bring participants and experts from both the north and south together to develop technical contributions to the report. As such, the report itself was seen an opportunity to use a common environmental assessment as a point of cooperation between divided political groups. It was hoped that these initial interactions and airing of environmental issues for the purposes of the PCEA would lead to more substantive talks about how these same issues impact each side and how they could cooperate over management. Two major workshops took place, bringing northern and southern stakeholders together in the context of supplying material for PCEA. One took place in each the north and the south. In this process, substantive issues were raised including overlapping laws, mandates, and shared waters.

The first workshop was in Khartoum entitled "Workshop on the Post-Conflict National Plan for Environmental Management in Sudan" in July of 2006. The talks given are listed pages 349 and 350 in Appendix II of the Sudan PCEA and included both technical and resource based talks, eg. Forest Management and Conservation, Wetland Management in Sudan, as well capacity and broader social and economic factors, eg. Environmental Research Capacity in Sudan, Environmental Education and Public Participation in Sudan, the Role of Environmental Societies in Post-Conflict Sudan, Linkages between Food Security and Natural Resources Conditions, etc.

The second workshop in Juba entitled "Workshop on the Post-Conflict National Plan for Environmental Management in Sudan" took place in November of 2006. In a similar vein to the July 2006 workshop, the second workshop had a variety of talks including, Livestock Production Challenges in the Rangelands Ecosystems of South Sudan, the Current Development of Instructional and Regulatory Framework for Environmental Management in South Sudan, the State and Capacity of Environmental Institutions: Legal and Structural, etc.

Unlike the other cases, UNEP did not chair the meetings or set the agendas, but simply funded and facilitated the logistics and organization. To the extent possible, UNEP then used the technical information from the meeting in the post-conflict environmental assessment report. The success of this process was largely depended on the Deputy Minister of the North, who was a southern Sudanese by birth. He acted as a neutral facilitator that held the trust of both sides.

Lessons learned from this intervention include:

- As in most of the other cases discussed in this paper, the primary purpose of the initial meeting was to bring the two groups together without specifying specific technical aims and objectives. The agenda was essentially left open for the participants to set. The majority of those involved had never met, and communication between the environment ministries of the north and south was essentially non-existent. The initial objective was simply to get the parties sharing information and building trust. By the second meeting, once the right people (i.e. environment ministers) were in the room, the objective was simply to facilitate the process but to let the content and scope be steered by the participants.
- Using a PCEA as the entry point for initial cooperation between divided groups can be a useful tool. This approach ensures inclusion of local knowledge, facilitates local involvement, engagement and ownership and helps to identify any core political tensions. This can help the peace process identify potential peace spoilers over natural resources as well as prepare the groundwork for inter-ministerial cooperation and coordination.
- National ownership is important for to maintain momentum and follow-up. However, when stakeholders consultations are conducted within the context of a PCEA, it is important to consider that the final report needs to be an independent UNEP product and that all facts are verified against objective sources of information by UNEP. Dissemination of the report to the stakeholders should take place immediately following the launch to ensure rapid follow-up.

5. General lessons learned and barriers to overcome

What makes assessing these cases and drawing overarching conclusions difficult are their vast differences from one another. Nevertheless, the following top 10 lessons can be made:

1. Environmental diplomacy (or environmental peacemaking) interventions should first consider building on what's there already. All cultures, societies or nations have mechanisms for enabling dialogue between groups and for mediating disputes. Where they have survived the conflict, local and traditional processes and institutions for building consensus and resolving dispute can offer

many “home-grown” opportunities for environmental diplomacy. However, at the same time, if these mechanism lack political legitimacy, a new alternative process may be required.

2. National ownership to and buy-in of the process is vital. The level of political commitment among the parties involved to implement agreed upon measures and transform them into concrete outputs is an important determinant of success.
3. Capacity building to participate in environmental diplomacy interventions is often needed. In situations where one party is weaker than the other, capacity building should be broken down into stages, so that initial efforts focus on building the technical and institutional capacity of the weaker party. However, it is important for providers of capacity building programmes to avoid taking sides and losing their independence and neutrality.
4. A neutral third party - whether a local stakeholder, an NGO, business interest, international organisation or national government - can offer “carrots and sticks” to pressure or encourage conflicting parties towards peacebuilding and is often necessary in pushing the agenda forward. The third party can take on several roles and use different strategies in order to push the agenda forward: providing a neutral platform for discussion, technical expertise in the form of impartial information or cost estimates for environmental challenges that both parties can accept. At the international level the promise of financial support, or the threat of sanctions, can be used to encourage the parties involved to continue cooperation. A third party can also be useful by providing international arbitration mechanisms or monitoring capacity.
5. Long term commitment, engagement and financing are vital. There are few ‘quick wins’ in environmental “diplomacy” and peacebuilding. Staying engaged over time is a significant challenge. The long-term nature of building trust and cooperation around natural resource management, addressing pollution hotspots, or collaborating on natural disaster response suggests that typical one- and two-year project timeframes are unrealistic. For environmental diplomacy to be effective over the long-term, resources must also be allocated to support the implementation of projects. Lack of financing can otherwise be a limiting factor.

6. When engaging in ongoing dialogues, aim for at least 1-2 meetings a year, to sustain a minimum of continuity particularly at a time when there is bound to be governmental changes.
7. It is important to strike the right balance between technical and political cooperation. If the issues at hand are too narrow and too technical, they may have little impact on wider peacebuilding efforts. If, however, environmental diplomacy becomes too politicized too quickly, the process risks becoming stalled because of the political differences among the parties involved.
8. It is important to set realistic goals. Joint programmes that raise expectations but turn out to be unrealistic can be counterproductive.
9. One should not underestimate the necessity for true diplomacy. These proceedings are not just about scientists that can prepare documentation or logistics coordinators. UNEP must understand the culture and protocol (as fundamental as how to meet at the airport, what kind of dinners, who else do they meet, agendas that accommodate prayer breaks, etc.). Without tact and professionalism both sides may find fault and these indiscretions can derail the process.
10. Common environmental threats may offer entry points for intervention. The rationale for environmental cooperation and peacebuilding becomes particularly clear if there is a shared threat requiring cooperation among the parties involved. In case of a shared environmental crisis, joint emergency response can be an opportunity for further cooperation as well as confidence building among the parties. Examples of common threats or crisis could be aspects related to climate change, health issues or pollution. The development of shared early warning systems before a disaster or joint rehabilitation measures after could provide entry points.