GLOBAL STRATEGY IMPLEMENTATION CHALLENGES OF KENYA'S MULTILATERAL ENVIRONMENTAL AGREEMENTS WITH THE UNITED NATIONS ENVIRONMENT PROGRAMME IN NAIROBI KENYA

KARIUKI EDDY GATUIRI

REGISTRATION NO: D61/70597/2008

A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR AN AWARD OF THE DEGREE OF MASTER OF BUSINESS ADMINISTRATION, SCHOOL OF BUSINESS, UNIVERSITY OF NAIROBI

2016

DECLARATION

This research project is my original work and has not been submitted for a degree in this or any other University.

……………………………………..   ……………………………………………

KARIUKI EDDY GATUIRI   **Date**

D61/70597/2008

This research project has been submitted for Examination with my approval as the University Lecturer.

……………………………………..   ………………………………

PROF. FRANCIS KIBERA   **Date**

Department of Business Administration

School of Business

University of Nairobi

DEDICATION

I dedicate this research project to my family for their unfailing encouragement and love. To my wonderful parents, Christopher K. Geoffrey and Margaret Kariuki.To my immediate family Eva Murugi , Mervyin Munene and Dennis Anunda.

ACKNOWLEDGEMENTS

ABSTRACT

Environmental management is of great importance globally. It has become a complex issue which requires long-lasting solutions. The major challenges facing nations globally include climate change and desertification. Several countries have collaborated with other partners in order to address these environmental problems by adopting the instruments of Multilateral Environmental Agreements (MEAs).The implementation of these agreements has been a great challenge to many nations, especially the developing countries. The study sought to establish global strategy implementation challenges of Kenya's Multilateral Environmental Agreements with the United Nations Environment Programme in Nairobi Kenya. A case study research design was adopted whereby the researcher interviewed five senior managers at United Nations Environment Programme who had different academic qualifications and years of experience in their positions. The data were collected through the use of an interview guide that was prepared to guide the researcher on the challenges affecting implementation of Kenya's Multilateral Environmental Agreements with the United Nations Environment Programme (UNEP) in Nairobi Kenya. Content analysis was used to analyze the data. The challenges that face Kenya in implementing Multilateral Environmental Agreements (MEAs) were highlighted to include limited resources, weak national level environmental governance system, ineffective coordination of institutions, and country characteristics that impact on the implementation process. Kenya was found to have entered into several international agreements and that there exists inadequate coordination between the agencies. This has caused the country to achieve less than optimal results where protection and strengthening of the existing conventions are concerned. The research recommends that UNEP should consider coming up with specific entry points for MEAs member countries such that a country level of development should determine its likelihood of compliance. Adequate financial resources should be dedicated to training and development of member countries' staff to equip them with necessary technical know-how for negotiating these agreements and implementation of the same.

TABLE OF CONTENTS

INTRODUCTION

1.1 Background of the Study

There has been a major development of the international law over the years. Modern day life has become more complex resulting into a major increase in changes on the conditions and cultural traditions of the society (Shaw, 2008). Governments and states are constantly experiencing global pressures to address environmental problems and development challenges. The adoption of instruments like Multilateral Environmental Agreements (MEAs) remains very critical towards achieving these goals. (Barry & Robyn, 2011).

The current rise of focus on global environmental disaster represents dynamic changes in worldwide politics as well as the international relations. There has been a major increase in sensitivity on the quality of environment and its great impact on the development of economies, complicated ecological problems as well as attitudes change towards the human race and nature relationships. This has made a great contribution to prioritizing environmental issues globally (Williams, 2006). Adoption of MEAs to address the global environmental problems has been considered effective by nations globally.

Amongst the numerous environmental challenges that Kenya is facing include degradation of land and marine diversity, soil erosion, environmental pollution and deteriorating water quality. A healthy environment determines the levels of economic development for the entire region. Rapid stressful environmental changes have a negative effect on food production, income generation and availability of basic resources. The current situation requires implementation of efficient methods to cease and correct the deteriorating trends in the environment which the

region has experienced. Adoption and negotiation of multilateral environmental agreements (MEAs) as instruments for tackling environmental challenges will be great for the region.

This study is guided by the economic analysis of the law theory of jurisprudence by which it is sought to rationalize the need for domesticating MEAs with the end result of achieving effective implementation. Utilitarianism posits that it is in the human nature to seek pleasure and avoid pain as much as possible. Bentham (2007) jurisprudence that legal sanctions discourage ill behavior and that they should be employed when they will serve as an effective deterrence is a manifestation of the interplay between law and economics (Maiello, Viegas, Frey & Ribeiro, 2013). Inter-generational equity, precautionary principle and polluter pays principle and other principles that guide closer participation and alliance among nations result in improved interconnection of states and other partners .The concurrent global environmental disaster which underpins MEAs are deeply rooted in utilitarian philosophy and, thus, manifest an interdependence between law and economic that underpins the economic analysis of law school of thought.

1.1.1 Multilateral Environmental Agreements

The Multilateral Environmental Agreements (MEAs) are formal binding documents between three or more states describing the focus areas on environmental concerns. The allegiance and institution mechanisms of the participating states are well spelt out. They are legally binding documents for all the nations involved to ensure commitment and cooperation limiting negative impacts on the environment (Kannan, 2012). All the parties to the MEAs have a legal commitment to the international environmental instruments. The legal obligation is authoritative, prescriptive and binding under international law. An MEA is a convention which binds parties internationally and they are obliged to comply. Obligations should be performed in good faith

without invoking provisions of domestic laws by any parties as a justification for non-compliance. (Edelenbos, van Buuren & van Schie, 2011).

Multilateral environmental agreements are associated with the first UN Conference on the Human Environment in Stockholm in 1972, nations delegates gathered and reviewed the need for nations to synergize and establish a unified international agenda (Gray, 2000). The Stockholm Declaration resulted in provision of an elaborate culture to "inspire and guide the peoples of the world in the preservation and enhancement of the human environment" (UN Conference on Human Environment, 1972). As a result, the international community began to focus on certain environmental issues which gave rise to numerous conventions.

 MEAs were primarily developed to ensure the human impacts on the environment and available scarce resources are well managed. The MEAs aims at fostering allegiance among nations as well as forming firm institutional systems which guide all the involved parties to address the various environmental issues. (Kannan, 2012).The MEAs are numerous but differ ranging from the participants, geographical location, the scope of focus, budgetary allocations and their administration. Majority of these agreements have a few things in common in terms of obligations, deliverables and constraints which nations firmly commit to safeguarding the environment ensuring sustainable development is fostered (Perkins &Eric, 2007)

The rapid increase of MEAs is a reflection of how wide in scope the quality of environment has deteriorated as well as the resultant effects on humankind. This is as a result of the major increase the overall sovereign nations especially in Africa, Asia and Latin America after the World War II where global environmental problems were more evident and pronounced. This called for action in order to tackle the evident challenges hence the need for MEAs. The international community prioritized the agenda of global development and governance (Barrett,

2012). The number of MEAs has been on the increase which is a clear indication on the willingness and commitment of nations to accept international obligations in conservation of biodiversity and renewable resources, universally as well as regionally (Schrijver, 2010).

1.1.2 Global Strategy Implementation Challenges

There is a great contradiction on the widening rift between the numerous numbers of global, regional and national agreements meant for protecting the natural environment. Additionally, the ongoing deteriorating quality on legitimate instruments to protect the environment has been declining depleting renewable resources globally. (Crossen, 2013).Implementation of international treaties has intensified as an efficient method in addressing universal environmental challenges. The greater issue is addressing the adherence of countries in reference to the commitments binding them as stipulated by the MEAs (Faure & Jurgen, 2009). The willingness of nations to fulfill their commitments under MEAs majorly depends on the established institutional systems and how such institutions are organized to synergize in their operations. This is inclusive of synergies between national MEAs key points and the institutions involved with management of environmental information. Other than weak institutions at all levels of governance, inadequate coordination and cooperation amongst the institutions largely hinders the implementation of MEAs.

Over time several concerns have arisen with respect to implementation of MEAs in individual member states. These concerns relate to aspects on effectiveness, international regulatory congestion, promptness, efficiency, replication and overlap of institutional mandates (UNEP, 2001). These concerns arise particularly in developing countries where there are capacity constraints and strategic assessments are not done in determining the ratification of MEAs. A report of United Nations Environment Programme (UNEP) on development of Multilateral

Environmental Agreements (MEAs), argues that ratification of the various agreements and protocols on the environment currently represents outstanding achievements globally in the environmental arena. Johanna (2011) asserts that the numerous documented MEAs poses a great challenge in their implementation. Developing countries have a tendency to be lacking in building the necessary capacity to ensure that international policy is translated into domestic action. This has resulted in the limited capacity demonstrated by inadequate technical capacity to assess and develop the necessary environment dependable enough to come up with sound environmental decisions.

1.1.3 United Nations Environment Programme

The United Nations Environment Programme (UNEP) is the agency of the United Nations responsible for coordination of its environmental agendas, steering developing nations in executing policies and practices which protect the environment. UNEP was established from the United Nations Conference on the Human Environment in June 1972 and has its headquarters at Gigiri in Nairobi, Kenya. UNEP has several country offices as well as six regional offices. (Schrijver, 2010). The core activities covered by UNEP focus on issues touching on the marine, atmosphere and earthbound natural environment, biodiversity conservation and governance of the environment. Participation of UNEP has been significant in developing the international environmental conventions as well as implementation of the conventions in conjunction with environmental policy. Promotion of environmental science and information aimed at establishment and formulation of policy with national governments, regional institutions in collaboration with environmental non-governmental organizations (NGOs). UNEP has actively funded and implemented development projects which are environment centered. UNEP has spearheaded development of essential guidelines and treaties on key matters including the

international trade in potentially harmful chemicals, marine conservation, and contamination of international waterways as well as air pollution.

UNEP adopted its Guidelines on Compliance with and Enforcement of MEAs in February 2002 .This action was a vital urgent response by the international community to the need in fostering enhancement and compliance with MEAs through institutional enhancements and improved organizational coordination. Capacity building and training strengthened national environmental implementation and enforcement mechanisms (UNEP, 2003). The guidelines cover a broad range of environmental issues are which are relevant to present and future MEAs. Amongst them are environmental protection both globally and regionally, management of hazardous substances and chemicals, pollution control and prevention, desertification, biodiversity conservation, wildlife and environmental quality and protection. A framework of collaboration and cooperation with the agreements is key to the guiding principles for UNEP in supporting MEAs and their implementation considering their autonomous legal and policy nature. The main aim of this approach is to consolidate all the relevant parties to draft the way forward on the policies that will ensure the unified execution of treaties nationally.

1.2 Research Problem

More than ever before there is a great need for alliance and active participation among nations and rising interconnection of nations as well as other partners in order to holistically address the modern day universal environmental issues. The global pressures exerted by the powerful forces of economic development and technological progress completely changed the universal environment affecting the environmental science of planet earth in comparison to the previous state.(UNEP, 2010).Environmental problems are complex in nature yet they are experienced in

different political territories. More often than not their origins are locations different from their most comprehensive experienced outcomes (Jones, 2012). In reference to sovereignty, the legitimate territories of powerful nations fail to match with the thresholds of the ecological systems upholding them (Imber, 2006). Any environmental distress caused by powerful nations poses as a peril to all countries despite their availability of natural resources and background. (UNEP, 2010). Governments have no option to exit since they are bound by the complex and highly interdependent ecological challenges which form a new level of reliance among member nations (Biermann & Klaus, 2013).Adoption of MEAs is an attempt to seek permanent solutions to the elaborate universal environmental challenges. Compliance and enforcement of these economic instruments has proved to be an important mechanism by which nations jointly make commitments to manage renewable resources and protect the universal environment. The member states have however been faced by several challenges in the implementation of MEAs.

Whereas Kenya has ratified a number of MEAs in the realm of biological diversity, ecosystem and habitat conservation, her implementation of the obligations arising from these MEAs has encountered a number of challenges. As a result, cases of the integrity of Kenya's biological diversity and ecosystem have been compromised in numerous instances. Having ratified MEAs in the thematic area of biological diversity, ecosystem and habitat conservation, Kenya is obliged to pass laws, regulations and policies, taking other measures and initiatives to effectively implement her obligations under these MEAs. Nonetheless, Kenya is working towards effectively implementing her MEAs obligations in the field of biological diversity, ecology and habitat conservation.

Studies that have been undertaken on the challenges affecting implementation of MEAs by countries include Mathenge's (2013) study on the Implementation of Environmental Treaties in Kenya. The study concluded implementation of the MEAs in Kenya is led by the executive; and tends to be done on a piece meal basis notwithstanding the adoption of policies and laws that would support the implementation of the MEAs.

Internationally few studies exist that examine global strategy implementation challenges associated with MEAs. Despite previous research focusing on governance of MEAs and rising number of Kenya government commitment to implementation of MEAs, limited studies have focused on strategy implementation challenges of Kenya's MEAs with the United Nations Environment Programme. Conflicting research findings have been reported and previous studies have not addressed implementation challenges with regard to the Kenyan chapter. This study will therefore aim to bridge the gap by investigating strategy implementation challenges of Kenya's MEAs with the United Nations Environment Programme. The study therefore focuses on answering the question: what is the global strategy implementation challenges of Kenya's multilateral environmental agreements with the United Nations Environment Programme in Nairobi Kenya?

1.3 Research Objective

The research purpose of this study was to determine the global strategy implementation challenges of Kenya's multilateral environmental agreements with the United Nations Environment Programme in Nairobi Kenya.

1.4 Value of the Study

The study is valuable to the United Nations, as it will enable them to further form the basis of setting up and implementing a vibrant environmental management system in the organization and its agencies, since they understand the importance of MEAs implementation. The importance of this study is evident from the increasing climate change related environmental challenges especially in food security facing the country despite ratification of MEAs. There is need for increased focus on effectiveness on compliance and enforcement of agreements obligations, along with mechanisms of improving domestic implementation.

To the Government, this research forms an invaluable source of reference especially the Ministry of Environment and Natural Resources in coming up with policies to guide in the environmental management. Policy makers will also find information on how MEAs can be adopted and enhanced, and as a result put in place policies that will guide and encourage the Government to fully implement the policies so that environmental destruction can be minimized.

Scholars will find it important as the study will increase the body of knowledge in this area. Those carrying out research similar to this study will be able to get information concerning importance of MEAs implementation and challenges. For academicians, this study will form the basis on which other related studies can focus on.

2.1 Introduction

This chapter focuses on the review of literature related to the study. The main areas covered here are theoretical foundations of the study, approaches to strengthen compliance and enforcement of MEAs and multilateral environmental agreements implementation challenges.

2.2 Theoretical Foundation of the Study

This section examines the existing theories that are relevant to the study. The study was guided by economic analysis of the law theory of jurisprudence and reputational theory.

2.2.1 Economic analysis of the law theory of jurisprudence

The economic analysis of law is a jurisprudential school of thought that is rooted partly in utilitarianism (Bentham, 2007). Bentham (2007) jurisprudence that legal sanctions discourage ill behavior and that they should be employed when they will serve as an effective deterrence is a manifestation of the interplay between law and economics (Maiello, Viegas, Frey & Ribeiro, 2013) Inter-generational equity, precautionary principle and polluter pays principle and other principles that underpin MEAs are deeply rooted in utilitarian philosophy and, thus, manifest an interdependence between law and economic that underpins the economic analysis of the law school of thought.

Maiello, Viegas, Frey and Ribeiro (2013) noted that a well-crafted law or policy instrument should, therefore, be one that helps in the prevention of the misuse of scarce societal resources

through a fair and flexible and expeditious process as this will, ultimately reduce costs that conservation entails which, in turn, leads to a realization of utility that sees many more benefitting from conservation. Thus, benefits a state is likely to derive from undertaking environmental conservation through upholding principles of sustainable development exceed the cost for putting in place the legal, policy and institutional frameworks in the pursuit of sustainable development, then such policies will be deemed cost-effective, the pursuit whereof is rational. In other words, pursuing such policies will be socially desirable due to their inherent "utility"; the adoption of a framework of welfare economics is critical to assess their social desirability (Muller & Burkhard, 2012).The relevance of international environmental law consists in its ability to maximize the advantages arising from environmental conservation as opposed to the harm or pain that pollution causes.

2.2.2 Reputational Theory

The theory maintains that reputational sanctions explain why states comply with international law (Guzman, 2002). Guzman (2002) theory is based on a model of rational self-interested states. When the benefits exceeds the costs, the states defect from international law. The prisoner's dilemma game theory is applied in mixed motive problems. Domestically, providing a penalty for defections helps the law in solving the prisoner's dilemma. Crossen (2013) suggests that in sanctions prevent defection in international law. Nations obey the law when the costs of sanctions exceeds benefits of defecting. On the other hand nations defect when international practice do not exceed the benefits of complying including the reputation effect of violating .Member countries comply with their legal obligations with the anticipation that the long-run costs from non-compliance in terms of reputational damage exceeds any short-run benefits (Mukheibir, 2010). Arguably, compliance grants member states an opportunity to establish their credentials as

dependable and legitimate partners in future co-operative ventures, with a great positive reward for economic and political security.

Robert (2012) argued that given the scarcity of prevailing enforcement mechanisms in international law and MEAs reputation is very critical to the theory. Robert (2012) maintained that the reputation of a nation has great value. Reputation for compliance with international law fosters cooperative relations with other nations. Equally, violation of international law compromises the reputation and hinders future relations. Direct sanctions acts as the mechanism for securing compliance for nations which decline to foster a reputation for high compliance.

Guzman (2002) reputational theory of compliance has its limitations, especially where the stakes are high, for instance security of a nation, the compliance pull of maintaining a great reputation weakens. In this case, reputation loss will not exceed the benefits of defection where the issue is of critical importance to the nation. Guzman (2002) argues that in some areas like trade and environmental regulation, the stakes are smaller, since international law can have great impact. The magnitude of cooperation must increase if MEAs are to have any outstanding great effect in responding to global environmental problems. The Kyoto Protocol illustrates a recent example where the Parties have introduced more burdensome obligations to address the environmental problems.

2.3 Methods of Strengthening Compliance and Enforcement of MEAs

There exists several methods of fostering compliance, strengthening and enforcement of MEAs. The first comprises what Kapstein and Converse (2008) refers to as "sunshine methods": enhanced

monitoring, reporting, actual access to information. Equally, application of "sticks" or negative actions: fines, often of trade measures in nature, over non-compliant parties in enforcement. Trade measures contain policy instrument accompanying requirements, standards or restrictions on internationally sourced products or services and procedures of importing or exporting goods (Rothstein, 2011). Thirdly it is referred to as "carrots" or positive measures: including essential incentives to aid nations in in capacity building for adherence and enforcement of MEAs.

Edelenbos, van Buuren and Van Schie (2011) noted that it is evident that sunshine methods presents an indirect guideline of enhancing adherence and enforcement. The underlying principle of this approach is that nations concentrate on adherence and enforcement reputation. Exposure of their non-compliance and non-enforcement leads to remedial action. Inadequate clarity exists to substantiate the effects of solid sunshine methods when applied alone to improve compliance and enforcement considering the reputation of nations. Some of the sunshine methods like improved monitoring and reporting are inhibited by financial constraints and inadequate managerial capacity.

Less developed countries face greater challenges with adherence and enforcement of MEAs than developed countries. The greater concern for these countries is the use of sticks. They are afraid that trade measures will be utilized to their disadvantage. As Kannan (2012) asserts that powerful nations apply sanctions to execute the international rules which favors them. Less developed nations approve of carrots on the expectation they are likely to benefit from financial and other incentives.

It suggests therefore sticks or carrots methods have different impacts on developing nations and whichever method is applied has little effect considering compliance and enforcement. On the

other hand, Fredriksson and Mani (2012) asserted that the restrictive adherence and enforcement in several nations, especially the less developed ones, was not caused by resistance to adherence and enforcement but weak institutions and insufficient financial resources .The use of sticks would only suffice in penalizing recipient nations and may not necessarily improve adherence or enforcement. Key to note is that building capacity, technological know-how and adequate financial mechanisms could result in strengthened adherence and enforcement (Thornton, 2010).

2.4 Multilateral Environmental Agreements Implementation Challenges

Majority of the environmental challenges faced by the world today require the collaboration of nations in order to address them jointly. The existence of an international environmental governance system is an appropriate forum and structure for addressing these common environmental problems. Over the years there has been an increase in evolution of the international framework where environmental governance is concerned. Some MEAs have been very successful with the exception of others like trade in endangered species and of ozone layer. They have lacked implementation at the national level hence majority of these treaties have been inadequate to stop increasing environmental deterioration (Young, 2011).

2.4.1 Resource Constraints

Legitimacy and fairness of key MEAs have been highlighted as another great obstacle to implementation such as the UN Framework convention on climate change (UNFCCC) as well as the convention of biological diversity (CBD), (Young, 2011). Developing countries have maintained that developed countries ought to take the leadership in financially supporting the implementation of the MEAs in less developed nations, since they are empowered economically having a greater influence on the environment universally. Historically, emissions of green-

house gases from industrialized nations originated the argument on the negotiations involving international conventions to stop climate change. As a result of aiming to respond to these requests, the Global Environmental Facility (GEF), as well as a wide scope of other financial mechanisms aligned to specific agreements was formed. Creation of a green climate fund formed part of the decisions at the climate negotiations. This holds commitments for a marked increase in resources to be directed to less developed nations for climate change adaptation and mitigation (Barry & Robyn, 2011). Developing countries often accuse most Organization for Economic Co-operation and Development (OECD) countries of failing to perform on their commitments on financial aid and additional environmental development.

Voluntary funding which UN is highly dependent on, is often set apart for the execution of specific programs or projects. As a result the MEAs secretariats and UN agencies often find it very challenging to execute and coordinate their activities. Focus is then shifted to financing and execution of projects in the short run (Najamet al., 2006). A solution would be to increase the main funding in order to reduce competition and improve efficiency amongst other United Nations bodies.

Execution of MEAs nationally mirrors the fragmentation of the international environmental governance system. Action plans at the national level and relevant projects, are the responsible channels for transforming MEAs into a reality nationally. The challenges with these plans have been excess focus on projects as well as poor integration with national development planning. A comprehensive strategy is required to seize opportunities usually overlooked to focus on promising collaborations with various environmental actions such as diversified capacity

strengthening on management of chemicals widely as opposed to one treaty. Majority of the action plans were originated aiming at attracting international funding despite the overemphasis on consultation and ownership of these actions nationally (Sharma, 2009).

Fragmentation at the United Nations system has greatly contributed to corresponding funding systems and implementation. Each recipient country has its own challenges associated with the tendency to form updated financing mechanisms for the various negotiation areas. There exists specific requirements verification, monitoring and reporting where financing mechanisms are concerned. In financing climate change, there is an excessive amount of private sector finance as well as multilateral and bilateral funds. Various financing instruments including loans, guarantees, grants and technology transfer result in an increased fragmentation and uncalled for rising institutional and administrative responsibility on the beneficiary nations (Thornton, 2010).

2.4.2 National Level Environmental Governance

There are numerous MEAs existing currently and are of rising concern to the international community as well as developing countries .The main concern for the developing countries is the enormous burden and responsibility to execute and strengthen the MEAs which they are party' to. (Mrema, 2006 pg. 45). The main responsibility is largely shouldered by the contracting parties in the implementation of MEAs which ought to primarily occur at the national level. Parties concerned ought to ensure a clear understanding of their obligations as well as take appropriate measures in their execution. Majority of the MEAs require participating member states to establish institutional systems nationally and the requisite laws, policies, regulations and mechanisms to strengthen the objectives of the MEAs (UNEP, 2009).

Promoting and supporting the intentions of MEAs requires working institutions nationally coupled capacity building for executing environmental legislation. Solid environmental authorities are crucial for implementation of MEAs nationally. Weak environment institutions and ministries in developing countries are a great disadvantage. Acquisition of resources from the treasury is often coupled with difficulties for developing countries. On the other hand internationally sought financial aid for environmental projects happens to be a priority for these government ministries. The influence of environmental authorities may be weakened by an approach of merely focusing on projects which more often than not falls short of resolving the origin of environmental deterioration Lawson and Bird (2008) argues that environmental bodies ought to spend their share of scarce resources on negotiation and administration of internationally financed projects as opposed to directing their resources on execution of their core functions such as monitoring and control .As a result, the expected rise in the dependency on international funding for risks caused by climate change result in more fragmentation of environmental management structures in less developed nations.

2.4.3 Inadequate Coordination of Institutions

The existing international system is made up of numerous institutions and systems largely uncoordinated and it doesn't fully exploit the synergies. Different parties have their own mandates but their implementation is often not executed to tap optimally on the available scarce resources (Borja, Galparsoro & Solaun, 2010). The growth in the numerous MEAs has largely resulted in differing elements, especially on interrelated issues. Dalal-Clayton and Bass (2009) argued that UNEP carries the mandate coordination and steering policy guidance on environmental policy throughout the United Nations. The main challenge that the UN faces is

inadequate resources to fulfill their mandate. The Commission on Sustainable Development has failed to conquer the deficits on co-ordination as well.

Hindrances to the implementation of environmental and measures especially on MEAs exist at the sub-national governance levels. Monitoring, strengthening and enforcement of environmental laws nationally is made difficult by the fact that there is weak representation of environmental authorities at the national level in developing countries. Developed countries have limitations and lack well-defined property rights for land as well as forests. Exploitation of these resources has been a major concern because of their open-access characteristics. Ostrom (2010) argued that some communities have developed traditional systems to ensure management of resources like water, land, forests which are at the center of balancing equity, efficiency, sustainability and conservation of biodiversity. During certain circumstances, these similar systems on managing natural resources have been effective and very sustainable. Problems have been resolved by communal joint organizations which the state has failed to manage effectively. This has resulted in a review and consideration of the role communities play as well as other players between the market and state (Bromley, 2009).

Developing countries have been unable tap into the foreign policy skills and immense technical know-how which would facilitate them in effective participation at the negotiations (UNEP, 2012).Implementation and coordination of the environmental agreements is made challenging by these capacity constraints.

Majority of developing countries have set up programs to decentralize management of environmental and natural resources in the last decades. Experiences have demonstrated that the decentralization process include both opportunities and risks for environmental management (Ostrom, 2010). For some countries, decentralization has resulted in improved natural resource management due to enhancement of communities' participation, transparency, accountability and strengthened coordination. Other countries have failed in their responsibilities for natural resource management due to decentralization and insufficient resources. Practically majority of the decentralized reforms possessing commitments for enhanced resources management have not been fully executed due to resistance from opposing interest groups.

2.4.4 Characteristics of the Country

Countries are at the center of Multilateral Environmental Agreements, concerning their implementation and compliance. They must therefore participate in the process and ensure fulfillment of their obligations. The different circumstances of a particular nation determines how effectively their obligations are fulfilled. Therefore, its success in implementing their obligations is determined by how well legislation and regulations previously existing were transformed (Kannan 2012, pg.121). Developed and democratic countries would yield better results in meeting their obligations than undeveloped countries.

Low and Gleeson (2011) argued that developed countries possess a more effective administrative capacity since knowledge is readily available with the presence of expertise in various fields. They are also financially strong and have relevant access to information. Their legal mandates have proven to be effective too. For implementation to be effective, economic factors have a great and important role to play. Economic instability and collapse can cause serious implications on implementation since scarce government resources coupled with rising inflation

rates causes a major impact on the methods of executing bodies to meet their obligations. Existing political institutions and systems of a nation have an impact in implementation. Developed nations carry a greater responsibility for complying with commitments in comparison to undeveloped countries. Coordination is not an easy task where the action points concerning the treaty is widespread. Various levels of political authority in the Cites requires to be coordinated, and it's a difficult task. When governments are politically unstable it leads to reduced adherence in environmental treaties. Majority of African countries have been affected by this for a long period of time. Evidently, democratic governments have greater transparency in their dealing and are very responsive to the views of the public. Domestic groups exert pressure and public opinions are critical mechanisms for strengthening, implementing promoting and complying with agreement obligations.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter focuses on the research design, data collection and data analysis technique applied.

3.2 Research Design

The research design is a case study. A case study captures an in-depth investigation of an institution or phenomenon in details. The case studies enable a researcher to gather information in more depth than in cross-sectional studies to enable understand the situations or phenomenon. It's helpful in revealing the multiple factors, which have interacted to come up with the unique character of the subject of study.

The study assisted in identifying the global strategy implementation challenges of Kenya's multilateral environmental agreements with the United Nations Environment Programme in Nairobi Kenya. The fact that case studies are the most appropriate in examination of processes by which events occur, guided the choice of this approach. Case studies guide exploration of causal relationships as well as provide an understanding of the phenomena holistically.

3.3 Data Collection

The primary data used in this study was collected through an interview guide. The interview guide constituted a set of questions guiding the interviewer to collect feedback from the five interviewees. The respondents highlighted for the interviews were Senior Programme Management Officers, Associate Programme Management Officers and Assistant Programme Officers. These were considered to be key informants for this research. The choice of the senior

and middle level managers in this study is very important since they are in leadership roles of the organization and are responsible in fostering organizational objectives.

3.4 Data Analysis

Data was sourced from the interview guide and content analysis was used to analyze it. Content analysis is a technique involving a detailed qualitative description of the objects or items of study (Hsieh & Shannon, 2005).

Content analysis is useful as a method at the intersection of the qualitative and quantitative traditions, very beneficial for a thorough exploration of various essential and challenging topics of interest to researchers (Carley, 2003). The approach was best recommended for this study since it allowed for an in-depth, thorough analysis in varying circumstances. It was relevant since organizational objectives do often occur in myriad of circumstances. Further, a major unique characteristics of qualitative research is that it is carried out in an environment where the events occurred creating the chance to process the flow of occurrences in the various surroundings.

CHAPTER FOUR

DATA ANALYSIS, RESULTS AND DISCUSSION

4.1 Introduction

The research objective of the study was to demonstrate the global strategy implementation challenges of Kenya's Multilateral Environmental Agreements with the United Nations Environment Programme in Nairobi Kenya. This chapter reviews the analysis and findings with a focus on the objective and its discussion

4.2 Response Rate

The researcher sought to interview six persons but was only able to interview five of the targeted respondents namely; Regional Director, Senior Programme Management Officers, Associate Programme Management Officer and Assistant Programme Officer. The response rate was representative of 83% which was regarded sufficient to conduct the data analysis and follows the observations of Mugenda and Mugenda (2003) stipulating the adequacy of a 70% response rate. In addition, considering the period taken by the researcher to collect data from the interviewees, venturing into expanding the scope of the interviewees had a time limitation aspect hence considering the current feedback sufficient for the research analysis.

4.3 Interviewees demographics

This section of the interview guide sought to determine the interviewee's background information. The information sought was the duration that they had worked with UNEP, their education background, the total number of years that they had been holding the current position as well as gauging their competence on the Multilateral environmental agreements. All the interviewees had university degrees with a Master's degree in different areas of specialization. In

addition, all had worked at the United Nations Environmental Programme for more than six years, though three of them had worked in different countries within the same organization.

On the question of how countries have benefitted from the implementation of MEAs, the interviewees pointed out that through the UNEP, different countries have been managed to govern activities in their country with the support of multilateral and bilateral donors as well as being able to share progress as well as share best practices and experience with others. They noted that since Multilateral Environmental Agreements (MEAs) are legally binding documents that lay down in detail the environmental challenges being focused on, allegiances of the nations involved, and the institutions as well as systems to be established, they noted that the same had facilitated comprehensive collaboration amongst nations and other stakeholders in addressing the global development crises. One other interviewee noted that MEAs had facilitated;

'' *On cooperation concerning trade and environment agreements, formation of a scheme to tackle disputes on trade-related environmental concerns, empowering the system to be independent make rules and negotiations'' (Interviewee, 2)*

The interviewees appreciated the role that the multilateral environmental agreements had facilitated in the preservation of the environment and they pointed out that the same had increased commitment of countries towards preservation of the environment. These findings are consistent with Kannan (2012) who pointed that the key goal of establishing MEAs is to ensure that impacts human have on the environment and all resources are managed and embody list of commitments among nations creating firm institutional structures that guide different stakeholders in addressing global environmental issues. This means that with effective implementation of the MEAs and with all countries willing to uphold the agreement principles,

environmental sustainability will be realized well than when individual countries pursue the environmental treaties.

4.4 Multilateral Environmental Agreements Implementation Challenges

The advent of international agreements as a sound structure to address universal environmental issues faces challenges concerning the adherence of governments to agreements established under MEAs. This section of the questionnaire sought to find out the challenges that countries face in implementing strategies developed under the MEAs framework. The challenges identified included resource constraint, national level environmental governance, inadequate ineffective coordination, and country characteristics.

4.4.1 Resource Allocation

The financing of the implementation of the MEAs poses challenges since over time the developing countries have argued that the developed nations, as a result of stable foundation and their comparatively greater effects on the universal environment need to shoulder greater burden of resource allocation to the body overseeing the implementation of the MEAs. On the question of how resource allocation is a challenge, the interviewees pointed out that the researcher found that there has been high dependence on voluntary funding by countries and coupled with inadequate uniform guidance which facilitates agreements between donors and recipients had resulted in a less cooperation by the member states to contribute towards the agency. Countries including Kenya were found to contribute uneven annual membership fee and since it is voluntary, the secretariat has in many instances been operating with a deficit financing. In addition, the interviewees pointed out that there has been a limited synchronization between donor agencies funding and the projects being undertaken by the agency.

One of the interviewee noted thus….

' There has been Inability to work with staff of funding bodies to ensure alignment of the convention measures since convention measures and goals are widely acceptable to motivate states and donors to channel more resources…… but there has been an inadequate proper follow up among the State parties' (Interviewee, 4)

In addition, competition for limited resources and existing political commitment has contributed to a scenario where systems are constantly uncertain about demanding priorities. Financial resources are insufficient to ensure international environmental cooperation causing disillusionment. Most of the developing nations encounter challenges in the implementation of MEAs. The other challenge that has led to inadequate resource allocation to the MEAs is unsynchronized action plans by UNEP. It was noted that UNEP has been charged with the mandate for planning the overall environmental activities of the United Nations system. The financial budgetary allocation for UNEP is lower in comparison to that of other multilateral agencies. There is need for stable adequate and predictable funding in this role. The UN Governing Council has spearheaded the funding issue. Since the funding is still voluntary among the member states, the existing UN budgetary allocation has been inadequate to uphold the secretariat spending.

The essence of a multilateral agreement is foster collaboration among states creating obligations for those nations guided by the international legal framework (Wiersema, 2009). The fundamental governing international law is that agreements must be observed. Consequently, all agreements are binding to the member states in collaboration and compliance are key since they are accountable to those conventions they committed to (UNEP, 2006). This means therefore that

cooperation by the national government will be necessary for its effective implementation of the programs.

One of the interviewee thus noted the following:-

"*Given the expanding environmental agenda and the fragmented approach to international action, the international community needs to consider whether the existing international institutional machinery can confront the challenges of the twenty-first century. The existing machinery remains fragmented, often with vague mandates, inadequate resources and marginal political support. The basic premise for charting a new course for institutional strengthening is that existing institutions do not and cannot adequately address current and future needs.*"(Interviewee, 1)

With the fragmented approach to the MEAs issues, it was found out that countries have failed to execute the commitment made under existing treaties and at the same time the secretariat has been unable to benefit from the economies of scale as opposed to joint ventures in capacity building or information management. This uncoordinated approach to environmental issues has led to countries managing the agreements independently, though, it was noted that plans are underway to improve their coordination and coherence.

4.4.2 National Level Environmental Governance

The implementation of MEAs mostly takes place at the National hence the responsibility falls with contracting parties make sure they comprehend their commitments and effect strict measures on complying to these obligations. Majority of the MEAs need participation states to establish institutions and systems nationally to ensure MEAs objectives are met. Therefore the National bodies have a responsibility of ensuring that they implement the programs that they have undertaken to implement.

The number of MEAs programs being undertaken at the national level was also found to affect the implementation by the member states. On the question of how this becomes a challenge, the interviewees noted that the growth in the number of global environmental conventions, financial systems, has caused a multiplication as well as steady financing establishments of the universal agendas. Equally, the numerous numbers of MEAs continue to grow guided by sectorial financial systems while cross-sectorial funding has been on the decline. Attempts to provide universal solutions to global environmental problems depending on strengthening of international law requires closer collaboration of financial systems and the national programs that are being undertaken. Further, there has been unhealthy competition among different conventions which has resulted in sub-optimization of the program activities. There is unwillingness on certain conventions in collaborating with others. Many agreements tend to be internally focused and are unwilling to give up their sovereignty.

Established systems at national level, with capacities to implement national environmental legislation, strengthen and enhance the intentions of the MEAs. Firm and solid environmental authorities are crucial in the process of implementing MEAs at the national level. The findings of this research also noted that another challenge that affects the national governance mechanism is inadequate capacity by the member states to customize international policy into domestic action plans. It was found that an insufficient necessary capacity has resulted in poor collaboration amongst various environmental international organizations and structures for implementing multilateral environmental agreements. Therefore, positive results are impossible if the governance capacity is weak at any level and therefore there is going to be minimum environmental developments from all the organization's and procedures established by the international community.

These findings are consistent with those of Chayes and Antonia (2005) who pointed out that the scarce resources and inadequate capacity mainly contribute to the non-compliance by the participating countries even with the willingness and existing commitment. Less developed countries face inadequacy of financial resources to establish effective enforcement systems and required compliance mechanism at nationally.

4.4.3 Inadequate Coordination of institutions

The present day international system is made up of diverse institutions and processes which need to be coordinated for effective result outcome and if there are cases of incoordination then it becomes a challenge to realize the stated goals. The researcher sought to establish the effect of inadequate coordination of the MEAs mandates on the realization of the stated goals. The inadequate coordination takes different forms including uncoordinated non-implementation of MEAs, weak representation of environmental authorities locally in less developed nations and capacity constraints made implementing environmental commitments.

The findings were that there are several international and national agencies that deal with environmental matters and there exists inadequate coordination between the agencies and therefore resulting to a less than optimal results. The interviewees noted that failure to build capacity for action plans at the focal points including effective governance had to organize universal knowledge for application nationally. Technical know-how and research on pilot projects was found to be a challenge to the implementation of MEAs policies. Further, the institutional compartmentalization and the horizontal nature of the ministries in charge of environment have encouraged insufficiently adapted institutional and legal frameworks. As a result there exists weak technical and financial

resources which continue to be the main causes justifying the low level of achievement of MEAs objectives.

The other challenge that came out was a weak representation of environmental authorities at the local level in developing countries which affect implementation of MEAs. It was found that many countries that are signatories to MEAs lack capacity to promote compliance and implementation of MEAs in a proactive and deliberate manner. Consequently, they pointed out great concerns have risen on non-effective implementation of multilateral environmental agreements majorly caused by limited financial resources. Therefore there exist an inadequate infrastructure and capacity which complicates compliance, evaluation and monitoring of the MEAs activities both at the international level and member countries levels.

These findings are consistent with Borja, Galparsoro and Solaun (2010) results that implementation of different mandates by various players are often not pursued in a way that demonstrates that utilization of scare resources optimally. Therefore existence of different bodies that seek to implement environmental agreements results in duplication of roles and allocation of the limited resources becomes a challenge. Indeed as Cornell et al. (2013) noted, there is a tight relationship between the national implementation process and the attaching intergovernmental negotiations of MEAs, making significant contribution to each other. Management of these processes demands an expertise in skills and legal competence nationally at all levels of governance. A limitation on the same skills will lead to ineffective realization of the environmental goals.

4.4.4 Characteristics of the Country

Multilateral Environmental Agreements by their very nature subject the signatory countries to be responsible and vocal in the implementation and compliance processes. Consequently circumstances vary for different nations which eventually determines their obligations are effectively .This is affected by how it has traditionally been dealing with the issues that are being addressed. Prevailing legislation, policies and regulations existing at the time it became a party to the accord will influence the implementation of the MEAs signed.

The researcher sought to establish how a member country characteristics affects the implementation of the set MEAs programs. On the question of how limited government resources plus high inflationary rate had affected incentives to administrative agencies to enforce their obligations , the interviewees pointed out that in the case of Kenya, they noted that there has been an insufficient allocation of resources towards the implementation of MEAs and that MEAs Secretariats champion capacity building of governmental authorities to implement the agreementa by spearheading the monitoring progress and performance with the aim of providing meaningful feedback for future improvements. Further, it was noted that there was inadequate staff with the requisite technical skill to guide many countries in the negotiation process and also to facilitate the implementation process of the banks.

Limited political will might affect the compliance with environmental agreements. The study found that the Kenyan government for example is constantly highlighting concerns that the existing international environmental governance structure is not aligned to its environmental agenda. This therefore erodes the support that it can extend to the MEAs framework. In addition, the membership of different countries to overlapping environmental bodies dealing with

environmental issues set up unrealistic demands on negotiators, especially on less developed nations preventing environmental issues from being addressed comprehensively. Further government have declined to sign the climate change bills into law highlighting inadequate public participation in drafting the process in the final stages as well as a lack dialoguing in good faith by state governments contributes to low compliance and enforcement with MEAs.

The challenge of non-compliance was found to be prevalent among the developing countries and consistent to Low and Gleeson (2011) findings, developing countries unlike the developed countries possess ineffective administrative capacity since they lack sufficient knowledge and technical know-how in areas of specialization. Inadequate financial structures and consistent information access, supported by legal frameworks for effectiveness. Economic factors end up playing a critical role in effective implementation of MEAs. Further, Kanaan (2012) argued that there is more transparency in democratic governments in their dealings and are more responsive to public views, as opposed to dictatorship. Local groups exert pressure making public views critical in promoting, implementing, and strengthening of treaty obligations.

4.4.5 Summary of MEAs Implementation Challenges

MEAs Implementation Challenges	Key issues facing Implementation of MEAs	Recommended Action plans
Resource Constraints	High dependence on voluntary funding by United Nations agencies High fragmentation of the United Nations system and inadequate financial resources to execute their mandates	Developed countries should take leadership in financing implementation of MEAs Develop updated and robust financing mechanisms to support the United Nations

MEAs Implementation Challenges	Key Issues facing Implementation of MEAs	Recommended Action Plans
National Level Environmental Governance	Weak representation of environmental authorities at the national level. Insufficient investment in fostering reliable adherence and execution of MEAs	Establishment of strong institutional systems and environmental authorities nationally Minimization of duplicated functions at the national level
Inadequate Coordination of Institutions	Existence of numerous uncoordinated international governance institutions Capacity constraints in foreign policy skills and technological know how	Decentralization management of environmental and natural resources Improved technology capability. Financial investment on training and development
Characteristics of the Country	Inadequate capacity to effectively implement MEAs Instability of the political systems and institutions reduce the adherence to environmental treaties Limited political will by the government resulting into low compliance on environmental agreements	Active participation by member countries in the implementation process Fostering an economically stable environment to facilitate implementation of MEAs Governments should align their environmental agenda with the existing international governance structures

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter summarizes the key findings, conclusions, limitations of the study, and recommendations for further research. The research objective was to establish to establish global strategy implementation challenges of Kenya's Multilateral Environmental Agreements with the United Nations Environment Programme in Nairobi Kenya.

5.2 Summary

In summary, the study shows that the interviewees are aware of the strategy implementation challenges of Kenya's Multilateral Environmental Agreements with the United Nations Environment Programme. This is because the resource persons were composed of Regional Director, Senior Programme Management Officers, Associate Programme Management Officer and Assistant Programme Officer and all had acquired immense experience both locally and internationally on matters relating to environmental protection and conservation. In addition, all the interviewees had university degrees with a Master's degree in different fields as well.

The implementation of the Multilateral Environmental Agreements has generated several benefits to Kenya. These include being able govern a country's activities through the support of multilateral and bilateral donors as well as being able to share progress as and best practices and experience with others. Further, the dedication of the participating nations, and the legitimate systems to be set up has facilitated establishment of elaborate collaboration between the Kenyan government and other parties to address the universal development challenges.

The challenges that face the Kenya in implementing MEAs were identified to include inadequate resources, limited national level environmental governance systems, ineffective coordination of

institutions, and country characteristics that impacts on the implementation process. On the question of how resource allocation was s a challenge, the interviewees pointed out that the Kenyan government has mostly been dependent upon voluntary funding by countries and coupled with an insufficient uniform guidance which facilitates agreements between donors and recipients had resulted in a less cooperation by Kenya to contribute towards the MEAs. Kenya was found to contribute uneven annual membership fee and since it is voluntary, the secretariat has in many instances been operating with a deficit financing. Further, it was found that Kenya had entered into several agreements on environment and implementation of these agreements had led to straining of the available resources to the Kenyan chapter secretariat.

The research found that insufficient coordination among the various agencies in Kenya takes different forms including uncoordinated non-implementation of MEAs, weak representation of environmental authorities at the domestic level in less developed countries and capacity constraints made implementing environmental commitments challenging. It was found that Kenya had entered into several international deal with environmental matters and there exist inadequate coordination between the agencies and therefore resulting to a less than optimal results in the country in matters to do with environmental preservation and enforcement of the existing agreements. In addition, expertise and review of piloted projects was found to be a challenge to the implementation of MEAs policies in Kenya. Further, the institutional compartmentalization and the horizontal nature of the ministries in charge of the environment in Kenya has encouraged an insufficiently wide adaption of institutional and legal frameworks.

The other challenge that faces the implementation of MEAs in Kenya has been a limited political goodwill. The study found that in recent years the Kenyan government has constantly

highlighted that governing structures in place internationally are not aligned with its agendas on protecting the environment. This therefore erodes the support that it can extend to the MEAs framework. In addition, the membership of different countries to overlapping environmental bodies dealing with environmental issues set up unrealistic demands on less developed countries. These agendas have hindered solving environmental issues holistically hence undermining necessary support to the implementation and monitoring of legally binding commitments under the international law.

5.3 Conclusion

Management of the environment is becoming a complex issue and long-lasting solutions to existing environmental problems are required. MEAs are key instruments used in conventions to govern available scarce resources as well as protect the universal natural environment. A key environmental challenge of the 21st century is desertification .MEAs are established to address comprehensive environmental issues affecting the less privileged countries where desertification has caused underdevelopment. Adoption of multilateral environmental agreements as an efficient system to tackle universal environmental challenges has raised major issues regarding the compliance of governments. Several reasons have been highlighted and they include insufficient investment in fostering reliable adherence and execution of these legitimate instruments at all levels of governance, such as in Kenya. Hence, institutions and financial systems of nations to transform the multilateral environmental agreements into reality poses as a great concern to Kenya.

There is need therefore for developing countries to come up with appropriate mechanisms of identifying and resolving the challenges that prevent effective implementation of MEAs and also facilitate provision of accurate base line data and establishment of monitoring systems for

addressing environmental degradation challenges in the country. The insufficient technology capability and low quality combination of environmental plans should be addressed with an aim of minimizing duplicity of functions in different environmental organizations that the country could be party to.

5.4 Recommendations for Policy and Practice

Inadequate cooperation by various countries suggest that UNEP should consider coming up with specific entry points for MEAs such that a country's level of development determines their likelihood of compliance and entry into a particular agreement. Additionally, it should be determined by the capacity of a state to observe the tenets of the agreement and also availability of the technical know-how to guide the country to the attainment of stated goals.

In addition, there is need for Kenya to identify necessary environmental bodies and agreements that are necessary since its membership to several agreements had led to confusion due to the overlapping objectives of the agreements. Further, when identifying these linkages of the various environmental organizations, it is very important to analyze the plans and strategies at all levels of governance in order to establish if the targets of the MEAs are aligned with the focus areas. Major changes in essential documents ought to be addressed including their review period.

Kenya was found not to have technocrats that would facilitate effective negotiations of the multilateral environmental agreements and it is important that the country directs more resources to training staff with the necessary technical-know-how on the development and implementation of the MEAs that it has entered into. In addition, Kenya should come up with appropriate fundraising or budgetary allocation to enable the MEAs secretariat to perform its function effectively. There is need for consistent political support to also ensure that the agreements are implemented.

5.5 Limitations of the study

The main weakness in this study is its limitation in scope. As a result, the findings cannot be overgeneralized. The study was undertaken in reference to Kenya's inability to implement effectively the multilateral environmental agreements and therefore restricted to some extent in comparison of the challenges in other countries. Another shortcoming was that some interviewees were biased in their responses with the aim protecting the organizational reputation of their employer. More interviewees would have widened the scope allowing a greater comparison with all the feedback provided. Findings in this paper have very critical policy implications even with the highlighted limitations.

5.6 Suggestions for Further Studies

The present study centered only on the implementation challenges of MEAs by the Kenyan government. Future research should delve into capacities development of policy-makers within agencies and ministries and how they will provide enhanced systems for streamlining and strengthening collaboration at all levels as well as focal points in the region. The study should be diversified with participation across the sector and majorly highlight on government ministries such as Finance and Trade.

REFERENCES

Barrett, S., (2012) *Environment and Statecraft: the Strategy of Environmental Treaty-Making*, New York: Oxford University Press.

Barry, J. & Robyn, E. (2011). Legitimacy in Global Environmental Governance, *Journal of International Law & International Relations*, 1 (1-2), 139-165.

Bentham, R. B. (2007). International environmental agreements: A survey of their features, formation, and effects. *Annual Review of Environment and Resources* 28: 429–461.

Biermann, F. & Klaus, D. (2013). Global Environmental Change and the Nation State, *Georgetown International Environmental Review,* 4(1), 1-22.

Borja, A., Galparsoro,I., & Solaun, O. (2010).The European water framework directive and the DPSIR: A methodological approach to assess the risk of failing to achieve good ecological status. *Colorado Journal of International Environmental Law & Policy, 6*(1), 113–128.

Crossen,T. E, (2003). Multilateral Environmental Agreements and the Compliance Continuum, *Journal of International Law & International Relations*, 1 (1-2), 139-165.

Dalal-Clayton D.B., & Bass, S. (2009).*The challenges of environmental mainstreaming* (Environmental Governance Series, No.1).International Institute for Environment and Development.

Edelenbos J., van Buuren, A., & van Schie, N. (2011). Co-producing knowledge: Joint knowledge production between experts, bureaucrats and stakeholders in Dutch water management projects. *Environmental Science and Policy 14*, 675–684.

Faure, M. &Jurgen, L. (2009). Compliance with international Environment Agreements, In: Vig, Norman J., and Regina S. Axelrod, *The Global Environment: Institutions, Law and Policy,* London: Earthscan, 138-156.

Fredriksson, P. G., & Mani,M. (2012).*The Rule of Law and the Pattern of Environmental Protection*. IMF Working Paper 02/49. Washington, DC: International Monetary Fund.

Gray, K.R. (2000). International environmental impact assessment: Potential for a multilateral environmental agreement. *Colorado Journal of International Environmental Law & Policy, 11*(1), 83–128.

Guzman, D. (2002). Why Governments Comply: An Integrative Compliance Model That Bridges the Gap between Instrumental and Normative Models of Compliance. *Journal of European Public Policy* 12 (1): 113-42.

Imber, M. F. (2006). The Environment and the United Nations, In: Vogler, John and Mark F.Imber (eds) *The environment and international relations*, London: Routledge, 149-165.

Johannah, B. (2011). The Status of Treaties in Kenya, *The Indian Journal of International Law*, 67-8

Jones, T. (2012). Policy Coherence, Global Environmental Governance, and Poverty Reduction, *International Environmental Agreements: Politics, Law and Economics,* 2(4), 389-401.

Kannan, A. (2012) *Global Environmental Governance and Desertification*: *A Study of Gulf Cooperation Council Countries*, New Delhi: The Concept Publishers.

Kapstein, E. B., & Converse.N. (2008).*The Fate of Young Democracies.* Cambridge: Cambridge University Press.

Low, N., Gleeson, B., (2001), The Ethical Challenge of Environmental Governance, In: Gleeson, B. and, Low, N. eds, *Governing for the Environment: Global Problems, Ethics and Democracy*, London: Palgarve.

Maiello, A., Viegas, C. V., Frey, M., & Ribeiro, J. L. D. (2013).Public managers as catalysts of knowledge co-production? Investigating knowledge dynamics in local environmental policy. *Environmental Science & Policy, 27*, 141–150.

Lawson, A., & Bird, N., (2008). *Government institutions, public expenditure and the role of development partners: meeting the new challenges of the environmental sect*or. *Journal of European Public Policy* 1(11), 33-42.

Mrema, E. (2006). *Ensuring compliance with multilateral environmental agreements: A dialogue between practitioners and academia,* 201-228.

Mukheibir, P. (2010). Water Resources Management Strategies for Adaptation to Climate-Induced Impacts in South Africa. Water Resources Management 22, 1259–1276.

Muller, F. & Burkhard, B. (2012).The indicator side of ecosystem services. *Ecosystem Services 1*, 26–30.

Najam, A. Mihaela, P. & Nadaa T. (2006).*Global Environmental Governance: A Reform Agenda.* International Institute for Sustainable Development.

Ostrom E. (2010). *Governing the Commons: The Evolution of Institutions for Collective Action.* Cambridge: Cambridge University Press.

Perkins, R. & Eric, N. (2007). Implementing Multilateral Environmental Agreements: An Analysis of EU Directives, *Global Environmental Politics* (MIT Press), 7(3):13-40.

Robert, W. K. (2012). The international response to the threat of chlorofluorocarbons to atmospheric ozone. *American Economic Review* 72(2), 267–272.

Rothstein, B0, 2011. The Quality of government. Corruption, Social Trust, and Inequality" in *International Perspective*. The University of Chicago Press.

Sharma, G. T. (2009). Good Enough Governance: Poverty Reduction and Reform in Developing Countries", in *Governance: An International Journal of Policy, Administration, and Institutions*, 17(4), 525–548.

Schrijver, N. (2010). *Sovereignty over Natural Resources*, Cambridge: Cambridge University Press.

Shaw, M. N. (2008), *International Law,* Cambridge: Cambridge University Press.

Thornton, N. (2010). A Framework for Tackling Drought and Land Degradation, *Journal of Arid Environments*, 33(3):309-320.

UNEP (2001) *International Environmental Governance: Multilateral Environmental Agreements (MEAs),* Nairobi: UNEP.

UNEP (2003). *Guide for Negotiators of Multilateral Environmental Agreements.* Nairobi: UNEP.

UNEP (2009). *Compliance with and Enforcement of Multilateral Environmental Agreements*.

UNEP (2012).*Register of International Treaties and Other Agreements in the Field of the Environment.*

Williams, M. (2006) International political economy and global environmental change, In: Vogler, John and Mark F.Imber (eds) *The environment and international relations*, London: Routledge, 44-63.

Young, O. R. (2011), *International Governance. Protecting the Environment in a Stateless Society,* Cornell University Press, Ithaca and London.

APPENDICES

APPENDIX I: LETTER OF INTRODUCTION

INTRODUCTORY LETTER

University of Nairobi
School of Business
P.O Box 30197 – 00100
Nairobi
4th July 2015

To Whom It May Concern

Dear Sir/Madam,

   Ref: Request for Data – Global strategy implementation challenges of Kenya's Multilateral

 Environmental Agreements with the United Nations Environment Programme in Nairobi Kenya

I am a post graduate student at University of Nairobi, School of Business undertaking a research
In Global strategy implementation challenges of Kenya's Multilateral Environmental
Agreements with the United Nations Environment Programme in Nairobi Kenya.
.
Your kind assistance in providing the requested information will be highly appreciated.

Yours faithfully,

Kariuki Eddy Gatuiri

D61/70597/2008

MBA (Strategic Management) Student

Supervisor; Professor. Francis Kibera

Department of Business Administration, School of Business

University of Nairobi

APPENDIX II: INTERVIEW GUIDE

SECTION A: Demographic Data

1. For how long have you worked at United Nations Environment Programme?
2. For how long have you been holding the current position?
3. What is the highest level of education you have achieved?
4. How have countries benefitted from implementation of MEAs?

SECTION B: Multilateral Environmental Agreements Implementation Challenges

   a) Resource Constraints

5. How has high dependence on voluntary funding by countries affected implementation of MEAs?
6. How has fragmented action plans affected implementation of MEAs by UNEP Kenya?
7. How has fragmented UN-system affected implementation of MEAs?

   b) National Level Environmental Governance

8. How has the number of MEAs affected its implementation by member countries?
9. How has existence of ineffective institutions at national level hindered implementation of MEAs
10. How has the inadequate necessary capacity to ensure the translation of international policy into domestic action affected MEAs implementation?

   c) Inadequate Coordination of institutions

11. How has the wide variety of institutions which are sometimes uncoordinated resulted in non-implementation of MEAs?
12. How has weak representation of environmental authorities at the local level in developing countries affected implementation of MEAs?
13. How has capacity constraints made implementing environmental commitments more challenging?

   d) Characteristics of the Country

14. How has limited government resources plus high inflationary rate which have an effect on the incentives of administrative agencies to enforce their obligations influence implementation of MEAs in Kenya?

15. How has political systems and institutions in Kenya affected implementation of MEAs?

16. How has limited political will resulted in low compliance with environmental agreements?

17. How has limited information on climate change characteristics affected implementation of MEAs?