

# **COMMENTS**

received by

**MAJOR GROUPS and STAKEHOLDERS**

on

**DRAFT IEG DOCUMENTS:**

- A. ELABORATION OF IDEAS FOR BROADER REFORMS OF IEG. 9 OPTIONS
  
- B. STANDARDIZED FORMAT FOR COMPARATIVE ANALYSIS.

**FORWARDED BY Major Groups and Stakeholders Branch TO DELC**

**October 2010**

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**Amb. John McDonald**  
**Institute for Multi-Track Diplomacy**  
**1901 North Fort Myer Drive, Suite 405**  
**Arlington, VA 22209**  
**Phone: 703.528.3863**  
**Fax: 703.528.5776**  
[jmcdonald@imtd.org](mailto:jmcdonald@imtd.org), [chrisjohnmcdon@aol.com](mailto:chrisjohnmcdon@aol.com),

### **North American Representative on the Advisory Group as expert.**

In 1971, when I designed the four resolutions creating UNEP that ended up as United Nations Resolution 2997, which was passed on December 15, 1972, I consciously did not go down the specialized agency route. That route requires the convening of an international conference to draft a treaty, which would then have to be approved by the General Assembly of the United Nations and ratified by national parliaments. This process can take up to 10 years to complete.

I followed the model of UNICEF and UNDP, which was to create a governing council, a secretariat, and a voluntary fund outside of the regular UN budget. I added a coordinating committee to be chaired by UNEP.

Your short paper calls for the creation of a World Environment Organization, or WEO, and lays out certain criteria for that organization. All of those criteria laying out the rationale for creation of a WEO are contained in Resolution 2997.

Some of your colleagues may argue that a WEO would bring in more money for environmental issues. They are probably not aware that in the UN budget, the twenty poorest of the 192 members pay twenty thousands US dollars a year for UN membership. The second twenty poorest nations pay forty thousand per year. The lowest forty nations pay 1.2 million dollars per year for UN membership

UNEP's ten major donors are basically the UN's ten major contributors. What you need to do is to seek aggressively more financial contributions from those same ten countries.

My final comment on your short paper is that I feel you are wasting your time trying to create a WEO. This will not happen. You have all the guidance you need in Resolution 2997.

### **Comments on Second Paper**

I want to comment briefly on your second, long paper. To be quite blunt, I do not think this is a well-crafted paper. Before you send it to governments, I suggest you reduce it by two-thirds and clarify its focus.

As I understand it, there were five major areas:

1. Policy interface and early warning systems: This sounds reasonable and I favor this approach.
2. Universal membership: If this means seeking to create a WEO, I am opposed to that concept. You already have a global voice through ECOSOC to the General Assembly.
3. Efficiency and coherence within the UN System: I don't understand what this is about
4. Creative funding: I totally support this effort, but it needs to be started by the Secretariat

5. Meeting individual country needs: I totally support this initiative.

In my reading of United Nations resolution 2997, I believe you already have the authority to do all of the above and don't need further authorization to begin to move in these directions.

I would like to offer a sixth proposal and that is to create a new unit in the Secretariat called the Environmental Mediation Program. This unit would consist of experts on call to respond to governmental requests for environmental mediation to help with conflicts within the nation-state and between nation-states.

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**Robert Bakiika- on behalf of the African Region:  
Environmental Management for Livelihood Improvement Bwaise Facility, Uganda**

**African Representative on the Advisory Group on IEG ( alternate)**

[bakiika@bwaisefacility.org](mailto:bakiika@bwaisefacility.org),

On behalf of African region, I provide input to the this process by commenting on both the draft elaboration of ideas for broader reform of International Environmental Governance (IEG) and Annotated table of broader IEG reform in a standardized format as requested under paragraph 9 of UNEP Governing Council decision SSXI/1 and paragraph 21 of the co-Chairs' summary.

I wish to thank UNEP for having prepared documents that have formatted a comparative analysis of options for broader IEG reform, to which I agree that once addressed then the World's environment will be better shaped.

However, these are some of the quick observations I have made;

- Africa region agrees that issues of IEG are important but rather complex, we (Africa) need to ensure thorough approach when addressing the IEG reform bearing in mind that the process should be political in nature.
- Taking note of the question of universal membership and recalling that it has been deferred six times from the UN general assembly agenda, the issue of support of representation of developing countries MUST be made obligatory and be based on predictable core contributions since universal membership moves with full representation.
- Although the reform aims to achieve effectiveness, efficiency and coherence, we know that the few conventions (e.g. the Basel Convention) with established regional centers are still so weak and under funded. During AMCEN 13 in Bamako, Mali, 2010, African ministers of Environment agreed to have the first meeting of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa ever since it was established in 1991.
- MEA implementation at national level remains impaired, especially for developing countries due to the different requirements subjected by each MEA. Recently UNCCD came up with an on-line reporting format for Governments and civil society, whereas UNFCCC requires regular national communications and so on. This has exerted a lot of pressure to some of the developing countries that lack capacity, resources and the necessary infrastructure to execute such a role. I suggest that the issue of joint reporting also be explored where deemed necessary.

- I notice that most of the options put much focus on secretariat rather than the active participation of member states. I think steps need to further address on how to incorporate sub-regional committees such as the SADC, EAC since they have establishment sub-regional programmes.
  - One of the key aspects I see emerging is re-defining the country presence of UNEP thus becoming a resident organization. I strong NOT agree with seconding of officers and country teams since these are more project based. UNEP country presence will improve UNEP's visibility in the UNDAF process thus justifies its universal membership.
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**Daniel Magraw**  
**President Emeritus and Distinguished Scholar**  
**Center for International Environmental Law (CIEL)**  
**Washington, DC & Geneva, Switzerland**  
**1-202-262-5197**  
[dmagraw@ciel.org](mailto:dmagraw@ciel.org)



**CENTER FOR INTERNATIONAL ENVIRONMENTAL LAW**

September 27, 2010

**Comments on**  
**Draft Elaboration of Ideas for Broader Reform**  
**of International Environmental Governance**  
**from Co-Chairs of the Consultative Group**

By Daniel Magraw, [dmagraw@ciel.org](mailto:dmagraw@ciel.org)

**NGO Representative on UNEP's Major Groups Facilitation Committee as well as alternate of the NGO representative on the AG on IEG.**

### **Executive Summary**

Any system of environmental governance for sustainable development will fail without transparency, meaningful opportunities for public participation, and accountability. These elements are critical for any effective reform of international environmental governance (IEG), and there must be an explicit commitment to them and clear directives to ensure they are achieved. We cannot assume that these elements will exist in governance systems; rather we must deliberately identify them as fundamental principles and develop and maintain them as cornerstones for environmental governance at both domestic and international levels.

The Draft Elaboration of Ideas for Broader Reform of International Environmental Governance and the related Annotated Table fail to incorporate the basic elements of transparency, public participation and

accountability. These elements must be identified and committed to as fundamental principles in the Introduction; and they should be addressed and elaborated in the specific discussions and options related to each objective.

The comments herein propose specific language and concepts for use in documents and discussions related to IEG. Use of this language and incorporation of transparency, public participation and accountability in methodology and practice will result in a stronger and more sustainable IEG, as well as governance for sustainable development broadly.

Most importantly, IEG efforts, including UNEP's High-level Consultative Group, should adopt the following as a fundamental principle of IEG:

Transparency, public participation and accountability are foundational and essential elements of sound environmental governance, both at international and domestic levels, and must be fully incorporated and realized in environmental governance systems.

This principle should be stated clearly in all relevant documents, e.g. in the Introduction to the Draft Elaboration of Ideas for Broader Reform of International Environmental Governance from Co-Chairs of the Consultative Group (7 September 2010).

## **Background**

The comments herein relate to two papers: the 7 September 2010 "Draft Elaboration of Ideas for Broader Reform of International Environmental Governance" from the Co-Chairs of the Consultative Group; and the "Annotated Table of Broader IEG Reform in a Standardised Format," an information note from the Executive Director of UNEP. These comments highlight the need to include transparency, public participation and accountability on two levels: (1) as an overarching theme to guide UNEP International Environmental Governance reform, and (2) as specific directives for each reform option.

### **I. Public Participation, Transparency and Accountability – Overarching Themes**

A. Public participation is essential to sound environmental governance, as well as to governance to achieve sustainable development more generally.

Public participation has been critically important to every phase of environmental decision making, including policy-making and law-making, implementation, monitoring and dispute settlement, at both the international and domestic levels. At the international level, this has included treaty regimes such as the World Heritage Convention, Montreal Protocol on Ozone-Depleting Substances, Convention on International Trade in Endangered Species, and the Convention on Biological Diversity. Participation by civil society in environmental decision making is valuable in many ways, including that it can: provide international environmental decision makers with facts, arguments and perspectives they would otherwise not have; improve buy-in to and implementation of policies and programs; increase credibility and legitimacy of policies and institutions; lead to greater accuracy and effectiveness of decision making; and provide needed catalyst for change. These elements of why public participation has been so essential to protecting the environment and human health are described in detail in Annex A.

Participation by civil society has also been crucial to success in other areas of international governance. These include: coping with international humanitarian disasters (e.g., International Red Cross and Red Crescent); recognizing and protecting worker safety and rights (e.g., labor unions around the world); recognizing and protecting human rights and social justice, including women's human rights (e.g., Amnesty International); monitoring arms control treaties (e.g., Natural Resources Defense Council); catalyzing the treaty to ban anti-personnel land mines (e.g., International NGO Campaign to Ban Landmines); and designing and building human habitation (e.g., Habitat for Humanity).

Active, robust, informed participation by civil society is thus essential to environmental governance, as well as to governance to achieve sustainable development more generally. Moreover, there is every reason to think public participation will continue to be critically important, both domestically and internationally.

B. Transparency is essential for public participation to be meaningful.

There is an inescapable relationship between public participation and transparency: there cannot be meaningful public participation without transparency. In order to provide useful information and have the other effects identified above, civil society needs to be informed. Civil society needs to know, for example, about the existence of a decision making process, the issues being discussed, the facts being alleged, the arguments being made, and the participation and positions of various parties. With adequate transparency, public participation can accomplish the benefits described above. In addition, transparency also tends to increase quality of decisions in other ways. For example, transparency leads to scrutiny which in turn leads to more carefully considered and better explained and reasoned decisions. Transparency also reduces the risk of corruption (“Sunshine disinfects.”).

C. Accountability is a necessary component of sound governance.

Accountability is a necessary component of a properly functioning system of governance at all levels. Accountability stems in part from transparency (which is a pre-requisite), but full transparency cannot be guaranteed, and even full transparency does not guarantee an institutional response. Accountability in IEG thus requires accountability mechanisms that can hold institutions and officials to appropriate standards. There are many models of these, and the ideal characteristics of an accountability mechanism depend on the precise circumstances in which it is intended to operate. Identifying appropriate approaches to accountability will be essential to the IEG discussions.

D. Transparency, Accountability, and Public Participation – Revisions to Introduction Section

The Introduction calls for reform of the current systems of international environmental governance, as well as the need to identify gaps in the current systems. The introduction aptly acknowledges that “the status quo of the IEG system is no longer an option,” and that, under the current system, “environmental degradation continues to undermine economic and social development.”

The Introduction refers to the success of recent UN reforms in the area of gender. However, the current document, particularly absent mechanisms for public participation, for the participation of populations who will be most effected by the proposed reforms, is much like attempting to reform UN agencies that work to empower women without any mechanisms for ongoing input or involvement from women. It is easy to see from such an example how a reform to promote sustainable development would lack any credibility or effectiveness without involving those who stand to benefit from it the most. “Addressing environmental sustainability as a function of economic and social development and human wellbeing requires effective institutions,” and such institutions inherently must involve the participation of communities who need them the most.

Indeed, “[i]n light of the Rio+20 preparations there is a unique opportunity for the Consultative Group to take the environmental reform discourse of the past decade to a new level.” This can be accomplished through improved systems that incorporate public input and accountability at the level Rio+20 is likely to demand.

IEG efforts, including UNEP’s High-level Consultative Group, should adopt the following as a fundamental principle of IEG:

Transparency, public participation and accountability are foundational and essential elements of sound environmental governance, both at international and domestic levels, and must be fully incorporated and realized in environmental governance systems.

This principle should be stated clearly and prominently in the Introduction.

**II. Treatment of transparency, public participation and accountability in the 7 September 2010 Draft Elaboration – Specific Concepts**

Transparency, public participation and accountability are essential to the successful implementation of each objective outlined in the draft documents. Appropriate language elaborating that in each objective would help ensure concrete, constructive action through the proposed reforms. Examples follow.

A. Objective a) Creating a strong, credible and accessible science base and policy interface.

A “strong, credible and accessible” interface, such as that described in this section of the draft elaboration, requires transparency, accountability and public participation. Transparency and public participation regarding scientific inquiries and assertions can improve accuracy and serve as an often-needed reality check regarding actual conditions.

The idea of a “web-based” facility for sharing “live” information is an encouraging and laudable one. Such a facility should be used to enable web-based information sharing beyond the scope of the scientific topics presented here, and should extend to the public to involve them on policy debates and even legal proceedings.

As the “status” section of this section explains, “[t]hose responsible for global environmental change are often not the ones most affected by the change, who are typically the poor and vulnerable groups in society.” This is an irrefutable argument for transparency and public participation in international environmental governance: those affected are typically “the most poor and vulnerable” in the world. Communities and individuals must have a voice in the policies that affect them and their environments. Any effective “global information network,” cannot function properly or effectively without transparency, public participation and accountability. The concept of Free, Prior and Informed Consent (FPIC) by indigenous peoples and resource-dependent communities is fundamental to ensuring appropriate transparency and public participation in this context and should be referenced.

B. Objective b) Developing a global authoritative and responsive voice for environmental sustainability.

As UNEP already recognizes, UNEP cannot maintain its status as “the leading global environmental authority” to promote “coherent implementation of the environmental dimension of sustainable development” without incorporating substantial mechanisms for transparency, public participation and accountability. This must be part of the Council’s efforts to improve the governance structure of the UNEP and of IEG generally.

Additionally, reliance on voluntary contributions alone to support the travel of developing country representatives for IEG meetings could result in lack of funding for and participation of developing country representatives. This would diminish the UNEP’s “responsive voice.” The IEG reform measures should ensure that funds are available for developing country representatives, and those funds should be administered transparently and responsibly.

C. Objective c) Achieving effectiveness, efficiency and coherence within the United National system.

This objective contains a recommendation for system-wide programs that could also benefit civil society through incorporating transparency in communications and reporting mechanisms, as well as through technical assistance to ensure that the public has access to such communications and reporting mechanisms.

A noted gap in this section describes the challenge of environmental governance “in the context of a rapidly changing world that necessitates balancing all three pillars of sustainable development” (economic protection, social development and environmental development). Public participation is required in order to identify the values, priorities and approaches appropriate to sustainable development in any particular locale and helps develop and prolong the balance of sustainable development.

D. Objective d) Securing sufficient, predictable and coherent funding.

Decisions regarding how the various funds listed in this section will be used would also benefit from civil society input and greater transparency. Public participation in priority setting would help set agendas and priorities, and transparent reporting would help the reformed IEG system remain accountable to the public. Practices such as these add strength to the IEG system by increasing its legitimacy and effectiveness.

E. Objective e) Ensuring a responsive and cohesive approach to meeting country needs.

The IEG system cannot effectively respond to country needs without input from civil society to help understand and communicate those needs. The option of establishing teams and/or desks in developing countries is a promising one as it brings UNEP closer to the environment and to people, to their communities, and to their ideas, knowledge, and input. These “localized” agencies can also provide outlets for local civil society groups to receive information about UNEP’s planned and actual work, and to provide feedback on this work.

Needless to say, accountability mechanisms accessible to local individuals and communities are essential in order to close the loop, i.e. in order to ensure that the IEG system actually achieves its goals and serves the people and environment it is intended to benefit. Funding for such work should be a priority.

#### F. Additional Comments

- Table of Abbreviations: Inserting a Table of Abbreviations after the Table of Contents would aid the reader in navigating the many acronyms utilized in the document.
- Introduction: The Introduction should expressly state the principle that transparency, public participation and accountability are fundamental requirements of IEG, as noted above. In addition the introduction could provide more information related to the “original 24 options” referenced in ¶ 1 of the Introduction. These options would aid the reader in understanding the process that led to selection of the nine options described in the Draft Elaboration. One approach would be to include that information in a new annex, referenced in the Introduction.

Contact Person:

Daniel Magraw  
NGO Representative  
UNEP’s Major Groups Facilitation Committee

President Emeritus and Distinguished Scholar  
Center for International Environmental Law (CIEL)  
Washington, DC & Geneva, Switzerland  
1-202-262-5197  
[dmagraw@ciel.org](mailto:dmagraw@ciel.org)

Annex A

Importance of Public Participation in  
Environmental Decision Making

Participation by civil society has been critically important at the international and domestic levels to the adoption, implementation and monitoring of environmental policy and law. Several reasons for that are described below.

#### Factual information and policy and legal argumentation

Public participation in environmental decision making can provide useful factual information to decision makers at all levels, including at the international level. This is sometimes the case because members of civil society may know facts that decision-makers do not since the facts pertain to the living conditions, business experiences, cultural impacts, etc. that decision makers are not privy to. The experience with environmental impact assessments contains myriad examples of this. It is also sometimes the case that States or intergovernmental organizations (IGOs), for domestic or diplomatic reasons, do not want to raise or acknowledge facts that civil society is aware of and has no compunctions about raising.

Public participation can also provide more complete argumentation and perspective to decision makers, for similar reasons. Individuals and communities are often more aware than decision makers are of the real, practical impacts on human health and the environment that policies have on the ground. Moreover, members of civil society may be aware of and willing to present ideas and policy or legal positions that governments and IGOs are not.

These effects may be even more critical at the international level than they are at the domestic level, because facts and argumentation are presented by governments at the international level and thus more removed from the publics for whom the governments ostensibly speak.

#### Buy-in and implementation

Participation by civil society can lead to better buy-in by the public for needed changes in environmental policies and behavior, and thus better implementation of policies and programs based on what the decision makers decide. It is abundantly clear that political will to undertake needed changes to protect the environment is often an impediment, including by the public, so additional buy-in and support by the public can be critical to success in addressing environmental problems. Indeed, there is an old political adage: "If you want someone there at landing, they need to be present at take-off." We need civil society to be present to implement international environmental policies, so they need to be involved at the beginning when those policies are being considered and adopted.

#### Institutional credibility and legitimacy

For similar reasons, public participation can lead to increased institutional credibility and legitimacy. If the public knows about an environmental policy and has had a meaningful opportunity to participate in its formulation, it is more likely to believe the policy and institutions associated with it are credible and legitimate.

#### Accuracy and effectiveness

All of the above-mentioned effects have the effect of increasing the accuracy and effectiveness of environmental decision making: more facts and better arguments with which to make decisions; more buy-in to decisions and the processes and institutions associated with them; and greater willingness to implement policies.

#### Catalyst for change

Perhaps most important, public participation is the catalyst for change, the engine for progress. All around the world, at international, national and sub-national levels, public participation has been the driver of environmental protection efforts. Public participation has been critically important in promoting environmental laws and their implementation in countries all around the world. Participation by civil society has also been essential to promoting needed action and information at the international level, such as with respect to the World Heritage Convention, Montreal Protocol on Ozone-Depleting Substances, Convention on International Trade in Endangered Species, and the Convention on Biological Diversity.

There is every reason to think public participation will continue to be critically important, both domestically and internationally.

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**Habiba Al Marashi**  
**Chairperson EEG ( Emirates Environmental Group)**  
**UAE**  
**Board Member, UN Global Compact**  
**Accredited Organisation to UNEP**

[eeg@emirates.net.ae](mailto:eeg@emirates.net.ae),

#### **EEG comments on ‘table of broader IEG reform options’**

The broader reform ideas that have been highlighted so far are all plausible and possible options. However, EEG feels that enhancing UNEP would provide the best outcomes because it is strengthening and working with what is already established rather than setting up another ‘body’ or ‘group’ to take on responsibility that could take some time to get established or build credibility.

EEG agrees with the objective of the option for improving UNEP – that it should be given more legitimacy and political influence to enhance its capacity at both regional and national levels. It should be global and well known in every country. However it is not just governments which can influence and provide solutions – the major groups and stakeholders can also contribute in a substantial way. To enhance the reform process major groups representatives should also be given more access to meetings and opportunities within the UNEP structure to contribute towards decisions and forming environmental legislation, because it is groups such as NGO’s and ‘youth’ that really understand what the ‘people’ want and what the ‘local’ environment needs.

To set up completely new groups and organisations, could take substantial time and money and also fragment the good work of UNEP so far. This does not mean UNEP should slowly change over time, EEG agrees that a major reform is needed, but creating a specialised agency such as the world environment organisation may not be necessary. However, ‘the World Environment Organisation’ name does seem to hold more authority and stature and could be a positive movement for the world, overarching and overseeing every environmental issue, but may not encompass social and sustainable development issues.

The second option of ‘a new umbrella organisation for sustainable development’ is also a strong possibility and could be introduced alongside options for improving/reforming UNEP. As sustainable development encapsulates social, economic and environmental areas, this umbrella organisation could be a strong successful step in the way such topics are handled. It could also enhance UNEP’s structure, capabilities and focal areas for ‘making a difference’ and finding solutions.

It would be a good idea that UNEPs members and active participants should be kept closely involved in the initiation if any new groups or bodies (including an overarching umbrella body) because expertise scattered around the world may be useful in the groups’ formation.

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**Kassem El-Saddik**  
**Development Without Borders,**  
**Lebanon**

[kelsaddik@gmail.com](mailto:kelsaddik@gmail.com), [kelsaddik@yahoo.com](mailto:kelsaddik@yahoo.com),

West Asia regional AG alternate representative

## 1- The Draft Elaboration of Ideas for Broader Reform of International Environmental Governance

Obviously there have been tremendous efforts behind the draft document, particularly since its evolution from the "Background Paper by the Executive Director" (dated 7 June 2010).

The document presented a series of 9 options that meet the objectives (5) set for the institutional reform. It analyzed the options but did not provide a clear position. Obviously, I would argue that the various options complement each others. In fact, establishing a global information network is a driver for any option to be considered. Besides, many options raised require the establishment of an organization with universal membership (to set a system-wide strategy)...

## 2- Annotated table of broader IEG reform in a standardized format

The document laid down the 5 different options with clear description of each. I would suggest that each typology be linked to the options and objectives identified in the other document "The Draft Elaboration of Ideas for Broader Reform of International Environmental Governance".

In addition, I would argue that the MGS should:

- Put forward its position, i.e. advocate for a solid institutional blueprint that reflects its visions and aspirations.
  - Propose a phase out plan to reach the typology advocated by the group.
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**Hans F. Schweinsberg**  
 President,  
 Public Awareness Education Programs (PAEP) of the Sciences and Humanities - Technology and Global Bioethics;  
 Member of Forum UNESCO; International PEN;  
 United Nations Environment Programme (UNEP)  
 T: 416-486-9333 F: 416-483-0002 E: [paep.utm@utoronto.ca](mailto:paep.utm@utoronto.ca)  
 URL: <http://www.paep.ca> - <http://www.paep.ca/IYNet.php>  
 Mailing: Box 372, Stn. Q. 27 St.Clair Avenue East,  
 Toronto ON CANADA M4T 2M5

We think the documents represent an excellent working consensus for the second meeting of the Consultative Group of Ministers or High-level Representatives on International Environmental Governance, Helsinki, 21-23 November 2010

**PAEP/IYNet submits the following comments for:  
 Draft on Elaboration of Ideas for Broader Reform of International Environmental Governance**

(Page 3)

*On 2 July 2010, the United Nations General Assembly voted unanimously to consolidate four entities related to the empowerment of women and the promotion of gender equality and create a new entity, 'UN Women', to accelerate progress in meeting the needs of women and girls worldwide.*

We suggest to initiate a project, under the auspice of UNESCO/UNEP **UN Women: Education and Action for an Equitable, Sustainable Future** (suggested working title)

[http://portal.unesco.org/en/ev.php-URL\\_ID=1071&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=1071&URL_DO=DO_TOPIC&URL_SECTION=201.html)

(Page 31)

*Ministers of environment and ministries who are the best qualified to provide guidance on global environmental policy and priorities are removed from the decision-making on many of the most important global environmental funds. Instead, the decision-making has rested more with treasury and ministries of finance. For example, the GEF Council, which has the responsibility for developing, adopting, and evaluating GEF programs, or basically acting as the governing body of GEF is made of representatives mainly from treasury rather than from environment ministries. De facto this has meant that the principle body addressing global environmental policy issues is directed without a substantive input from the ministries best suited to set global environmental policy agenda.*

This is a political 'neglect' in urgent need to be corrected, as it also directly impacts the safeguarding of intangible, tangible cultural and natural heritage of societies. Particularly with regard to youth and human development. We included this concern in:

Okinawa, Japan, 27 and 28 November 2009 **UNEP International Civil Society Workshop on Environmental Norms and Military Activity** Organized by: United Nations Environment Programme (UNEP) Okinawa International University (OKIU) Okinawa Environmental Network (OEN) **PAEP/IYNet Workshop Contribution - Environmental Degradation in Iraq** ([here](#))

Collective military activities and military waste is a major contributor to long-term environmental degradation of plant, animal and human life, as well as the destruction of biodiversity, cultural diversity, tangible and intangible world heritage. PAEP/IYNet's segment includes the effects of the use of depleted uranium. **Overall Okinawa Workshop Summary** ([here](#))

(PAEP/IYNet segment: see pages 74,75,76) and also made reference to

## **World's Military Expenditure**

(Militarization of Science and Space) **\$ 1,300 trillion** (US accounts for 70 per cent)

**Notably absent from public discussion and information is the impact this collective activity has on the environment.**

## **Annual Arms Sales**

Each year, around \$45-60 billion worth of arms sales are agreed. Approximately two-thirds of sales are made to developing countries. The five permanent Members of the United Nations Security Council, China, France, Russian Federation, the United Kingdom and the United States, together with Germany and Italy account for over 80% of the arms sold between 2000 and 2007. Some of the arms sold go to regimes where human rights violations will occur. Corruption often accompanies arms sales due to the large sums of money involved.

## **With regard to your objectives**

**a) Creating a strong, credible and accessible science base and policy interface**

**d) Securing sufficient, predictable and coherent funding,**

we suggest that there are sufficient profits made by the financial allocation for military purposes, to justify the UN General Assembly to arrange for appropriate funding for all of UNEP's and UNESCO's requirements.

In our letter to you of 20 July 2010 ([here](#)) we make reference to **Resource Wars - The New Landscape of Global Conflict**, the effects on the environment, youth and human development. Every educational effort must be made to prevent expanding these devastating, corporate, military, academic plans for new resource wars.

**In the accompanying 2010 Quadrennial Report to UNEP ([here](#))** under Program Development: Core Issues, Key Considerations and Observations, we emphasize:

*"Militarizing development, research and science and maintaining a permanent arms economy for geopolitical, corporate and private gain has clearly become an unacceptable and economically unsustainable concept. It is very likely that the much needed conversion or the demilitarization of science cultures and institutions will stimulate different directions and content in our knowledge systems. Re-channeling the obsession with militarism, deconstructing the cult of war as an institution in society by teaching and deepening awareness of the collective immaturity, the psychopathology and inhumanity involved through open, transparent and constructive dialogue, concerned with ecological integrity and the future of humanity, and actively dealing with the issues that matter through an Education For A Sustainable Future, is the better way.*

*Developing an appropriate ethic and advancing moral progress does largely depend upon the growth of scientific, factual knowledge both of human behaviour, mental health and human affairs, and of the world in which we live. Resolving environmental issues does not so much involve the need for novel technologies and new legislation as an entire change of collective consciousness."*

## **In-parallel, for your information:**

In his invitation of 9 August 2010, Sir John Chilcot, Chair, The Iraq Inquiry, to the United Kingdom military personnel who served in Iraq between 2003 and 2009, to attend an event at Tidworth Garrison on 14 September, he states: *"The Inquiry is primarily about learning lessons so these meetings are crucial to our work. We need to understand what went well and what could have been done better. I hope that the lessons the Inquiry identifies will help us, as a nation, to continue to improve in many areas, including the way in which we approach expeditionary campaigns and nation building, and the impact on military personnel."*

<http://www.iraqinquiry.org.uk/media/49256/open-invitation-military-personnel-letter.pdf>  
(Please note the ominous wording "expeditionary campaign" and "nation building")

For this reason, and as Iraq represents an 8000 year old World Heritage Site, and signifies the repository of intellectual and scientific growth, PAEP/IYNet is asking that The Ikraam Centre for Human Rights 2010 Report ([here](#)) be included in The Iraq Inquiry, in order to protect the historical, traditional and spiritual values of other nations in the future, to safeguard their intangible, tangible cultural and natural heritage. The Iraq Report (a working document generating awareness of the extreme environmental and psychosocial dimension of the atrocities, the human suffering involved, and touching on the destruction of - an ancient civilization's indigenous knowledge base - the organized assassinations of academics (after the 2003 invasion) and its detrimental impact on youth and human development) is part of the United Nations General Assembly Human Rights Council Working Group on the Universal Periodic Review Seventh Session, Geneva, 8-19 February 2010. A summary, prepared by the Office of the High Commissioner for Human Rights (OHCHR) in Accordance with Paragraph 15(C) of the Annex to Human Rights Council Resolution 5/1, the UN report represents 50 stakeholders' submissions to the universal periodic review ([here](#)). It follows the structure of the general guidelines adopted by the Human Rights Council. Our attachments will also include Theodor Adorno's article **Education After Auschwitz** ([here](#))

#### Note on the Humanities:

On 15 November 2009, Irina Bokova stated : *"As Director-General of UNESCO, I shall practise the values that are at the heart of the new humanism I am advocating, namely solidarity and sharing. My goal is to lead the world towards a new era of peace. I wish to show, through action and tangible results, that international solidarity is a more satisfactory state than indifference. . .*

*UNESCO is a laboratory of ideas, the "conscience of humanity" in the words of the great humanist Jawaharlal Nehru. I shall open UNESCO's doors to intellectuals, scientists and artists so that viable solutions are found here to the great challenges of our time."*

The increasing corporate domination of Higher Education, and the accompanying cut backs of the humanities at universities, is not a promising sign, and does not bode well for a saner future.

Martha Nussbaum, Philosopher, Professor of Law and Ethics, University of Chicago, makes a passionate case in her recent work, "**Not For Profit, Why Democracy Needs the Humanities,**" for the importance of the liberal arts at all levels of education. She argues that the anxious, short-sighted focus on economic growth increasingly treats education as though its primary goal were to teach students to be economically productive rather than to think critically and become knowledgeable and empathetic citizens.

Nussbaum emphasizes that ". . . we must resist efforts to reduce education to a tool of the gross national product. Rather, we must work to reconnect education to the humanities to give students the capacity to become substantive and true democratic citizens of their countries and the world."

It is reminiscent of the 1997 inaugural Senator Keith Davey Lecture, "**The Socially Concerned Today,**" at the University of Toronto by John Kenneth Galbraith, when he exposed the grievous flaws in the social, economic, and political landscape, and provided guidance for the socially concerned towards more reasonable, caring and humane policies for the future.

Please see the PAEP/IYNet Canadian International Youth Letters

[A Cloud over Civilization: Corporate Power is the Driving Force Behind US Foreign Policy - and the Slaughter in Iraq. John Kenneth Galbraith](#)

[Iraq and Climate Change Michael Klare](#)

[Dialogue Among Civilizations - Dialogue Assumes Equality Edgar Morin](#)

[The Role of the Humanities Northrop Frye](#)

The growing threats of cuts by deconstructing the conceptual architecture of the humanities at universities worldwide offer a stark warning over the future of the liberal arts education. Much is at stake. The humanities represent an education to maturity, a society's home for intellectual development, growth, strength and moral compass.

At a recent meeting at the University of Toronto, where the current administration is considering dismantling the humanities, including the distinguished Centre for Comparative Literature, established in 1969 by Northrop Frye, colleagues and students; as well as the Department of East Asian Studies, renowned for bringing critical multidisciplinary studies to the fore, for the vital exchange of intangible and tangible knowledge, it became obvious how determined the dominating corporate forces have become in assuming the direction higher education should take.

The experience was quite chilling, but new hope was given by a young woman who asked the panel the crucial question we all should bear in mind: "What is your intellectual rationale?"

How well we understand and cultivate the humanities is of paramount importance in how we advance youth.

With all best wishes to you and colleagues at UNEP and for a successful meeting in Helsinki.

Sincerely,

Hans F. Schweinsberg  
President, Public Awareness Education Programs (PAEP)

As an NGO member of Forum UNESCO, UNEP; and International PEN, PAEP (est.1979) takes grassroots initiatives, working with and for youth to advance the universal values of the United Nations Educational, Scientific and Cultural Organization and UNEP: To understand and respect cultural diversity as the common heritage of humanity; Foster a new transdisciplinary educational, scientific, environmental, intercultural, as well as intergenerational dialogue towards a universal code of ethics for the benefit of future generations; Build awareness and mutual understanding through open, transparent and constructive dialogue; and strengthen international co-operation in the protection of the world's shared natural, cultural, intellectual and scientific heritage.

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**Sara Svensson,**  
[sara.svensson@environmentalgovernance.org](mailto:sara.svensson@environmentalgovernance.org),  
**Children & Youth Representative in the UNEP Major Groups Facilitating Committee, Former TUNZA member- currently also selected YOUTH representative to the AG on IEG.**

**Input from Children & Youth to the Process for Broader Reform of International Environmental Governance (IEG)**

Compiled comments by Sara Svensson

**27 September 2010**

**Introduction**

The Children & Youth major group shows a big interest to contribute in a committed and constructive manner to the ongoing process for broader reform of IEG. Activities and online mobilization designed to raise awareness on the IEG process have been organized in many parts of the world, resulting in the active involvement of youth leaders in this important process. In June 2010, youth from all over the world added their voice to the compiled **General Input** and **Specific Input** documents submitted to UNEP from Children & Youth in preparation for the July meeting of the Consultative Group of ministers or high-level representatives on IEG in Nairobi. More than 15 youth from five of the six UNEP regions have since then applied to be part of the Civil Society Advisory Group on IEG. Now in September, in response to the invitation to comment on the draft background documents for the November meeting of the Consultative Group, some of the previously involved youth and a few new contributors provided further input. The ideas and opinions are here compiled as a common submission from Children & Youth.

### **Specific Input on the two draft background documents: Draft Elaboration of Ideas for Broader Reform of IEG, Annotated Table of Broader IEG Reform in a Standardised Format**

For specific additions to the Co-chairs' information note, Children & Youth would like to refer to the **Major Groups and Stakeholders Input Summary** which was compiled and circulated as a background document to the governments for the July consultations on IEG. That summary contains a lot of information that is still useful and valid. For example, the tables in the end of the summary include specific suggestions for different reform options, some of which are described in the *Draft Elaboration of Ideas for Broader Reform of IEG*, with suggestions for how public participation could be modelled, etc. Those sentences could be added to the background document from the Co-chairs, which in its current draft version often does not mention public participation at all.

Children & Youth contributors thank the Co-chairs and the Executive Director for their constructive facilitation illustrated by the creation of the two information notes which we are now invited to comment upon. The two background documents drafted for the November consultations are informative and helpful for imagining some tangible options for IEG reform. Options are described in more detail, and it is explained how many of the options are interrelated and could be complementary to each other. While answering many questions, the papers also give birth to new questions and the curious need to explore options in further depth before any plans are set in stone. It is very good that the elaboration of the nine most popular options so far are presented in this paper, it is a step forward indeed, but it is not yet enough. All the options must be elaborated in even more detail. Also, as mentioned in the *Co-chairs' Summary* from the July meeting and in the September draft documents, Children & Youth agree that it is too early to reject other suggested options and there is still a possibility that new ideas will take shape.

### **General Comments on the IEG Reform Process**

The Children & Youth major group is committed to contribute to the design and implementation of a radically improved, transparent and flexible system for global environmental governance, which will embrace the wisdom of all peoples, protect all species and ecosystems, and ensure our planet's vibrant harmonious interconnectedness in a visionary future characterized by sustainability and thriving.

The serious environmental situation we find ourselves in today calls for urgent action and no delay, though at the same time it is more important than ever to make the right well-founded choices. If we base the approach to the IEG process randomly on what appears to be the easiest options to agree upon, there is an imminent risk that the intended bold reform process will lead to nothing more than diluted small changes that don't make much difference in the scale of what is needed in the world. We need all actors to do their utmost to stay committed to visionary leadership and to strive for big positive changes. We must all collaborate to get the IEG process move forward in good pace with a clear and enthusiastic blueprint, while still avoiding too hasty decisions that would risk to lead us on the wrong path. Modelling needs to continue, adding more investigation and assessment. This will take a lot of time and human resources, and we suggest that people outside UNEP get more thoroughly engaged. It would be useful to heavily involve academia by making sure that universities and research institutions all over the world get aware of the ongoing IEG reform process and the need for research on the options. Both professors and students at all levels could contribute a lot to the generation of more thinking and knowledge.

In addition to the contributions hereby submitted, Children & Youth are looking forward to all coming opportunities for civil society to participate throughout the entire IEG process, In line with *Annex II: Roadmap on the implementation of UNEP Governing Council Decision SSXI/1 on International Environmental Governance* from the Co-chairs' Summary of the IEG Consultations in Nairobi in July 2010, we expect further invitations to provide comments on draft documents through web-based consultations and meetings. Children & Youth strongly suggest that civil society experts get invited to be present and interact with senior officials and ministers in the Consultative Group meeting in Helsinki 21-23 November. A solid Civil Society Advisory Group with deep knowledge, experience and valuable perspectives on IEG is getting formed, and in line with decision SSXI/1 we strongly support that this group gets invited to present views from civil society in the Helsinki consultations.

Children & Youth all over the world have read the draft documents with interest, and it is appreciated that the documents have been shared with us. While not everybody feel ready yet to form their own convinced opinion on which options are the best ones, the availability of the documents has made it possible to study the existing and imagined IEG system, which has caused a wish to grow for many young people to get further inducted to the field and learn more. In order to foster the future IEG leadership in our major group, Children & Youth ask for training and capacity-building on IEG. This could be offered as online training courses and interactive meetings with experts that would increase our possibility to contribute in thought and action to the IEG reform debate in meaningful ways. This could happen through the **UNEP Tunza Strategy for the engagement and involvement of young people in environmental issues**. For example, the Tunza Strategy has established that UNEP will involve young people in the Governing Council/Global Ministerial Environment Forum, and that a Tunza Youth Gathering will be organized in conjunction with each session of the GC/GMEF to ensure coordinated and specific inputs from young people. The Tunza Youth Gathering in February 2011 would be a perfect opportunity for IEG training to happen.

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**Satishkumar Belliethathan (PhD)**  
**Program Coordinator (Environmental Governance and Education), Horn of Africa – Regional Environment Centre/Network**  
**Assistant Professor (Environmental Sciences Program), College of Natural Sciences, Addis Ababa University**  
**Addis Ababa, Ethiopia**  
**Email: satishkumarb@hoarec.org, satishbellie@gmail.com**  
**Tel: Office – +251 11 6551910**  
**Mobile - + 251 911 336998**

*Comments on*

**Draft Elaboration of Ideas for Broader Reform of International Environmental Governance – Information Note from the co-Chairs of the Consultative Group**  
**And**

Annotated Table of Broader IEG reform in a standardized format – Information note from the Executive Director of UNEP b

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### Comments on

### **Draft Elaboration of Ideas for Broader Reform of International Environmental Governance – Information Note from the co-Chairs of the Consultative Group**

#### **A. Creating a strong, credible and accessible science base and policy interface** (Page 6 of draft elaboration document)

### **GAPS AND DESCRIPTION OF OPTIONS**

#### **Macro-level gap of infrastructure**

In order to address the macro-level gap of infrastructure the existing infrastructure within higher learning institutes, universities and research institutes at the regional and sub-regional scale could be utilized. Fe. There are several universities in Africa that are currently doing research at the regional scale and they need to be/could be part of and linked in to the proposed network. The newly established *Pan African University* by the African Union Commission could be an important infrastructure to start with (Pan African University will also be utilizing the existing infrastructures in the continent).

#### **Macro gap – lack of environmental data**

This gap could be addressed by mining the existing data on various environmental issues using the existing networks. Apart from the published data there are numerous important unpublished data within research organizations especially in Africa. A complete mining and assessment of the existing data is a necessity to identify the gaps in the availability of data. Data that are available within various civil society organizations also needs to be assessed and included based on their validity. A complete assessment of existing data will help and complement in identifying the priority areas for research and information dissemination at all levels.

#### **Multi-scaled global network**

There are several existing networks that are playing the role of information decimation (apart from the ones that are identified in the draft paper) and a complete assessment of the existing network needs to be undertaken before the decisions of incrementally creating additional networks.

### **Governance of the network**

- The governance of the network should be based on 'open architecture' principles in order for it to evolve over time (as it will be doing a complex set of tasks).
- Apart from the government nominated experts – a substantial percentage of experts identified directly by UNEP through a selection process should also be included. This will help in including a number of key experts who may be left out through the process of government nomination. Regional representation should be taken note of in the process. The inclusion of experts (apart from the government nominated experts) should also be at all levels (including regional). Such a mixture of experts would ensure that there is balanced view in identifying the priorities and validating them.
- Civil society representatives working on research issues to be included in the governance structures. This will also help in validating the research agenda through needs based approach.

### **Policy units**

The network should also host outreach and policy units at all levels. These policy units could decipher the available scientific data and provide suitable policy options at various levels including national level.

### **Eye on Earth Summit**

The *Eye on Earth* Summit could be used to solicit concrete proposals and ideas regarding the complete architecture and governance of the proposed network from government and civil society alike. Substantial part of the discussions during the summit could be devoted to the establishment of a global network. The outcome of the summit possibly could include a mandate to establish the network. This network to evolve as it moves forward and could be presented to the international community during Rio + 20 conference and accepted as the *Network for environment*.

### **Financial and legal implications**

Efforts to secure sufficient financial resources for making an assessment of existing data and setting up priorities and capacity building should precede securing finances for implementation part. Capacity building and setting priorities would help nation states especially developing and LDC's to a greater extent to keep their environmental agenda going.

## **B. Developing a global authoritative and responsive voice for environmental sustainability (page 10 of draft elaboration document)**

### **Support from civil society**

Case for universal membership has been set tight with very pertinent arguments. If UNEP could organize regional consultations to obtain inputs from civil society on the proposals at a bigger scale it would provide it with the necessary back up and support to further the reforms agenda on IEG. More over the Civil Society could also influence the governments at national level to support and solicit support (from other nations) for the proposal on universal membership. These regional consultations could happen through the *Civil Society Consultative Group* that UNEP is intending to establish. The support from civil society would also include the various options for reforms presented in the paper.

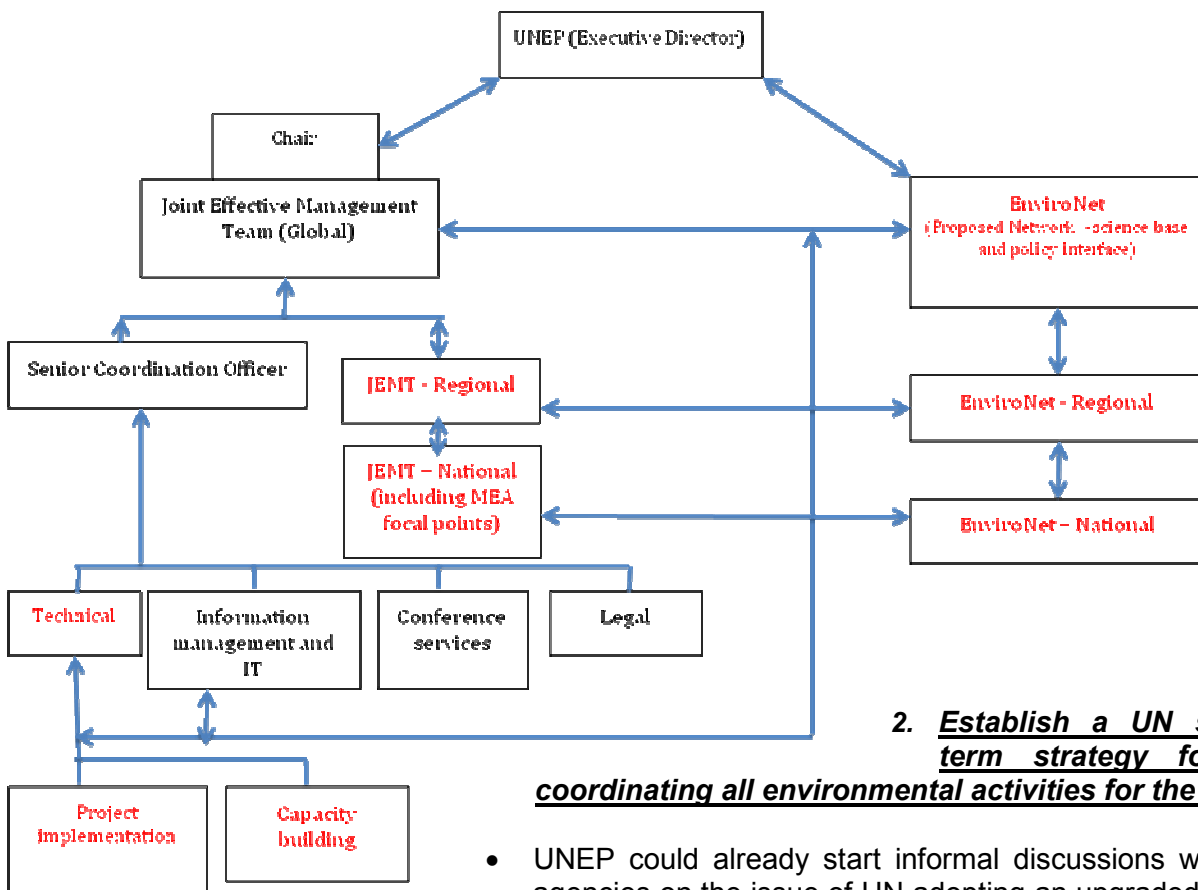
## **C. Achieving effectiveness, efficiency and coherence within the United Nations System (page 15 of draft elaboration document)**

1. Clustering secretariat functions and common services--establish a mechanism for global, overall coordination among existing MEAs, with one mechanism having innovative tasks that are not performed by MEA Secretariats individually, and without prejudice to their decision making and budgetary independence. This would include joint MEA institutional structures, including: 1. Secretariats, 2. Legal, financial and conference services, 3. Reporting, 4. Scientific structures, 5. Programmatic structures 6. Knowledge management and IT.
- Linkages between the proposed network and proposed Joint Services Unit has to be established to facilitate free flow of information (data), thereby helping in priority setting (also including research) leading to effective capacity building and project implementation at the local level. The linkage arrangements

should also be considered at regional and national levels leading to effectiveness in the implementation of the MEAs.

- MEAs clearing houses and the proposed information hub for MEA clusters to be specifically linked to the proposed network and probably the network could facilitate and assist in information flow.
- A complete assessment (probably by the JIU of the UN) needs to be done with regards to all the existing MEAs and proposals towards not only clustering but also merging two or three similar MEAS should be done (bolder reforms). Suggestions from such an assessment could be placed for parties to discuss and agree upon during Rio + 20 conference.

**Rearranged organogram for possible arrangement of joint services management**  
**(Additions are marked in red)**



**2. Establish a UN system-wide medium term strategy for the environment, coordinating all environmental activities for the UN**

- UNEP could already start informal discussions with various stakeholder agencies on the issue of UN adopting an upgraded/modified version of the UNEP Medium – term strategy, as a system wide strategy, as part of its incremental reforms process. The outcome of the consultations could then be placed before the nation states during Rio+ 20 conference. More over it is also important that UNEP comes up with a draft proposal on the integrated framework for prioritization and coordination of activities within the UN and place it for the Consultative group to deliberate on.

- One possible option that could be placed for consideration could be the establishment of UNEG (United Nations Environment Group) by the CEB in the lines of UNDG, to be chaired by Executive Director of UNEP. UNEG could be a substitute to the current EMG.

**D. Securing sufficient, predictable and coherent funding (page 24 of draft elaboration document)**

**1. Widen and deepen the funding base**

Linkages with green economy initiative of UNEP, wherever possible, are important and have to be explicitly indicated. The Green economy initiative could propose necessary innovative financial mechanism while pursuing the green economy agenda, for the consultative group to deliberate on. UNEP to start implementing one model of innovative financial mechanism (agreed by the GC), from amongst those proposed by green economy initiative, as part of its incremental reforms process. This model to be later showcased during Rio + 20 conference for discussions and further refinements.

2. **Establish a joint management mechanism for all major trust funds for the environment with equal roles for project selection, appraisal and supervision of environment-related activities, in accordance with the respective spheres of expertise.** (Page 29, paragraph 1)

It is also important that the information note explores and indicates what the design of a central management authority for the various financial mechanisms and funds would look like. Linkages with MEAs capacity building and that of the proposed global network also need to be explored and indicated.

**E. Ensuring a responsive and cohesive approach to meeting country needs** (page 39 of the draft elaboration document)

2. **Develop an overarching framework for capacity building and technical assistance for the operational activities of MEAs, UN agencies and IFIs.**

The Co-Chairs to explore how to link this function with that of the envisaged Global Environment Network. Further more the linkages with that of the proposal to establish a joint services management also needs to be explored and indicated in the draft information document for further refinements.

**Comments on**

**Annotated Table of Broader IEG reform in a standardized format – Information note from the Executive Director of UNEP**

The options have been brought out clearly. However, I wish to suggest that a column to be added to the annotated table (for options other than 'Enhancing UNEP') possibly titled "relation/implications/repercussions for UNEP". This would help in furthering the understanding how the options would impact UNEP as it is now and would also help the consultative group and stakeholders to make concrete decisions.

**Thomas Jacob**  
**T. R. Jacob & Associates, LLC**  
**1079 Sunrise Ave., Suite B-166**  
**Roseville California 95661 USA**  
**916-782-1266 phone**  
**916-782-1290 fax**  
**916-990-1195 mobile**

**General Perspective on UNEP and the Challenges of International Environmental Governance. Comments on:**

**Elaboration of Ideas for Broader Reform of IEG 9 options Draft for comments,**  
**and**  
**Standardised format for comparative analysis -draft for comments**

**Input from Business & Industry**  
**27 September 2010**

Business & Industry Major Group and the International Chamber of Commerce are pleased to respond to the establishment of a formal IEG process, and the request for comment on the above-referenced draft documents from the Consultative Group of Ministers or High Level Representatives on International Environmental Governance. International business is a key stakeholder in the IEG process. We view this process as both necessary and timely, and very much appreciate the initiative of UNEP in investing so much to frame the challenges inherent in IEG; and to outreach to us as a Major Group vital to an informed response to those challenges.

In that later regard, we would note that it is our intent to play a more active and vigorous role as this process proceeds. The 7 July "Compendium of views on broader reform of international environmental governance from Major Groups and Stakeholders" did not benefit from either our input or reaction. We would hope that our input is more timely in the future and more fully reflected in such Major Group reviews.

To that end, it is appropriate to begin our elaboration, here, by reiterating the foundation positions offered by Business & Industry at the Bali meeting of the UNEP GMEF, where we spoke expressly to the matter of IEG:

- *Business strongly supports the need for better coordination and efficiency within the UN system.*
- *The need for coherence and efficiency through elimination of fragmentation and duplication of effort was one of the principal points made in the world business message on the role of the UN in the 21st century, submitted to Secretary-General Kofi Annan on the occasion of the UN Millennium Assembly.*
- *As a strong supporter of the MDGs, the business community is ready to continue to engage and partner with the United Nations and its specialized agencies for more effective and coherent results when it comes to sustainable development.*
- *As part of these efforts, we welcome the recommendation to strengthen international environmental governance for better efficiency and coherence.*
- *Agree that UNEP has been and should continue to be the principal United Nations body in the field of the environment.*
- *UNEP has a vital role to play in the coordination of United Nations' efforts to effectively address environmental issues within the overall context of sustainable development. The three pillars of sustainable development should be addressed in a balanced, comprehensive and coordinated way.*

### **Global Pressures**

In reacting to the draft documents of the Consultative Group, We would like to elaborate and refine the above to offer a more complete perspective from Business & Industry. With this being the beginning of the IEG review

process, please consider these to be preliminary thinking on behalf of Business & Industry. It should help to provide a more complete perspective on the IEG challenge.

Let me begin by noting that all of this is evolving in the context of forces of globalization that are both being driven by and are impacting economy, society and environment. These forces of globalization are massive, and are exposing limits on control of sovereign states over their economy, society and environment.

However, sovereign states remain the primary institution of governance in contemporary civilization. As a result, more and more pressure is put on intergovernmental institutions to better enable states to meet their challenges. This translates into more and more pressure on the UN, WTO and other international institutions to improve operational efficiency and coordination. It has stimulated a proliferation of multilateral agreements, particularly in the environmental arena, adding further strain to the challenge of coordination.

In the face of such broad challenges, we are seeing exposed more and more the interdisciplinary challenges of global sustainability. That is why we have seen rising prominence in sustainability discussions of institutions such as The World Bank and other IFIs. That is why pressures are building for more integrative approaches to the challenges of sustainable development in a globalized world. Manifestations of such adaptive responses include the growing prominence of the ISO; the WTO and its Committee on Trade & Environment; and WIPO and its critical role in Access & Benefit Sharing – all bridging across the “boundaries” of the economic, social and environmental pillars.

It is also becoming more and more clear that large transboundary sustainability challenges cannot be addressed by governments alone, and many stakeholders will need to be engaged. This includes particularly industry, as many of the most important technologies and other necessary resources for such solutions reside within the private sector. Increasingly we see intergovernmental institutions adapting to the realities that the challenges of globalization require active collaboration to address common interests.

### **General Perspective on International Environmental Governance**

Business & Industry is a vital stakeholder and collaborator any response to the pressures described above. Like the Consultative Group, business & industry views the core challenge to be the integration and balance of economic, social and environmental pillars of sustainable development. The reality in which international Business & Industry operates is increasingly one of rising expectations across the economic, social and environmental dimensions of our activities.

Environment is the object of attention in this UNEP initiative and is increasingly accepted as integral to long-term sustainability, but environment cannot be viewed independent of economic wellbeing and social stability. In that sense, environment does not equal “sustainable” – sustainability cannot be approached as an environmental agenda, or narrowly via an environmental institution.

The long-term goal of integration will require adaptation of each of the three pillars to become mutually supportive. The institutional framework must meet evolving expectations born of that adaptation. For B&I, that has meant increasing expectation that industry will not only service the economy, but be responsive to social and environmental concerns. Likewise it is important for intergovernmental institutions to adapt and evolve to be responsive across all three dimensions. As we consider “environment” in the context of IEG, therefore, it is the view of Business and Industry that UNEP and the other institutions focused upon that pillar also integrate and become more responsive to all three dimensions. From our perspective, this will require a more fulsome integration of social and, particularly, economic dimensions of sustainability. As Executive Director Steiner has put it, to advance the “economic literacy” of the environmental dialogue.

Economic development and social stability are necessary precursors of active environmental protection, and little can progress in the absence of a return to economic growth. Moreover, sustainability, as an adaptation of civilization, cannot be “governed” in the traditional sense. It must evolve as our institutions collectively adapt to the realities of globalization. Stakeholders, generally, including industry, particularly, are increasingly important to achieving global sustainability, and stand ready to collaborate to that end.

## **Specific Response to Consultative Group Papers**

The documents advanced by the Consultative Group provide a good framework to stimulate thinking regarding the challenges of IEG in the context of the present UN system. Business & Industry is not yet in a position to provide a final response to these proposals, recognizing that we are only in the beginning of this process. However, the following are initial reactions borne of the considerations discussed above.

### **Objectives Articulated by Consultative Group**

#### **Creating a strong, credible and accessible science base and policy interface.**

Strengthening the scientific base for decision making by the Governing Council, Governments and other partners is critical to responsible environmental protection and the larger goal of enhancing sustainable development. In approaching that, however, it is important that science must be a foundation of policy in this arena, but cannot dictate policy. The separation between the scientific base and the policy-making must be clear. Importantly, the broadening and overlapping of interests must also be recognized and built into any strengthening of the science base. In this context, channels must be provided for incorporation of credible and robust science not only from other intergovernmental forums, but also from business & industry.

#### **Developing a global authoritative and responsive voice for environmental sustainability.**

Business & Industry welcomes the recommendation to strengthen international environmental governance for better efficiency and coherence. An important consideration, here though, is that “sustainable development” is larger than environment. It is an evolutionary direction toward which all the intergovernmental institutions must evolve, and is neither defined nor measured solely on its environmental dimension (or its social or economic dimensions). This is why more specific attention needs to be paid to build cooperation and coalitions among inter-governmental institutions and among the Major Group stakeholders that invest in those institutions. The environment must have an authoritative and responsive voice in that evolution, and UNEP should be that voice. However, the challenge of sustainable development argues for larger integration to yield responsible adaptation of policy and institutions.

#### **Achieving effectiveness, efficiency and coherence within the United Nations system.**

As noted above, business strongly supports the need for better coordination and efficiency within the UN system. The need for coherence and efficiency through elimination of fragmentation and duplication of effort was one of the principal points made in the world business message on the role of the UN in the 21st century, submitted to Secretary-General Kofi Annan on the occasion of the UN Millennium Assembly.

While we view such enhanced coherence as necessary, it is distant reality. On the one hand, the proliferation of agencies and “mission-creep” which characterizes the intergovernmental world today is an obstacle to responsible guidance and adaptation. On the other hand, the diversity of missions and representation of various bodies and treaties must be respected in the context of the three pillars of sustainable development. In an era in which all agencies must evolve to better accommodate all three pillars of sustainability, a single “environmental” voice may not always be workable or appropriate.

As a strong supporter of the MDGs, however, the business community is ready to continue to engage and partner with the United Nations and its specialized agencies for more effective and coherent results when it comes to sustainable development.

#### **Securing sufficient, predictable and coherent funding.**

Funding of intergovernmental institutions represents relative priorities of sovereign states. While

predictable and coherent funding is essential for any institution to accomplish its mission, extending funding for particular institutions outside those priorities arguably moves that institution away from the integrative goal of sustainability that should result from the global intergovernmental processes.

The governments must approach the challenge of the overall framework of intergovernmental institutions with more deliberate and strategically guided resourcing, as well as more vigilant oversight. To that end, an overarching principle of strategic direction for governments should be that international intergovernmental institutions should focus upon challenges that transcend the bounds of sovereign states. Additionally, preserving and complementing the independence and tailored nature of multilateral agreements must be part of the picture.

### **Ensuring a responsive and cohesive approach to meeting country needs.**

Business & Industry supports the mainstreaming of environmental dimensions of sustainable development into national decision-making processes and development policies, including through empowerment by laws and institutions and the provision of adequate resources and support for capacitybuilding. We further support implementation of the Bali Strategic Plan for Technology Support and Capacity-building throughout UNEP programmes via strengthened cooperation with other stakeholders. Business and Industry stands ready to contribute to these efforts, but more systematic attention to interaction with B&I is needed.

### **Options for Broader IEG Reform Articulated by Consultative Group**

#### **Enhancing UNEP**

Business & Industry agrees that UNEP has been and should continue to be the principal United Nations body in the field of the environment. It has a vital role to play in the coordination of United Nations' efforts to effectively address environmental issues within the overall context of sustainable development.

However, the three pillars of sustainable development should be addressed in a balanced, comprehensive and coordinated way. Though UNEP must continue to be a voice for environment, it needs to bridge more effectively to realities of economic and social dimensions, just as it must aid other intergovernmental institutions in bridging more effectively to responsible perspectives on the environment.

#### **A new umbrella organization for sustainable development**

Business & Industry has difficulty visualizing the range of considerations relevant to sustainable development being consolidated effectively in a single organization, particularly when that range extends so far beyond even the UN family (WTO and related institutions, and the IFOs). Yet another organization created with such a mandate but would add to the proliferation and greatly enhance institutional confusion.

#### **Specialised agency, such as World Environment Organisation**

Given that the central aim of sustainable development is evolution toward more effective integration of the pillars of economy, society and environment, the notion of establishing any single pillar as preeminent is counterproductive. Indeed, the reason why this must be an evolution in mutual adaptation among the intergovernmental organizations is precisely because the objective of enhancing sustainability requires their missions to become mutually supportive.

#### **Possible reforms to ECOSOC and the Commission on Sustainable Development**

This is a necessary element of progress on sustainable development, and could contribute to a more rational landscape of relevant institutions. However, this would require broader reform to more clearly focus missions and reduce overlap among UN agencies, generally. It must also be recognized, though, that this still would not address the need to better integrate the institutions more focused on the economic dimension of the pillar and more effectively integrate that into the UN cognizance.

#### **Enhanced institutional reforms & streamlining of present structures**

Again this is in order, but a narrow focus on environment should not be implied here, and a broad range of structures must be drawn into such reforms. While it would be tempting for a UNEP-led IEG process to focus on driving environment more effectively into other agencies, the ultimate Consultative Group goal of integration of the three pillars requires that any such reform and streamlining incorporate change into UNEP, as well, in the direction of greater sensitivity and responsiveness to the economic and social dimensions of sustainable development.

10.

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**Mr. Walker Young**  
**M.A. Candidate, Chulalongkorn University, Bangkok, Thailand**  
**Regional Coordinator of Monitoring & Evaluation**  
**WWF Greater Mekong Programme**  
**Hanoi, Vietnam**

**Pg. 4:** Under “Functions” row for Objective C, an effective and efficient UN System, I suggest to add another function: “iv. Maximize operational cohesion to benefit from improved cost allocations and structural / thematic alignments”. This function is all about adaptive management. Managing the abundance of MEAs should also involve the constant re-evaluation and assessment of ‘where we are today’. In some cases, it may make sense to try to cluster thematically certain MEAs to exploit resource efficiencies; in other cases such as secretariat functionalities, some operational sharing across conventions (UNFCCC, CBD and UNCCD for example) may be warranted.

**Pg. 19:** First paragraph, last sentence (“The potential benefit would consist of increased coherence and efficiency.”)...This is only a limited sample of the potential benefits. Other benefits include greater capacity for MEA implementation at the country level (due to the greater understanding of synergies based on the coordinated functional activities within the Focal Point offices), more comprehensive and holistic approaches towards environmental management (e.g., addressing Ramsar, UNCCD and CBD under a single “Biodiversity Cluster” rather than as separate thematic issues) and cost savings. It is better to specify these benefits, so that the reader is aware, rather than only saying “increased coherence and efficiency” as currently stated.

Additionally, specifying the cost savings in this sentence will improve the transition into the second and following paragraph on p. 19, which mentions cost benefits.

**Pg. 19:** Fifth paragraph and #1-6... In addition to the provision of common services to clustered MEAs, there should be discussion about moving the CBD secretariat to Bonn, Germany, instead of its current home in Canada. Aligning common services would benefit greatly if all secretariats were located in the same city. Bonn is increasingly important as a meeting and policy hub for MEAs, and the CBD would benefit in the long run (as would the other Rio Conventions) if their home bases were aligned. This would also make travel much more efficient for country focal points.

Currently, I do not see any discussion of alignment of the geographical base of secretariats but it is worth discussing the costs and benefits.

**Pg. 20:** Organigram – It is worth considering adding a coordination officer at the *national level* to coordinate the synergies among the MEA focal points in a given cluster. Personal experience in coordinating focal points has taught me that there is a lot of difficulty in aligning the work and personalities of focal points around common themes. I envision that, without such a position at the national level, the Senior Coordination Officer will face a lot of difficulty in sorting out the national difficulties in clustering thematically (not operationally, which should be fine and benefit as discussed). Clustering thematically (ex: Chemicals & Waste) will require better understanding of synergies, better working relationships between MEA national focal points, and a sincere interest in stepping across traditionally confined roles to work as a team. Without national coaching to encourage this, it will be difficult in practice.

**Pg. 20:** Second paragraph: Again, the benefits of co-locating secretariats in certain cases (ex; CBD, UNFCCC, UNCCD, all in Bonn) would be similar to the benefits of co-locating meetings as described herein. It is worth presenting that option, where it is applicable and makes thematic sense, so that readers can also consider the option to relocate certain secretariats. A review could be conducted by the coordination committee to identify potential targets for relocation of secretariats; then, the COP of that MEA could vote on whether such a relocation presented worthwhile value and should be accepted.

**Pp. 23 – 24:** The design and implementation of a system-wide strategy will require two key roles, at least: a Strategic Planning Coordinator to tightly define the set of strategies to be followed, and a Monitoring & Evaluation function to evaluate and report back to the stakeholders on progress and on the indicators for measuring developments as well as the operational status of the current rollout. Internal controls will be very important and so there needs to be the necessary investment to build a results-based function for the system-wide strategy.

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11.

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**Tcharbauhbokengo NFINN**  
**Director General;**  
**Federation of Environmental and Ecological Diversity for Agricultural Revampment and Human Rights**  
**(FEEDAR & HR)**  
**Cameroun**  
**Accredited NGO to UNEP**

I will like to first of all compliment the hard work put in place in drafting this document. There is a lot of literature in the document that needs to address relevance and comprehension in environmental policies. We need to underscore the urgency in dealing with environmental problems and acknowledge the presence of many partners, but with their diverse and in some cases very limited opportunities to achieving their objectives.

One of this is the lack of access and capacity to Environmental Challenges which has not only contributed to weakening the many efforts made by funders and partners to achieving the challenges.

Second is the literature used making it impossible for many communities closely attached to and who suffer most in times of Environmental challenges (Droughts, Disasters, Floods, Wildfires) not to comprehend and adequately get to the point in going across relevant documents produced in these meetings.

In my opinion Objectives (a) and (b) of the draft are basically talking the same thing and sharing the same literature and idea.

Creating a strong, credible and accessible science base and policy interface IS THE SAME AS Developing a global authoritative and responsive voice for environmental sustainability.

The discussion that follow underneath does not completely dissociate itself from what has been in the past environmental instruments.

However this same document also underscores a crucial aspect of it all in objective (d) Securing sufficient, predictable and coherent funding.

But I think an in-depth of this objective is needed if we need to have a rapid change in tackling environmental challenges.

I want to thank you for permitting my comments in this important document.  
My kind regards.

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12.

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**Aaron Laur**  
**Chief Administrative Officer**  
**International Council of Environmental Law**  
**Tel: ++49/228/2692-298**  
**Mobile: ++49/170/906/2625**  
**E-mail: [aaronl@intlwapol.org](mailto:aaronl@intlwapol.org), [aaronlaur@googlemail.com](mailto:aaronlaur@googlemail.com),**

Further to the request for comments on IEG received on 14 September and considering the very short time span provided between that date and the deadline of 27 September, the International Council of Environmental Law would like to bring the following to the attention of the Consultative Group:

If there is to be universal membership in any of the proposed institutional reforms, an effective decision-making arrangement other than unanimous consensus is necessary. Therefore, a weighted voting system, a delegation to representatives of different regions, or other comparable mechanism should be considered.

13.

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**Comments received by**  
**Felix Dodds - [fdodds@stakeholderforum.org](mailto:fdodds@stakeholderforum.org),**

**and**

**Jan Gustav Strandenaes<sup>1</sup> [jg\\_str946@hotmail.com](mailto:jg_str946@hotmail.com),**

**Stakeholder Forum**

*'Our lives on this planet are too short; the work to be done is too great. But we can perhaps remember that those who live with us are our brothers; that they share with us the same short moment of life.'*

*Senator Robert Kennedy*

**Introduction**

**Stakeholder Forum** has been involved with the Governance debate around UNEP since 1999. Stakeholder Forum have published a number of papers (see Annex 1)

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<sup>1</sup> We would like thank Richard Sherman, Jennifer Peer, Derek Osborn, Hannah Stoddart for their contribution to the previous papers.

In this paper Stakeholder Forum is bringing together some of the suggestions based on previous papers it has submitted to the process over the last five years.

Stakeholder Forum believes that the present opportunities around Rio+20 should result in a strengthened UNEP and a strengthened body for sustainable development in the UN system.

Enhanced institutional reforms & streamlining of present structures

The paper will address:

1. Enhanced UNEP
2. Specialized agency such as World Environmental Organization -- Clustering and strengthening of MEAs
3. Possible reforms to ECOSOC and the Commission on Sustainable Development
4. Annex of Stakeholder Forum papers on Sustainable Development Governance

Comments:

### 1. **Enhanced UNEP**

As the leading environmental authority within the United Nations (UN), the UN Environment Programme (UNEP) has been instrumental in the development of a wide range of international agreements and conventions on advancing protection of the world's biological diversity and the ozone layer, as well as the sound management of chemicals and persistent organic pollutants. However, for over 30 years, government and independent analysis of the UNEP's impact have regularly identified issues that beleague the current system. Regarding the UN system these concerns generally focus on: incoherence, inefficiency, information inadequacy, inequity, and insufficient funding.

Areas identified as key weaknesses in the existing arrangements on international environment governance (IEG), include: inadequate level of integration of environmental considerations into the mainstream of decision-making; inadequate approaches to global environmental management; impacts of globalization; fragmented machinery; institutional mandates and environmental agreements predominantly following a sectoral approach to environmental management, weak international dispute mechanisms; and lack of holistic approach to international environmental governance. At the political level, areas most signalled out for further attention include: the discrepancy between commitments and action; and the lack of a strong political base has contributed to a failure to effectively mainstream and integrate environment into the wider macro-economic arena, and particularly within the World Trade Organization, (WTO). Those more radically inclined in their criticism would also site lack of compliance mechanisms as a failure, directing our attention to the successes behind the Montreal Protocol to curb the emission of halting ozone-depleting substances.

The 2002 Civil Society Statement on IEG to UNEP's Seventh Special Session of the Governing Council/Global Ministerial Environment Forum (GC/GMEF) noted that "the international environmental regime is dogged by the lack of political will to resolve environmental problems and to follow a policy for the sustainable use of the earth's resources."

This has led to fragmentation, limited financial resources, poor enforcement of multilateral environmental agreements, as well as an imbalance between international environmental governance and other international trade and financial regimes. The World Summit 2005 identified a number of issues that need to be addressed for the implementation of more efficient environmental activities in the UN system, including: enhanced coordination; improved policy advice and guidance; strengthened scientific knowledge, assessment and cooperation; better treaty compliance, while respecting the legal autonomy of the treaties; and better integration of environmental activities in the broader sustainable development framework at the operational level, including through capacity-building. Based on these issues, the Summit agreed to "explore the possibility of a more coherent institutional framework to address this need, including a more integrated structure, building on existing institutions and internationally agreed instruments, as well as the treaty bodies and the specialised agencies.

The current UNEP programme of work on IEG should be brought to an end for Rio+20 and implementation of the agreement expedited such as:

- strengthening UNEP's financial base,

- implementing the Bali Plan,
- Strengthening the science base of UNEP
- adopting the proposed Environment Watch system.

While the General Assembly, and processes such as the Cartagena Package, addressed pertinent issues, the previous explorations of IEG including the reform debates have tended to only focus on UNEP's normative tasks at the global level, without due consideration of the important operational activities of the UN and how UNEP can contribute to the country-level dimension of development. The present debate on IEG should make efforts to incorporate social and economic aspects as well as strengthening the environmental issues. UNEP has already collaborated successfully with UN institutions working on the social arena, such as the WHO, and has also dealt with rights based issues. But incorporating social issues such as equity etc makes it necessary to define mandate and responsibilities of UNEP and CSD more clearly while at the same time increase collaboration between the two.

UNEP's mandate is too narrow, as it only covers a few aspects of the environment. Its mandate should be expanded to, for example, include sustainable agriculture and fisheries and sustainable energy. UNEP's role in liaising with Multilateral Environmental Agreements (MEAs) should also be strengthened to give it a more coordinating role.

The Global Ministerial Environment Forum (GMEF) should become a forum concentrating on dealing with serious threats to the environment and a platform for Ministers of Environment to speak out forcefully on these environmental challenges.

There is an urgent need for a stronger international authority on environment to safeguard the environmental pillar of sustainable development. UNEP's present mandate and resources prevent it from achieving this. If UNEP's current insufficiencies are not remedied, serious consideration should be given to whether UNEP should provide the primary focus for the reform of IEG.

Any upgraded UNEP should have a new mandate. Such a mandate should build greater coherence between environmental and social agendas, making the concept of 'environment for development' a reality. It would act as a platform for both standard setting and other interaction with national, international and UN bodies. The principles of cooperation and of common but differentiated responsibilities should be reflected in the implementation of this revised mandate.

A number of principles should be adopted for a strengthened UNEP, namely:

- broad societal consensus on a long term vision for UNEP;
- reliable analysis of the present situation and future scenarios for UNEP;
- integrated planning comprising all dimensions of sustainable development;
- building on existing strategies and processes; increasing links between national and local level strategies;
- integration into financial and budget planning; early monitoring to steer processes and track progress; and effective participation mechanisms.

In strengthening UNEP consideration must be given to the specific needs of developing countries and respect of the fundamental principle of 'common but differentiated responsibilities'.

Developed countries should promote technology transfer, new and additional financial resources, and capacity building for meaningful participation of developing countries in IEG. Strengthening of IEG should also occur in the context of sustainable development and should involve civil society as important stakeholder and agent of transformation.

Civil society discussions around the UN General Assembly process on Para 169 on the UN reform programme in 2007 clearly favoured strengthening UNEP in Nairobi as the lead UN body responsible for all environmental programmes and activities within the UN system. These discussions have also noted that the achievement of progressive decisions on environmental and sustainable development issues sometimes requires more political will than is available to all governments

**UNEP – or UNEO – the authoritative global organisation on environment and development**

UNEP's mandate to work on all environmental issues must be reinforced in all aspects of the UN. One way of doing this is to upgrade the organisation to agency level with universal membership. Doing this would also reflect the dominant global opinion and concerns on the environment. A consequence of this would be that UNEP should be the institution responsible for Goal 7, the environment goal of the MDGs, and not UNDP.

UNDP recognises its own shortcomings in working on Goal 7, and states in its own report from 2006 that:

*"While the MDG framework is best managed as a group of interrelated targets, MDG 7 warrants particular attention given the weaknesses both in monitoring and in overall progress." The same point is reiterated in the UNDP report from February 2010 (Accelerating Progress): "One of the difficulties in making progress towards the overall objective of Millennium Development Goal 7 is the lack of a framework or means of integrating different components of environmental sustainability."*

Similar shortcomings are noted among other UN entities working on the environment simply because they do not have the necessary expertise, be that reflected in its staff or its institutional framework.

### **UNEP at agency level and CSD at permanent Council level**

A successful outcome of the present IEG debates is contingent upon an understanding of and definition of roles and mandates between UNEP/UNEO and CSD. We believe such a clarification is made easier if both institutions are upgraded to a higher political level within the UN system (see our comments on CSD reform). A reformed and strengthened UNEP needs to incorporate the social and economic pillar among its functions. But such a move needs to be reflected in increased staff, expertise and finance. The discussion on Green Economy is a sound starting point, but should not only result in a UNEP delivered-panel with an expert paper at Rio plus 20, but with a division at UNEP/UNEO on Green Economy with a mandate to influence or even regulate the IFIs and the World Trade Organisation.

Similarly work should continue to develop an understanding on social equity issues and the environment. Several of the environment conventions deal directly with social issues, and the chemical conventions are points in case. A good beginning in working on, understanding and incorporating social issues has been made with UNEP's collaboration with WHO. The following quote from a UNEP/WHO publication December 2008 illustrates the need to do this:

- Poor environmental conditions cause a large proportion of the global burden of disease. Maintenance of environmental goods and services underpins all aspect of human health and well –being.
- Many of the ultimate drivers of environment and health conditions lie outside the direct jurisdiction of the relevant sectors. Environment and health actors need to increase their leverage on economic development decisions.
- Policy choices could be improved through more systematic, transparent and wide-ranging considerations of their impacts on environment and health.

Perhaps the most difficult challenge is to clarify the roles between CSD and UNEP. This discussion must take as its starting point the present position of the two UN entities, but with these entities having been upgrade to Agency for UNEP and to permanent Council for CSD. In that respect delineating their roles as complementary will be made much more challenging, relevant to the rest of this century and make more sense.

### ***Options for strengthening the environmental pillar of sustainable development***

Any new UN body or agency working within a reformed UN system should focus on elements such as capacity-building, assistance, consistent funding, and technical information to enable nations to fully implement all relevant existing UN treaties and agreements."

UNEP plays an important role in the protection of environment and believe that this role must be strengthened to allow it to contribute to coherent global sustainable development.

Building a stronger technical and scientific capacity within UNEP would be important.

An upgraded UNEP must be adequately and predictably funded in order to be able to implement its mandate. The current financial situation for UNEP is unacceptable and must be addressed. In comparison, for example, several large environmental non-governmental organizations (NGOs) have significantly greater budgets than UNEP.

There is a need to: improve coordination and dissemination of measurable information about UNEP assistance; define a more secure and permanent place for UNEP in the context of a poverty focused development agenda; integrate UNEP concerns more effectively into development strategies; encourage the increased participation of a range of government institutions in providing UNEP assistance; and support opportunities for direct NGO execution of publicity funded programmes.

We would remind you that the Civil Society Statement from the 2006 UNEP Global Civil Society Forum urged government to consider the following issues in strengthening UNEP:

- i. Strengthening cooperation, cohesion and harmonization between multilateral environmental agreements (MEAs) and other UN bodies;
- ii. Clustering conventions and multilateral environmental agreement, avoiding duplication and maximizing their effectiveness;
- iii. Strengthening the process of the Environmental Management Group and implementation of its partnership forum;
- iv. Using legitimate powers for compliance, enforcement and implementation;
- v. Making economic decisions and trade regimes environmentally sensitive and restructuring in international financial institutions, WTO and other economic processes to comply with this approach;
- vi. Developing a mechanism or instrument for the implementation of international environmental decisions and legislation by national governments; and
- vii. Incorporating all the Rio Principles agreed to at the UN Conference on Environment and Development in 1992.

## **2. Specialized agency such as World Environmental Organization -- Clustering and strengthening of MEAs**

The debate on a World Environment Organization mostly focuses on a strengthened UNEP becoming an Agency by:

- Strengthening the science base;
- Assured financial contributions
- Enhanced voice for the environment.

There is a stronger version of a WEO which would include the above but also set up a similar Committee structure of the World Trade Organization to deal with clustering of the environmental conventions.

Multi-lateral Environmental Agreements that have been initiated offers the chance for the international community to take a serious look at the global framework for sustainable development that we are trying to create. By doing so it will address a number of key issues

### ***i. Fragmentation of the System***

Fragmentation exists among the MEAs and also within governments dealing with them. Some of the suggestions we have to deal with fragmentation are:

**National Reporting:** would benefit from a harmonization of reporting systems not only to the conventions but also to other intergovernmental bodies (eg World Bank) and to donors.

Guidelines, such as UNEPs "Draft guidelines for effective national environmental enforcement, international cooperation and coordination in combating violations of multi-lateral agreements" and their "Draft guidelines on

options for enhancing compliance with multi-lateral environmental Agreements” need to be more readily available, with training where necessary, to assist governments and other stakeholders.

Within the structure of the national reports there could be information on:

- Frameworks for planning and strategies
- Capacity building requirements;
- Financing;
- Problems faced;
- National targets;
- Stakeholder involvement;
- Compliance;
- Legislative gaps;
- Common set of Indicators for monitoring and review.

There should be a common focal point within governments, which could be through a unit within the Prime Minister’s office or its equivalent, to ensure joined up thinking within government. This could enable governments to be saying the same thing within economic, social and environmental policy making at the international level. In addition there may need to be focal points for the different clustering of the conventions. This could also enable there to be a more integrated approach from within governments.

Building on experience from earlier reporting on national sustainable development issues, and provided the relationship between UNEP and CSD has been resolved, the existing councils may be upgraded and their reports integrated in the larger work of UNEP/CSD.

Rio+20 should reactivate and reinvigorate the national multi-stakeholder forums, eg National Councils for Sustainable Development, which would be set up to offer:

- Outreach, for consultation and feedback, to their constituencies in the country;
- Development of guidance on implementation strategies within a country;
- Review: Development of national reports;
- Development of national targets for policy, strategies and future implementation.

National multi-stakeholder forums have developed differently in different countries. For them to be seen as independent from government is a crucial indicator of whether their input will be taken seriously by the stakeholders in their countries.

## ***ii. Clustering***

The move towards bringing the conventions under main topic areas such as: biodiversity, seas, chemicals, nuclear, energy/climate, land-related, air and freshwater is important. The work done by the chemicals to cluster conventions is an example of what needs to be done with the other areas. Agreeing on the common areas to cluster as a first step and then setting out a roadmap for the next five years could be a beginning. This would enable relevant UN conferences in the near future a more coherent and mutually supporting set of conventions. If the Rio plus 20 Summit can act as a focus to increase the speed of clustering then that would be a very good outcome from this conference as a first step to more fundamental reform.

Whereas many would see clustering as a way of both saving money, even paying less to the UN and increasing work with the same amount of financial support, the need for clustering must be seen as one of strengthening the functions of the conventions. In relationship to financing, the financial means need to be increased, and not decreased as the tendency often is.

In particular we need to look at:

- ***Co-location of clusters:*** We Could move from the present system of governments offering to host convention secretariats to a co-location around the six clusters. This might mean six different countries but

preferably they should be located in a UN centre which would probably mean Nairobi, Bangkok, New York, Addis, Montreal, Santiago Geneva and Bonn;

- **Review of regional conventions:** The great number of regional conventions require a comprehensive review to see if they can be grouped under the clusters at the regional hubs, to simplify their structures and maximize possible financial and technical opportunities.

- **Joint secretariat functions:**

There are considerable gains to be had from joint secretariat functions and one administrative centre: better and stronger enforcement, monitoring, information gathering, cross fertilisation of analysis, joint meetings, more efficient use of financial means in ways delineated below:

- **Joint meetings of the Bureaus/COPs within a cluster:** Bureau meetings might be backed on to a meeting of the Environmental Ministers Forum to ensure that a joint line is presented to the Ministers to enable action taken by the Ministers when they meet.

- **Joint meetings of the heads of the scientific and technical committees within a cluster and where relevant between clusters:** The need to share knowledge between the different scientific and technical bodies is an area that is often over looked. A meeting on a bi-annual basis would enable there to be a greater understanding of overlaps, gaps and actions required. The use of the Internet to integrate the information provision of the committees would also help.

- **Overall Head of each cluster:** Each cluster would benefit from an overall head to ensure that the conventions within the cluster are being coordinated. The overall **Head of all the clusters should be the Executive Director of UNEP**. UNEP should be seen as the facilitator of the clusters to ensure joined up thinking between them and within them.

- **Introduction of knowledge management (KM) within clusters and between clusters:** KM offers a great way of sharing knowledge and experiences both vertically and horizontally. Many of the clusters will experience similar issues which do not have to be learnt six times or more but can be learnt once and the information shared into a knowledge bank to the benefit of the others.

- **Agreement of a methodological framework for indicators to enable measuring of enforcement and compliance:** Of late the discussion on indicators has displayed an interest in reducing the number of key global indicators. We do not think this is a particularly good idea. What we should be agreeing on is a methodological framework within which indicator packages can operate. This would allow for an outline of the process of their development, their application such as monitoring, assessment and revision of plans. Using a methodological framework would also allow for the decision on what is the most appropriate set of indicators at national or sub-national level as these will differ depending on the particular context and level at which they are going to be utilized.

- **Integrate early warning systems:** There is a need to develop an early warning system for possible environmental disasters. By utilising and coordinating the different information bases from each convention, including research pertaining to these conventions, UNEP could develop an early warning system particularly attuned to possible environmental disasters. This would also enable an appropriate discussion on prioritization of issues and resources.

- **Subsidiarity:** The European Union has through Article 5 of the Treaty establishing the European Community recognised the role of subsidiary. As Philip Sands argues:

*"What is the proper legislation and adjudication of matters pertaining to the protection of the environment? In other words, is there a need to develop an international principle of subsidiarity in the environment field, which would indicate the most appropriate level at which environmental norms should be set, and then enforced? For the environmental lawyer this could mean asking oneself when an international (as opposed to a national) rule should be adopted at a bilateral, regional or global level. There is yet no rule of international law or guideline - which indicates the circumstances in which an international environmental convention should be adopted or a normative decision taken. There is no international environmental law equivalent to Article 5 of the Treaty establishing the European Union."*

### **iii. Compliance**

Compliance and enforcements in international environmental law could also learn from good practices in other international conventions.

A good example of this is Optional Protocol of the Convention of Elimination of all Forms of Discrimination Against Women (CEDAW Dec 1999). This gives individuals and groups / organisations the right to appeal to the UN CEDAW Committee should avenues be exhausted within their own countries. Also for CEDAW, countries have to report every 4/5 years to the Parties to the CEDAW Committee. At the same time stakeholders are allowed to present their alternative reports. This in fact induces a form of peer group pressure on countries to report more accurately. Another interesting development around CEDAW is the fact that Committee membership is made up of eminent experts "of high moral standing and competence in the field covered by the Convention". These are elected by the States parties. These elections have to meet the Convention's demands for equitable geographical distribution in membership and the requirement that CEDAW members represent "different forms of civilization as well as principal legal system. Their terms last four years, with only half of the Committee members replaced each time elections take place." CEDAW Web Site ([www.un.org/womenwatch/cedaw](http://www.un.org/womenwatch/cedaw) )

The present environmental conventions could adopt a similar approach for reviewing reports. This could include reports from National Councils for Sustainable Development (NCS). For this to be viewed by stakeholders as valid the NCS would need to be assured independence from governments. The NCS Reports could be collected through national stakeholder reports, which could be compiled into a Report to the Convention. It would have to show the differences as well as the agreements between stakeholders. Over a period of time this could also deliver more compliance, more trust and a greater clarity on how to move forward. This could also become a forum for discussion about any development of MEAs in the future allowing for a very transparent and inclusive involvement of national stakeholders leading to better international agreements. A major step forward within the UN ECE region has been the adoption of the Aarhus Convention on Access to Information, Participation and Access to Justice. This convention when it came into force, contributed to giving a very strong role to stakeholders including NGOs. It provides associations with the important right of bringing legal actions in national courts to enforce environmental obligations. (None such cases have yet been tried successfully).

Another option to deal with compliance could be the establishment of an *environmental ombudsman*. This has been advocated by the Earth Council and would be worth considering. (Some donor nations have also expressed a favourable attitude towards this suggestion). Stakeholders could take their complaints to such a person if they couldn't find recourse in their own country. The possibilities for this to be successful also requires independence from governments.

One institution that is not utilized properly is a country's parliament. It would be useful to produce a review of parliaments to see how they address environment and sustainable development issues and draw up recommendations on how parliaments might be able to review national reports before they are submitted to the UN.

To further enhance compliance of legislation an International Environment Court could be utilised. This would require either the creation of a new body or enhancement of the Environmental Chamber of the International Court of Justice (rarely used). Common regulations on international environmental liability would assist legal enforcement. A problem with this would be it would keep things environmental apart from the rest of world affairs and might take a long time to negotiate.

Regional bodies and agencies could play a stronger role in monitoring and enforcing compliance to international agreed standards, regions (regional protocols annexes) should reflect incentives and sanctions (UNEP/IGM/2/2). This is being done by the European Union for example.

Transnational companies are often influential and forceful players on the political arena, nationally, regionally and globally and their increased role represents a challenge in its present form. A regulatory framework for these companies is one of the key missing elements in international agreements, and needs to be developed, written and adopted. There are a few existing Guidelines that could be used and further developed such as the OECD Guidelines for TNCs O 26000. Another necessary starting point would be the international environmental, labour

and human rights legislation that governments have to abide by. Together, these could provide the basis for a framework convention for TNCs to operate within. This would also contribute to creating a more level playing field.

All multilateral environment agreements should have a compliance mechanism that might include fines and/or other forms of sanctions put in place immediately after adoption

#### **iv. Involving Stakeholders**

*"Business as usual, government as usual, and perhaps even protest as usual is not giving us the progress needed to achieve sustainable development. Let's see if we can't work together to find better paths forward"*  
(Hohnen 2001).

Agenda 21 has nine chapters dealing with the role of Major Groups (women, youth, indigenous peoples, NGOs, business & industry, workers & trade unions, science & technology, farmers, local authorities). As such it is the first UN document to extensively address the role of different stakeholders in the implementation of a global agreement. Agenda 21, in each of the chapters, outlines roles and responsibilities of the respective stakeholder groups, and stresses their involvement as being absolutely crucial for successful implementation of sustainable development. This increased role of stakeholders has also been reflected in the meetings of the conventions and now also within UNEP. Each convention has developed a set of norms and standards on how it interfaces with the different stakeholders. It is a good time to reflect on what each of the conventions norms are. A review and convergence of these norms and approaches would help set a standard throughout which would benefit participation of civil society providing best practice is always used as the norm setting standard. Such a review with the aim of developing a universal approach would benefit greatly from the work done so far on integrating and involving stakeholders including the nine major groups in the work of the UN Commission on Sustainable Development.

There are a number of areas where civil society is involved at a high political level at the UN (See Annex 2 for clarification). One of the more interesting initiatives pertaining to the environmental issues is the Montreal Protocol where stakeholders have a formal role in the non-compliance procedure.

The Summit process also offers an opportunity to look seriously at not only the way we are designing the involvement of stakeholders in the intergovernmental machinery but also in recognizing how they will (dl: then) have a role in implementing many of these agreements. We therefore may have to use a toolkit of approaches to the involvement of stakeholders at all levels. This may range from consultation to dialogue to partnership and involvement in the decision-making process to finally implementing. Participation needs to be founded on clearly defined principles (transparency, collaboration, learning, equity, flexibility, accountability), ground rules (for communication, procedures, agenda and issues of process, facilitation, reporting) and objectives (outputs such as report, actions plans, impact on "official" governmental processes) including quality standards pertaining to the nature, structure, outreach and work of the potential stakeholders.

Effective participation at any level requires the active support from the facilitating body, including ensuring equitable access to: information (including policy-based, technical and scientific data); justice; funds; capacity building and training, in addition to creating the space for participation in decision-making and implementing.

#### **v. Scientific and Technical Co-operation and Access to Information**

For there to be an acceptance of the use of scientific and technical knowledge, or the lack thereof, it is essential that the scientific research institutions are independent from the state and from commercial interests. If this can be achieved then there will be a greater chance that the information and analysis produced is seen as trustworthy and credible.

Full introduction of the Precautionary Principle (PP) would ensure that policy decision-making is based on anticipating problems in conditions of uncertainty. Utilizing the PP could increase the dialogue with society generally to ensure that the benefits and the problems are known and discussed before moving forward.

Although Scientists are a Major Group in Agenda 21 they have generally not been actively involved in the discussions at a political level other than as government advisors. The introduction of Stakeholder Dialogues at the UN Commission on Sustainable Development does offer a new space for scientists to become involved without being beholden to governments or industry.

What might be a move forward would be the (dl: setting) establishment of a Risk Management Scientific Body within UNEP. This could work off an annual Earth Assessment Report developed jointly with or as part of the GEO Report. Seeing and using synergy opportunities this way, could produce some joined up work between the different areas of scientific research.

The Convention Secretariats should work towards a common approach to the Internet. This could include one portal for entry into the Convention section of the web. This would enable a more integrated approach to information provision and would help to see work being conducted within and between clusters of conventions. There is an enormous overload of information coming at us and managing this information stream would benefit all. The web could also be used as a place to collect good practices and allow for horizontal information provision between stakeholders across the world and governments. Although the use of the web will help, it must be recognized that there is a digital divide and funds must be made available to ensure that this divide is bridged. For stakeholders UNDP could play a key role in developing countries by hosting free Internet houses for the use by stakeholders.

***Fragmenting Science:*** One of the worrying developments is the move to cluster scientific bodies, in the last few years the move for scientific bodies on Biodiversity (most advanced), Oceans possibly chemicals and desertification to be set up similar to the IPCC needs some serious reflection. Is this just fragmenting science in a similar way to what happened with conventions over the last forty years?

Perhaps what is needed is an overarching sustainable development science body which the IPCC and future science bodies should report to ensure coherence.

#### **vi. Funding**

One of the major issues for all conventions in the future will be adequate funding to enable them to fulfil their mandates. The present system is clearly not delivering the funds required to enable UNEP to deliver on its present mandate without even considering the extra work that a new mandate may give. Governments need to address that present funding is inadequate and there is a need to have 'new and additional' resources to implement the global conventions.

An increased role for the GEF as the funding mechanism for the conventions has been put forward. For this to happen it would need to be at considerably greater levels of finance. It could perhaps offer funding for the six clusters suggested above. Additional funding (inward and outward) could be better facilitated at the national level through establishing a flexible framework for National Environment Facilities. One way to do this is to have an extra ODA for sustainable development similar to what the Danish Government has done. Other ideas not new are:

- Carbon trading;
- A charge on international flights with departures and destinations in OECD countries;
- A tax on all or some international financial transactions (Tobin Tax);
- A charge for fishing in international waters;
- A charge for royalties on minerals mines in international waters;
- A charge for satellites placed in geo-stationary orbit;
- Pollution Charges.

Originally the Environment Fund was set up NOT to fund UNEP but to fund the environment work of other UN Agencies and Programmes working with UNEP. To help address coherence in the UN system on Environment we believe that it would be important to consider setting up an additional fund to address this original issue which is still relevant today.

## **vii. Conclusion**

*“Good governance is a process, characterized by communication and consultation, through which disputes are resolved, consensus is built and performance is reviewed, on the continuous basis” Nayar,*

This paper has approached the issue of Inter-linkages among Multi-lateral Environmental Agreements on the belief that transformation, enhancement and better coherence in international institutions are essential to be able to conduct more fundamental reform within the area of IEG.

The challenges ahead are considerable. At present the economic system is dominated by monetary concerns of (transnational) private enterprises. There is a need to move to a more balanced approach embracing the environment, social and good governance as well as economic concerns. We need a comprehensive rules-based approach to the whole of environment and sustainable development, with the necessary legal back-up and equal access and capacity to access by all signatories. Whatever new or enhanced form of international environment governance develops, the world needs an environmental champion for global environmental issues, and a champion for sustainable development more broadly. UNEP is critically placed to become a champion for the environmental side - possibly helped if it is allowed to become an Agency and not a Programme - ensuring more secured funding.

### **3. Possible reforms to ECOSOC and the Commission on Sustainable Development**

In 2007, Stakeholder Forum proposed a two-track sustainable development initiative to define the areas where the UN's institutions in general and the CSD in particular, could make a distinctive contribution to the implementation of global sustainable development. The 2007 argument was firmly constructed on the paragraph 157 of the Johannesburg Plan of Implementation (JPOI), which stated:

*“Strengthening of the international institutional framework for sustainable development is an evolutionary process. It is necessary to keep relevant arrangements under review; identify gaps; eliminate duplication of functions; and continue to strive for greater integration, efficiency and coordination of the economic, social and environmental dimensions of sustainable development aiming at the implementation of Agenda 21.”*

Despite this existing and clear mandate for international institutions to keep sustainable development governance under review, this is not occurring. In fact, the last major discussion on IGSD, International Governance on Sustainable Development, was held during the 2002 World Summit on Sustainable Development. Furthermore, discussions on the CSD-11 programme of work's cross cutting issue of IGSD have been limited, and in some cases absent from the last few cycles.

As Brazil outlined in their submission to the Secretary-General (2009):

*“Notwithstanding the international consensus on the need for enhanced coordination and cooperation among international organizations and environmental agreements, diverging views remain on how to reform the current United Nations system so as to enhance its efficiency for driving sustainable development. Overcoming this impasse requires a broader and integrated reflection in lieu of the fragmented approaches which have been attempted so far.”*

In this discussion paper, we have modified and updated the 2007 Stakeholder Forum paper to respond to the recognition of IGSD in the upcoming Rio+20 process.

#### **A Strengthened CSD**

In 2007, Stakeholder Forum proposed the establishment of a process under the CSD, in the form of an open-ended Ad Hoc Working Group to focus mainly on the future and role of the CSD, including through a stock taking process of the first three cycles.

Such a process would build on the initial views of Brazil, South Africa in their submission to the Secretary General (2009) and in particular the European Union which proposed that the Conference:

*“Should seek ways for strengthening the CSD's role to review the progress in implementing Agenda 21 and JPOI, and reinforce its position, including its analytical and information base, in the context of UN reform.”*

The open-ended Ad Hoc Working Group would have as its primary objective to work to ensure that CSD returns to its original mandate of integrating environment and development in intergovernmental decision making. The Ad Hoc Working Group could conduct a 'stocktaking exercise', with the participation of all stakeholders (governments, the UN and civil society) of the three CSD cycles and identify lessons learnt and obstacles in the implementation of the CSD's core mandates. The aim of such a process would be to identify areas where the CSD could be

improved, without any new reform-type initiatives or processes being launched. This initiative would be a learning process and could include a continuous discussion on the CSD and sustainable development in the UN system. The process could lead to a set of changes to the CSD to make sure its mandate is properly fulfilled and that the CSD becomes the authoritative voice for sustainable development in the intergovernmental system.

The process should focus both on content and process – how can the CSD meetings become more innovative, inclusive, and stimulating, and how can the CSD ensure its outcomes are relevant?

South Africa's initial views outline several key issues that should be further explored by the Working Group, namely:

*“In the stock taking process, we need to ask if we are using the CSD sessions effectively. Is it necessary to refine the way that we are interpreting and implementing the decision that member States took at CSD-11, on the organization of the work of the CSD? A number of challenges could be considered, namely: there is a limited assessment of challenges at regional and international level; there is a limited and general focus on means of implementation; there is limited focus on the institutional arrangement for international sustainable development governance. There is an ad hoc approach to longer terms monitoring of progress with the JPOI targets that have already been reviewed in previous cycles. There is a tendency towards the de-linkage of the JPOI and MDGs. Most importantly there seems to be a tendency to reinforce in a non-integrated way, the positions that are taken in other international forums, on economic, social and environmental issues. This means that in the CSD, there is risk that we are disintegrating and not integrating the economic, social and environmental pillars. This means, that potentially the CSD is a follower and not a leader on sustainable development.”*

Regarding substantive issues, the Ad Hoc Group could focus on how the multi-year programme of work is implemented in terms of the original CSD mandate as outlined in A/RES/47/191, UNGASS-19 and the JPOI. The discussions could focus on the following five thematic areas:

- Influence on policy/action;
- Approach to governance;
- Political/science/knowledge interface;
- Means of implementation and financing; and
- Participation.

In addition, the working group could address the recommendation made by the European Union which suggested that the Event should:

*“look beyond the CSD work programme and start thinking of how we envisage a post-2017 CSD”*

Such a process could be launched around the Summit, and initially report back to Prep Com III (2012) with a proposed set of measures that could be implemented during the multi-year programme of work following the High Level Event. This would allow time for reflection and the identification of priority areas that could then be continually addressed and evaluated by members of the CSD

The Rio plus 20 process could be integrated with the work done, beginning with the third Prep Com for Rio plus 20.

### **CSD – a permanent Council at the UN.**

What was well begun at the last Rio conference should be successfully continued at the next Rio plus 20 Conference. CSD was established as a standing committee under ECOSOC, and this reflected the political weight, expert understanding and political priority of sustainable development of the 1990s. With the dramatic change in priority concerning environmental issues, CSD should now be upgraded to a new permanent council at the UN.

When the UN decided to establish the Human Rights Council, a precedent was created, and now is the time to capitalise on this. Having environment and sustainable development as the key agenda points at council level will give these issues the political recognition they deserve. The global public opinion has long ago given them this priority, it is time the UN does the same, as it ostensibly represents ‘we the peoples’.

By elevating CSD to council level, upgrading UNEP to agency level will also make more sense. The two institutions will enjoy the same political importance, and they will be able to communicate with each other on the same political level with the same political priorities and relevance and their functions will complement each other's on this level as well.

### **A Strengthened Global Sustainable Development Regime**

Under the JPOI (paragraph 143) the General Assembly was tasked with giving “overall political direction to the implementation of Agenda 21 and its review.” To date sustainable development issues are generally discussed within the Second Committee, but in most cases the outcomes are procedural and not substantive. Lars-Göran Engfeldt, the former Swedish Ambassador for Sustainable Development argued that “another major weakness

was that the highly relevant results of Rio were not linked to the ongoing reform process in the economic and social fields of the UN.” He says:

*“there was no movement to use Rio, in spite of its unprecedented high-level participation, as an inspiration or vehicle for the much-needed overall reforms that could lead to a merging of UN development agendas and programmes.”* (From Stockholm to Johannesburg and Beyond)

Engfeldt’s views are too a large degree true of the JPOI, and as such sustainable development governance was largely absent from the round of UN reform that emanated from the 2005 World Summit Outcome Document.

This is the view captured more broadly in Switzerland’s initial submission to the Secretary-General, where they proposed that the:

*“event would have to critically assesses the existing governance structure..... it would also have to look at the functioning and effectiveness of the governance system in each of the three pillars of sustainable development. The high level event would have to improve governance of the environment system, of the development system and of the social system and the economic/finance system in order to put in place the governance system that can make sustainable development a reality.”*

The ideas expressed above, by South Africa and Switzerland, may be re-invigorated and become part of the issues to be discussed in the process up to and during the Rio plus 20 Conference. The following illustrates ways to do this:

- As a complementary step to strengthening the CSD process, Stakeholder Forum proposes a process under the auspices of the General Assembly to identify the building blocks of a more robust intergovernmental framework for sustainable development.
- A second proposal for addressing the institutional framework for sustainable development would be based on an open-ended consultative group on international sustainable development governance, also to function under the auspices of the General Assembly.
- The process would aim to address the building blocks of a more robust intergovernmental framework for sustainable development and provide the General Assembly with a mechanism to assess and review the workings of the UN’s normative, analytical and operational functions with regard to sustainable development.
- A core function of the consultative group would be to assess the new and emerging developments in sustainable development matters, particularly with regard to identifying areas where coherence and coordination at the intergovernmental and UN system levels should be enhanced.
- The benefit of a General Assembly process would ensure that sustainable development reforms were placed on an equal footing and synergies could be explored within existing discussions on system-wide coherence and international environmental governance.
- Substantively, discussions could focus on the institutional framework outlined in the JPOI, which includes a set of nine objectives and measures on:
  - strengthening the institutional framework for sustainable development at the international level;
  - the role of the General Assembly and Economic and Social Council;
  - the role and function of the CSD;
  - the role of international institutions;
  - strengthening institutional arrangements for sustainable development at the regional level and national levels,
  - and the participation of Major Groups.
- Such a process would ideally be an outcome of the High Level Event at the Rio meeting, in other words, its work would only start following the 2012 Event.

- However, this does not mean that the Event would not address IGSD, in fact a key outcome of the Event would be agreements on a set of long-term objectives, or several short- and medium-term objectives, associated with the area of institutional structure.
- In other words the Event would conclude with the adoption of a shared vision on the “Global Sustainable Development regime and priorities (as voiced by\_South Africa 2009).” On the basis of this shared vision and objectives the Informal process would then develop a strategy for strengthening and improving sustainable development across the UN system.

### **ECOSOC Reform – Sustainable Development Board**

The High Level Panel on System Wide Coherence recommended the establishment of a Sustainable Development Board to oversee the One United Nations country programmes. This was an idea which should be revisited.

The proposed coordinating board we believe is necessary to provide oversight for the One United Nations country programme, in particular to provide system-wide coherence, ensure coordination and monitor the performance of global activities.

The original idea proposed that the existing joint meetings of the boards of UNDP/the United Nations Population Fund (UNFPA), the United Nations Children’s Fund (UNICEF) and the World Food Programme (WFP) be merged into this strategic oversight body — the Sustainable Development Board — which would report to the Economic and Social Council.

With UNEP becoming a Specialised Agency with an Executive Board we would suggest that they a should be added to the list members of a proposed Sustainable Development Board.

Such a Board could also play a significant role In reviewing the outcomes from Agenda 21, the JPOI and also the outcome from Rio+20. If a new Sustainable Development Council of the GA or reform of the Trustee Council deals with emerging critical issues then the system as a whole will have a more coherent feel to it.

As the Report suggests:

*“The Board should comprise a representative subset of Member States on the basis of equitable geographic representation, and should enhance the participation and voice of developing countries. The Board would be responsible for endorsing the One United Nations country programme, allocating funding and evaluating its performance in advancing the objectives agreed with the programme country. The Board should also maintain a strategic overview of the system to drive coordination and joint planning among all funds, programmes and agencies, and to monitor overlaps and gaps.”*

### **4. Conclusion: Delinking IGSD and IEG**

While in theory there is no argument for de-linking the IEG and IGSD agendas, however at the political level these processes and their outcomes should be seen a separately timed endeavours. This separation is necessary to avoid a North-South standoff (as witnesses during the WSSD), with in particular the EU wanting the IEG process to result in agreement on their proposal for a World Environment Organization and the South wanting the process to lead to a strong CSD focused on delivering the means of implementation, in particular finance and technology. This is not to suggest that the Rio+20 Process should launch a major new reform process on sustainable development. In fact, given the geopolitical bridges and general state of mistrust among member states, in particular the failure to agree on the second commitment period of the Kyoto Protocol and the stalled General Assembly negotiations on para 169, launching an ambitious reform agenda may not be well received.

On the other hand, failing to initiate a process to strengthen the CSD and the UN system would perpetuate the: *“perception that CSD faces challenges in fulfilling its fundamental roles – to confer political orientation, promote dialogue and partnerships and foster coherence among implementation actions (Brazil 2009.)”*

Therefore we suggest that the current IEG process under UNEP be transferred back to the General Assembly process and that negotiations are urgently resumed with the aim of concluding outstanding IEG discussions by the latest Prep Com III in 2012 with UNEP playing a critical ongoing role in support of the GA. UNEP could be mandated by its IEG group during the upcoming meetings to approach the present CSD Bureau and ask them to place the issue of ISDG at an organisational session at the upcoming IPM to be taken up by Prep Com II for the Rio plus 20 meeting, which is back to back with the IPM of the CSD. The issue could be raised already at the first Rio plus 20 Intersessional in January 2011. On the assumption that negotiations have concluded, Prep Com II could start the process of discussions and negotiations on a shared vision for global sustainable development governance, with the aim of adopting a set of long-medium-and short-term goals in Rio in 2012, and mandating the General Assembly follow-up process.

**Note: This paper has been drawn from a number of those in the Annex**

### **Annex 1 Stakeholder Forum papers on Sustainable Development Governance**

1. Discussion Paper 1: International Governance for Sustainable Development and Rio+20: Initial Perspectives
2. Options for Strengthening the Environment Pillar of Sustainable Development: Compilation of Civil Society Proposals on the Institutional Framework for the United Nations' Environmental Activities (2007)
3. UNEO: A Champion for environment in the 21st Century, but what role for Stakeholders?
4. Stakeholder Forum Report: Strengthening the Johannesburg Implementation Track
5. The UN System and Sustainable Development: Proposals for a Sustainable Development Institutional Initiative
6. From Words to Action: Towards a Strong Follow up to the High Level Panel on System-wide Coherence
7. Workshop on UN System-wide Coherence, 28 February 2007, UN Headquarters, New York
8. Priorities for 'Energy Cycle': Summary of the Possible Policy Approaches Identified in the Second Cycle Regional Implementation Meetings (2006)
9. Reflections on World Summit 2005
10. UNEP: Changing Times (2005)
11. UNEP Workshop Form to Follow Function
12. UNEP 8th Special Session Global Ministerial Environment Forum - Reform of UNEP - Form to Follow Function
13. UNEP Bali Strategic Plan for Technology Support and Capacity Building
14. Bridging CSD12 and CSD13
15. International Environmental Governance
16. Post Johannesburg: The Future of the UN Commission on Sustainable Development
17. Report on "The Future of the CSD" side event held during the 57th UN General Assembly.
18. Governance for Sustainable Development: Outcomes from Johannesburg.
19. Comments on the WSSD Prep Com 4 text "Institutional framework for Sustainable Development"
20. A Contribution to the WSSD Working Group III Text "Sustainable Development Governance"
21. The Future of the Commission on Sustainable Development
22. Governance for Sustainable Development
23. Interlinkages Among Multilateral Environmental Agreements
24. Analysis of UNEP Executive Director's Report on International Environmental Governance
25. International Environmental Governance: The Role of UNEP

### **Annex 2 Stakeholder Forum papers on Sustainable Development Governance**

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Some examples of major groups and civil society at Bureau Levels in the UN system –

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Researched and written for the UN CSD Rio plus 20 Major Groups as a background paper by Jan-Gustav Strandenaes, Senior Policy Adviser, ANPED, and Consultant to Stakeholder Forum, June 2010.

## **From the Secretary General's report to the Preparatory Committee for the United Nations Conference on Sustainable Development**

The UN Charter recognises three major actors at the intergovernmental, multilateral level: nation states, international governmental organisations, and – according to paragraphs 71 of the UN Charter – non-governmental organisations, NGOs. This fact is reflected well in §70 under Chapter V “Institutional Framework for Sustainable Development” of the Secretary General's Report<sup>2</sup> on the upcoming UNCSD conference, often referred to as the Rio plus 20 conference.

§ 69 of this report has an entire bullet point on Mobilising Major Groups by stating that: “The CSD process is still recognised as the most interactive and inclusive process within the UN system, allowing for active civil society engagement.” It goes on to reiterate some of the merits of this integration, and the report points to the importance of the major groups active participation in implementing CSD decisions at national level through a reinvigoration of the NSDS, National Sustainable Development Strategies and the NCS, National Councils on Sustainable Development. This is listed in the report as one possible measure of a successful outcome from the new Rio conference in 2012. The bullet point ends with the following statement: “Thus, broadening the base of major groups participation in the CSD process is considered important.”<sup>3</sup>

The UN system has taken cognizance of the CSD experience, and various units of the multilateral system have actually gone further in involving civil society at a high political level. The following points give a few examples of this development, allowing for reference to already existing formal precedent.

### **ECOSOC allows NGOs into the UN at high level - a brief historical background,**

Largely inspired by events leading up to the Rio Conference in 1992 and the results emanating from this conference, the 1990s saw an explosion in the interest among NGOs to work with the UN at global level.

According to UN NGLS, the UN Non-Governmental Liaison System “the number of international NGOs alone has grown forty-fold over the last decade (the 1990s), to over 37 000 in the year 2000. Countless, thousands – possibly millions – more work regionally, nationally and locally.”<sup>4</sup>

A huge problem facing the NGOs was then by and large that they were relegated to the back of the room at the UN meetings, alienating them from continuous activity. They also did not feel they belonged to the multilateral system, a system they worked intensely for in the field implementing the decisions taken at UN meetings. With the ‘influx’ of civil society in the UN, and the UN and governments using these actors actively and as an integrated element of their implementing plans, ECOSOC started to upgrade how NGOs could be integrated in policy processes at the UN.<sup>5</sup>

### **Participation with obligations and demands**

The details of the currently valid participation rights are set out in an ECOSOC resolution passed in 1996 (ECOSOC Res. 1996/31, 25th of July 1996 on Consultative relations between the United Nations and nongovernmental organizations)<sup>6</sup>. The resolution envisages far-reaching participatory opportunities for national and international NGOs within ECOSOC and its Functional Commissions, such as the (formerly) Human Rights Commission and the Commission on Sustainable Development (CSD). The resolution also details the participation of NGOs at international UN conferences.

Referring to the 1996 ECOSOC requirements, the following can be extracted as being of importance for the NGO accountability, and as such must also apply to facilitating units. They shall:

- Be of recognized standing within the particular field of its competence or of a representative character;

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<sup>2</sup> A/CONF.216/PC/2

<sup>3</sup> Ibid, p 24.

<sup>4</sup> Intergovernmental Negotiations and Decision making at the United Nations, a guide by UN NGLS and Gretchen Sidhu, UN Geneva, 2003, UNCTAD/NGLS/2003/1, pages 72 and 73

<sup>5</sup> <http://www.un.org/reform/civilsociety/practices.shtml>, UN System and Civil Society - An Inventory and Analysis of Practices, Background Paper, Secretary-General's Panel of Eminent Persons on United Nations Relations with Civil Society, May 2003

<sup>6</sup> ECOSOC Res. 1996/31, 25th of July 1996 supersedes the old resolution regulating relationships between NGOs and the UN, ECOSOC Resolution 1296 of 1968.

- have a representative structure and possess appropriate mechanisms of accountability to its members;
- have members that shall exercise effective control over its policies and actions through the exercise of voting rights or other appropriate democratic and transparent decision-making processes;
- have mechanisms for appropriate accountability that needs to be institutionalized;
- integrate the fact that the legitimacy for an NGO begins with the individual who uses it as an instrument of voluntary association;

### **New Millennium, new challenges new opportunities**

The above has led the UN at process level to envisage and utilise new approaches to working with civil society and at the same time preserve and safeguard the sovereignty issue and the principle foundation of the UN – that it is an intergovernmental system. By so doing the UN has been able to integrate both sovereign states and “we, the peoples” in its work.

The beginning of this millennium has seen a number of new governance structures within the UN. The following lists a few where NGOs are serving at almost the highest political level at the UN.

The same sets of arguments shown here and that are functioning, may also be said to be relevant to the work civil society will engage in to make the Rio plus 20 a success. The national work referred to is in principle similar to the ideas outlined in the SGs report on the Rio plus 20 Conference (see footnote no 1) as well as the document on Organizational and Procedural Matters.<sup>7</sup>

### **The Policy Bureau at UNAIDS and civil society**

UN AIDS has a much broader definition of civil society than UN CSD. The official UN web-site states that: “Among the various UN entities UNAIDS has had one of the most diverse and extensive set of civil society partners.” The web-sites goes on to explain the rationale behind engaging with civil society for a multilateral institution whose primary overarching mandate drawn up by the Charter is to engage with governments: “The wide range of strategic and tactical expertise within civil society organizations makes them ideal partners in the process of preparing National Progress Reports. Specifically, civil society organizations are well positioned to provide quantitative and qualitative information to augment the data collected by governments.”

### **Five civil society representatives in the Bureau and their codes of conducts**

“UNAIDS was the first United Nations programme to have formal civil society representation on its governing body. The UNAIDS model helped inform the governing structures of the Global Fund to fight AIDS, TB and Malaria. At present, the Programme Coordinating Board (PCB) allows for an NGO Delegation of 5 representatives and 5 alternates. The Delegates have formal terms of reference, can serve for up to three years and have non-voting status.”<sup>8</sup>

UN AIDS has been instrumental in setting up a structure at country level whereby authorities at local and national levels work and collaborate closely with civil society in all instances – in developing the overall national response, on developing health policies, advocacy issues, capacity building, research outreach programmes, concrete workshops, access and accountability in terms of product development and information dissemination, rights and issues based questions.

UN AIDS including governments acknowledge that the major part of advocacy for reaching out to people, and for channelling their responses to the globally enacted programmes and policies and thus making these programmes and policies more effective, efficient and result oriented is done almost exclusively by civil society.

UNAIDS has developed a set of principles and values for working with civil society and the following values and principles have been agreed to guide collaboration with civil society on universal access efforts.

UNAIDS Secretariat and Cosponsors work with the following values:

- Coherence, clarity, accessibility, transparency, accountability and multi-way communication;
- Strategic planning and action;
- Investing in partnership based on shared goals;

<sup>7</sup> A/CONF.216/PC/3

<sup>8</sup> From the official UN AIDS website

- Willingness to challenge and to be challenged constructively;
- Recognition of the strengths and potential of all partners;
- Passion, audacity, engagement, activism and responsibility;
- Sharing, learning and leadership;
- Respect for diversity for all regardless of sex, age, religion, ethnicity, opinion, social or economic status, sexual orientation or HIV status and a respect for a human rights based approach;
- A belief that every interaction presents an opportunity to learn something new and move the response forward;
- Sustainable long-term responses to AIDS, and to ensuring the skills and experiences of civil society are harnessed.

Civil society has developed a Code of Good Practices to be followed in their work with individual, local authorities, governments and multilateral governmental organisations. The Code's core values are:

- Valuing human life;
- Respecting the dignity of all people;
- Respecting diversity and promoting the equality of all people without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion;
- Preventing and eliminating human suffering;
- Supporting community values that encourage respect for others and a willingness to work together to find solutions, in the spirit of compassion and mutual support;
- Addressing social and economic inequities and fostering social justice.

Civil society organizations working with the governments and the multilateral institutions have highlighted the importance of adhering to principles of good governance; among them are:

- Observance and practice in democratic processes to provide opportunities for the fullest participation and genuine inclusion of all members of relevant communities in the political process;
- Accountability and transparency practiced;
- Institutional structures that provide for legitimate forms of community representation

From a report on the UN and civil society commissioned during the work on UN Reform (2003), the following formal collaboration between governments, the multilateral system and civil society are listed, (reference footnote 4):

#### **Office for the Coordinator for Humanitarian Affairs (OCHA)**

“(Excerpts) Humanitarian relief programmes and policy-making have always engaged both local and international civil society - as conduits of assistance and sources of information and analysis. Civil society plays a crucial role in the work of OCHA, which is an inter-agency coordination structure. For example, since 1991, the Inter-Agency Standing Committee, which is served by OCHA as secretariat, includes the leaders of five international NGOs (they are listed) as well as the Executive heads of the humanitarian agencies of the UN, and representatives of the World Bank and UNDP. IASC meets every three months to make policy recommendations on humanitarian issues and emergencies.”

#### **World Summit on the Information Society,**

Civil society and governments collaborated closely at this conference, and the Declaration of Principles adopted at the first Summit in Geneva in Switzerland took note of this in the agreed declaration. Paragraph 20 states clearly the common interest of the various defined groups we find in the modern society today. Emphasising principles of good governance is central to the declaration, also the sovereignty of states.

§20. “Governments, as well as private sector, civil society and the United Nations and other international organizations have an important role and responsibility in the development of the Information Society and, as appropriate, in decision-making processes. Building a people-centred Information Society is a joint effort which requires cooperation and partnership among all stakeholders.”

## **UN Summits on environment and sustainable development**

The conference on the environment in Stockholm in 1972 was the first to recognize civil society as a player at global summits. It seems therefore fitting that this tradition be developed and refined further at Rio plus 20.

The first Rio conference, UNCED in 1992, developed the concept of the nine Major Groups, and strongly recommended the UN to adopt this wider understanding of civil society and to incorporate and involve them wherever appropriate. UNCED at Rio in 1992, was preceded by the the International Conference on Water and the Environment (ICWE)<sup>9</sup> in Dublin, Ireland, (January 1992), reputedly the first global conference where representatives from governments, the UN system and NGOs agreed on a set of principles, which were subsequently sent to UNCED for further elaboration. The second global meeting of Habitat, Habitat II (1996) included NGOs in its formal drafting sessions, and the WSSD in Johannesburg (2002) was the most participatory summit with non-state actors in the same venue and interacting directly, rather than in parallel forums. Johannesburg also provided space for non-state actors to present critical comments on the summit's outcomes at plenary.

The General Assembly and the Security Council, have no direct formal or legal framework for NGO participation. In practice, however, the General Assembly has opened up to NGOs in recent years, for example with the “+5 Special Sessions” and the informal Civil Society Hearings in the run-up to the 2005 World Summit and beyond. Even in the Security Council, a protocol trick (the so-called Arria Formula) enables individual consultations with NGOs to take place. These have taken place outside Security Council premises and do not appear on the official Council agenda.

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<sup>9</sup> <http://www.cawater-info.net/library/eng/I/dublin.pdf>

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**Commentary on background documents: Draft Elaboration of Ideas for Broader Reform of IEG (by Consultative Group Co-Chairs) and Annotated Table of Broader IEG Reform in a Standardised Format (by UNEP Executive Director)****October 4, 2010**Compiled and submitted by Maria Ivanova on behalf of Local Authorities<sup>10</sup>[maria.ivanova@environmentalgovernance.org](mailto:maria.ivanova@environmentalgovernance.org)

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We welcome the opportunity to provide commentary on the background documents for the ministerial consultations on international environmental governance reform. The [Major Groups and Stakeholders Summary](#) produced in advance of the ministerial discussions on 7-9 July 2010 presents a solid summary of the key points of concern to major groups and stakeholders, which have not changed with the current documents. We would therefore like to resubmit the summary as a document to be considered by governments during their deliberations in Helsinki.

The value-added of the summary lies in its:

1. Analysis of the options in the Background Paper and proposed mechanisms for delivery
2. Categorization and prioritization of options by type (process, structure and network) and timeline (necessary and feasible in the short, medium and long term)
3. Additional or complementary reform options and cross-cutting delivery Mechanisms

These issues need to be considered in the official governmental process in greater detail and members of the civil society Advisory Group on International Environmental Governance would be able to provide information and analysis where needed.

Several core deficiencies of the proposed options for reform have been identified previously and persist in the current documents:

1. Current discussions on sustainable development governance, reform of finance and monetary architecture, and global governance in connection with environmental concerns are absent from the Background Paper creating a sense of isolation for international environmental governance reform efforts;
2. Proposals fail to take full advantage of the potential of *global* environmental governance, especially through participation by major groups and stakeholders and through the development of norms applicable to private actors;
3. Many options omit consideration of the institutional location of the intergovernmental bodies which would be assigned the specified task, making it difficult to appraise the feasibility of the proposals;

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<sup>10</sup> With participation from graduate students in the course *Global Environmental Governance* taught at the McCormack Graduate School of Policy and Global Studies at the University of Massachusetts Boston: Afis Alao, Denis Bogere, Christine Cutting, Vanessa DiCarlo, Rebekah Fiehn, Evan Litwin, Elysse Magnotto, Joshua Rinaldi, Omar ierra.

4. Proposals lack both an implicit and explicit accountability system;
5. Proposals do not yet form a clear overall blueprint for practical, timely, and resource efficient changes of the international environmental governance architecture.

These deficiencies are explained in the summary document referred to above.

From the perspective of local authorities, we would like to comment specifically on function/option

E) **Ensuring a responsive and cohesive approach to meeting country needs** (outlined in the Co-Chairs' paper). Reforming the existing international institutions to better deliver on this core function will be critical. The Co-Chairs' background paper suggests two options to attain this goal:

1. Establish environment-development country teams and/or desks in existing intergovernmental offices in developing countries around the world;
2. Develop an overarching framework for capacity building and technical assistance for the operational activities of MEAs, UN agencies and IFIs.

We would like to emphasize the need that country teams/desks work closely with local authorities, non-governmental organizations, the private sector and academia in identifying country needs, priorities and strategies. It will be critical to develop appropriate frameworks for engagement of civil society in the country teams/desks from the outset. We suggest that this be explicitly outlined in the reform option.

It is also important to recognize the reality that developing countries need access to environmentally sound technology in order to attain the goals in the MEAs, the Millennium Development Goals, and to improve quality of life for their citizens. These teams should, therefore, have explicit functions in facilitating technology development and dissemination as well as in developing educational models that would facilitate knowledge production and integration into national plans and strategies across sectors. The suggested overarching framework for capacity building and technical assistance for the operational activities of MEAs, UN agencies and IFIs would also require significant involvement of civil society.

We would also like to **emphasize the severe lack of any accountability mechanisms in the current reform options**. Other international bodies in the UN system and in regional agreements have instituted various procedures such as a complaint procedure in the Human Rights Council and the No American Free Trade Agreement and a dispute resolution mechanism in the World Trade Organization. The UN Human Rights Council complaint procedure was established to "address consistent patterns of gross and reliably attested violations of all human rights and all fundamental freedoms occurring in any part of the world and under any circumstances."<sup>11</sup> Since the Council has set a clear precedent for a UN body to have this type of authority over member states, it is necessary to at least discuss a similar mechanism for environment issues.

Finally, we would like to note that the **table comparing five broad institutional options is difficult to read and understand preventing effective substantive discussion**. The core purpose of the table is to present the five different reform options (enhancing UNEP, creating a World Environment Organization, etc) and compare them across a number of attributes (objective/function, mandate/legal personality, funding arrangements, etc). The current formatting makes it not only hard to read but also

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<sup>11</sup> <http://www2.ohchr.org/english/bodies/chr/complaints.htm>

impossible to effectively compare the options by category. We would therefore like to suggest an alternative format, which allows for all the options to be viewed at the same time and compared by various elements. The reformatted table is included in this document. The substance of the options has not changed at all; only the formatting has been revised and some light editing of language has been carried out to improve clarity.

**Annotated Table of Broader IEG Reform in a Standardised Format**

	Enhanced institutional reforms & <b>streamlining of present IEG structures into a Consortium for Environmental Sustainability (CES)</b>	Reform ECOSOC and CSD to <b>strengthen sustainable development agenda &amp; implementation</b> , supported by representative <b>Consortium on Sustainable Development</b>	Create a <b>specialized normative &amp; operational agency</b> , such as the <b>World Environment Organization (WEO)</b>	<b>New Umbrella Organization for Sustainable Development</b>	<b>Enhance UNEP</b> through: 1) global membership, 2) UN mandate to lead environmental strategy, 3) mandate of GEF assembly, 4) permanent science-policy interface, 5) multi-scaled policy review mechanism
<b>Objective and Function</b>	<p><u>Objective:</u> Identify &amp; facilitate the management of environmental risks &amp; opportunities, which impact good health, security, &amp; good social relations.</p> <p><u>Function:</u> Work through a consortium of existing organization to review impact of environmental change, give broad policy guidance on mitigation, adaptation, &amp; sustainable use, promote capacity development, &amp; review effectiveness of policies.</p>	<p><u>Objective:</u> Enhance human well-being.</p> <p><u>Function:</u> Work through a consortium of existing organizations to give broad policy guidance on sustainable development &amp; the convergence of economic &amp; environment pillars, to promote capacity development, &amp; review effectiveness of sustainable development policies.</p>	<p><u>Objective &amp; Function:</u> A world authority for the environment.</p>	<p><u>Objective:</u> Advance human well-being.</p> <p><u>Function:</u> Work through associated organizations to review human well-being, give broad policy guidance on sustainable development &amp; the convergence of social, economic, &amp; environmental pillars, promote capacity development, &amp; review effectiveness of sustainable development policies.</p>	<p><u>Objective:</u> Improve implementation of environmental policies.</p> <p><u>Function:</u> Empower UNEP to fulfill its current mandate by providing it more legitimacy, &amp; enhanced operational capacity at the regional &amp; national levels.</p>
<b>Mandate/legal personality</b>	<ul style="list-style-type: none"> <li>- UN General Assembly mandate to develop the structure of relationships between organizations in accordance with their existing mandates, then approved by respective governing bodies.</li> </ul>	<ul style="list-style-type: none"> <li>- UN General Assembly resolution mandate to develop the structure of relationships between organizations associated with the Consortium in accordance with existing mandates, then approved by respective governing bodies.</li> </ul>	<ul style="list-style-type: none"> <li>- Autonomous with full legal personality as an international organization.</li> <li>- Mandated to direct &amp; coordinate environmental issues within UN system.</li> <li>- Provide leadership on global environmental matters.</li> <li>- Shape environmental science agenda.</li> <li>- Develop framework for implementing &amp; monitoring environmental agreements.</li> <li>- Set norms, standards, &amp; rules.</li> <li>- Articulate evidence based policy options.</li> <li>- Provide technical support to countries to assess trends.</li> </ul>	<ul style="list-style-type: none"> <li>- Mandate developed via independent legal instrument and/or UN General Assembly resolution.</li> <li>- Umbrella organization could be partly or wholly based on existing inter-governmental or secretariat structures.</li> <li>- Structure of relationships between organizations under the umbrella would be in accordance with existing mandates, then approved by respective governing bodies.</li> </ul>	<ul style="list-style-type: none"> <li>- No change to UNEP mandate.</li> <li>- GC/GMEF would become a universal body, with membership open to all governments.</li> </ul>

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	Enhanced institutional reforms & <b>streamlining of present IEG structures into a Consortium for Environmental Sustainability (CES)</b>	Reform ECOSOC and CSD to <b>strengthen sustainable development agenda &amp; implementation</b> , supported by representative <b>Consortium on Sustainable Development</b>	Create a <b>specialized normative &amp; operational agency</b> , such as the <b>World Environment Organization (WEO)</b>	<b>New Umbrella Organization for Sustainable Development</b>	<b>Enhance UNEP</b> through: 1) global membership, 2) UN mandate to lead environmental strategy, 3) mandate of GEF assembly, 4) permanent science-policy interface, 5) multi-scaled policy review mechanism
<b>Funding arrangements/ Financial Implications</b>	<ul style="list-style-type: none"> <li>- Funded through an arrangement based on existing financial elements of the organizational structures on which the Consortium is built.</li> <li>- A joint management mechanism for the funds could be established</li> <li>- Small implications with potential net gain via increased investments &amp; net returns on investments.</li> </ul>	<ul style="list-style-type: none"> <li>- Funded through an arrangement based on existing financial elements of the organizational structures on which the Consortium is built.</li> <li>- Small implications with potential net gain via increased investments &amp; net returns on investments.</li> </ul>	<ul style="list-style-type: none"> <li>- Assessed contributions based on UN scale &amp; system will contribute to core funds.</li> <li>- Activities could be funded through a trust fund, such as a Global Fund or technical assistance fund.</li> </ul>	<ul style="list-style-type: none"> <li>- Funded through an arrangement based on existing financial elements of the organizational structures on which the umbrella organization is built.</li> <li>- New &amp; complementary fund for core activities</li> <li>- Small implications with potential net gain via increased return on investments.</li> </ul>	<ul style="list-style-type: none"> <li>- Reforms to enhance UNEP's mandate have few financial implications.</li> <li>- Reforms to enhance UNEP's operational capacity would require an increase of roughly \$250 million a year-achieved through the combination of assessed contributions &amp; voluntary &amp; non-core donor funding.</li> </ul>
<b>Organizational structure</b>	<p>CES would include</p> <ol style="list-style-type: none"> <li>1) Overall governing body with universal membership;</li> <li>2) CES board of representative bodies;</li> <li>3) Scientific mechanism, possibly an information network;</li> <li>4) CES executive head &amp; a secretariat;</li> <li>5) Strategic programme framework for capacity building, technical assistance, &amp; financial management mechanism;</li> <li>6) CES executive committee of senior officials from associated organisations.</li> </ol> <p>Possible thematic, sectoral, &amp; funding substructures.</p>	<ol style="list-style-type: none"> <li>1) ECOSOC as universal governance body for sustainable development;</li> <li>2) CSD becomes a Consortium with one representative per participating organization;</li> <li>3) Executive Head &amp; secretariat with secondments from Consortium members;</li> <li>4) Strategic programme &amp; financial arrangement;</li> <li>5) Executive Committee of senior officials.</li> </ol> <p>Possible substructures for social, economic, &amp; environmental pillars.</p>	<ul style="list-style-type: none"> <li>- A General Council would be the supreme decision making body, comprised of all members to meet annually.</li> <li>- Regional balanced executive of 40-50 members to meet intersessionally &amp; prepare decisions.</li> <li>- General Council will develop subsidiary committees to undertake specialized work.</li> <li>- Ministerial Conference could meet every 3 years to ensure political buy-in, set strategy of WEO.</li> </ul>	<ol style="list-style-type: none"> <li>1) Overall governing body w/ universal membership;</li> <li>2) Umbrella board with representation from associated organizations;</li> <li>3) Executive head &amp; secretariat, with secondments from associated organizations;</li> <li>4) Strategic programme &amp; financial arrangements;</li> <li>5) Executive umbrella committee of senior officials.</li> </ol> <p>Board &amp; Committee could be limited in number through the establishment of substructures.</p>	<ul style="list-style-type: none"> <li>- Minimal changes.</li> <li>- Built on existing structures.</li> <li>- GC/GMEF to have adoption &amp; commendatory powers.</li> <li>- The CPR would act as the intersessional body preparing the agenda for GC/GMEF.</li> <li>- GC/GMEF would create a permanent science-policy interface based on the GEO.</li> <li>- Create a committee to review implementation of national environmental policies &amp; identify areas needing assistance.</li> <li>- GC/GMEF to meet ever 2-3 years to fulfill GEF role &amp; provide guidance to GEF Council.</li> </ul>

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	<p>Enhanced institutional reforms &amp; streamlining of present IEG structures into a Consortium for Environmental Sustainability (CES)</p>	<p>Reform ECOSOC and CSD to strengthen sustainable development agenda &amp; implementation, supported by representative Consortium on Sustainable Development</p>	<p>Create a specialized normative and Operational agency, such as the World Environment Organization (WEO)</p>	<p>New Umbrella Organization for Sustainable Development</p>	<p>Enhance UNEP through: 1) global membership, 2) UN mandate to lead environmental strategy, 3) mandate of GEF assembly, 4) permanent science-policy interface, 5) multi-scaled policy review mechanism</p>
<p>Relationships with MEA &amp; UN Bodies</p>	<ul style="list-style-type: none"> <li>- CES could be undertaken by subsidiary body of UN General Assembly, may need to be given universal membership, or a new functional commission under ECOSOC could assume the role of GMEF.</li> <li>- CES Board could be established through creation of a new body to consist of representatives from the COP of the MEAs.</li> <li>- UNEP GC will oversee scientific mechanism/network.</li> <li>- Executive Head will report to UN Secretary General &amp; performed by the USH &amp; ED of UNEP.</li> <li>- Secretariat could consist of UNEP secretariat, with secondments.</li> <li>- Capacity building component through CES members.</li> <li>- Joint financial membership through GEF.</li> <li>- CES Executive Committee based on existing interagency cooperation.</li> </ul>	<ul style="list-style-type: none"> <li>- Transform CSD into a Consortium for Sustainable Development, consisting of representatives of consortium organizations.</li> <li>- Executive Head will report to UN Secretary General &amp; secretariat based on existing structures.</li> <li>- Chief Executive Board transformed into Executive Committee for sustainable development.</li> <li>- Umbrella board &amp; executive committee would work together to link relevant organizations, including MEAs. at policy &amp; managerial levels, possibly through substructures.</li> </ul>	<ul style="list-style-type: none"> <li>- The general council would have legal authority over the MEAs &amp; provide direction &amp; guidance for COPs.</li> <li>- Common secretariat that would govern over all agreements through subsidiary committees of the General Council.</li> <li>- Common institutional framework set by General Assembly over MEAs.</li> <li>- Membership differentiated based on existing membership in each MEA, harmonized over the medium term.</li> <li>- Relations of WEO to other UN bodies customized through agreement with UN, in accordance with Article 63 of the UN Charter.</li> </ul>	<ul style="list-style-type: none"> <li>- Relate to existing institutions &amp; possibly encapsulate others (CSD).</li> <li>- Governing body &amp; umbrella would relate to UNGA &amp; ECOSOC.</li> <li>- Executive head would report to UN Secretary General &amp; secretariat based on existing structures.</li> <li>- Basis for executive umbrella committee exists in current interagency coordination bodies in the UN.</li> <li>- Umbrella board &amp; executive committee would work to link all relevant organizations including MEAs at policy &amp; managerial level, possibly through substructures.</li> </ul>	<ul style="list-style-type: none"> <li>- Respect the autonomy of the MEAs &amp; existing UN bodies while providing strategic, proactive advice on global environmental sustainability, cross cutting issues, linkages &amp; synergies.</li> <li>- Review the performance of the implementation of policy on all levels while setting the scientific agenda for the environment.</li> </ul>

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Added value compared to IEG	<ul style="list-style-type: none"> <li>- Creation of CES as a substructure could be combined with the options of functional reform.</li> <li>- Promote effectiveness, efficiency coherence in the IEG pillar, maintaining the benefits of structural diversification &amp; specialization.</li> <li>- Facilitate cooperation among organisations in the consortium.</li> </ul>	<ul style="list-style-type: none"> <li>- Promote sustainable development &amp; anchor it in all three pillars.</li> <li>- Facilitate cooperation among organizations in the consortium.</li> <li>- Clarify the role of IEG in support of development &amp; handling of environmental risks &amp; opportunities as a means of achieving green growth.</li> </ul>	<ul style="list-style-type: none"> <li>- Consolidate existing bodies into a central authoritative body for environmental issues &amp; policies, to reduce overall fragmentation.</li> <li>- Act as a counter-balance to the existing institutions under the umbrella of sustainable development.</li> </ul>	<ul style="list-style-type: none"> <li>- Evolve the concept of sustainable development &amp; anchor it in all three pillars.</li> <li>- Umbrella organization would clarify the role of IEG in support of development.</li> <li>- Facilitate the handling of environmental risks &amp; opportunities as a means of achieving green growth.</li> </ul>	<ul style="list-style-type: none"> <li>- Avoid further institutional fragmentation, redundancies, and overlap.</li> <li>- Help govern a sprawled and diffused system.</li> <li>- Achieved by building on existing structures and realigning current institutions.</li> </ul>
Relation to objectives, functions, gaps	<ul style="list-style-type: none"> <li>- Pool scientific capacities &amp; strengthen the science policy interface.</li> <li>- Enhance the overall authoritative voice for environmental sustainability.</li> <li>- Strengthen the overall governance of the IEG pillar.</li> <li>- Strengthen and mainstream the convergence between the three pillars of sustainable development.</li> <li>- Utilize financial and secretariat resources in a more cohesive and responsive approach to countries' needs.</li> </ul>	<ul style="list-style-type: none"> <li>- Create an overall framework for pursuing goals, functions, and gaps considered by the Consultative Group.</li> <li>- Added value contingent on IEG system reforms, possibly as part of the creation of an umbrella organization.</li> </ul>	<ul style="list-style-type: none"> <li>- WEO would be designed to meet all objectives &amp; functions identified by the Consultative Group.</li> </ul>	<ul style="list-style-type: none"> <li>- Create an overall framework for pursuing goals, functions, and gaps considered by the Consultative Group.</li> <li>- Added value contingent on IEG system reforms, possibly as part of the creation of an umbrella organization.</li> </ul>	<ul style="list-style-type: none"> <li>- Fulfill most of the objectives &amp; functions identified by the Consultative Group.</li> <li>- Securing sufficient &amp; predictable funding, &amp; ensuring a responsive approach to meeting a country's needs still dependent on level of financing.</li> </ul>