

Consultative Group of Ministers or High-level Representatives
Set of options for improving international environmental governance

Summary

A set of options for improving international environmental governance to the eleventh special session of the UNEP Governing Council/Global Ministerial Environment Forum with a view to providing inputs to the United Nations General Assembly, in accordance with Governing Council Decision 25/4.

Origins and Mandate of the Consultative Group:

1. The Consultative Group of Ministers or High-level Representatives ('the Consultative Group') on international environmental governance was established under UNEP Governing Council decision 25/4 ('the GC decision', Annex 1), taken at the twenty-fifth session of the Governing Council/Global Ministerial Environment Forum (GC/GMEF) held in Nairobi in February, 2009.
2. The GC decision followed a recommendation contained in the report by the co-Chairs of the 'Informal Consultations of the General Assembly on the institutional framework for United Nations environment work', dated 10 February 2009, stating their hope that Ministers of Environment "find a political compromise and entrust their delegations in New York with pragmatic, creative and constructive proposals, which allow improving the current system."
3. The GC decision requested the Consultative Group "to conclude its work and present a set of options for improving international environmental governance to the Governing Council/Global Ministerial Environment Forum at its eleventh special session, with a view to providing inputs to the United Nations General Assembly."
4. The Consultative Group met on two occasions and was made up of delegates from 39 countries at the Belgrade meeting and 43 governments at the Rome meeting, which was preceded by a meeting of high-level officials on 26-27 October.
5. The Consultative Group noted that its work was complimentary to the Informal Consultations of the General Assembly and that its final meeting in Rome came before the United Nations General Assembly (UNGA) deliberations on a possible high-level event on sustainable development, the 15th Conference of Parties of the UNFCCC and the 5th replenishment of the Global Environment Facility.

Process adopted by the Consultative Group

6. The Consultative Group was chaired by H.E. Ms. Stefania Prestigiacomo Minister for Environment, Land and Sea of Italy and H.E. John Njoroge Michuki, Minister for Environment and Mineral Resources of Kenya.
7. The *Belgrade Process* (Annex 2) emerged from the Consultative Group's first meeting in Belgrade, being the co-Chairs' summary and a reflection of the interactive dialogue that occurred among the participants of the meeting, their ideas presented and discussed.
8. The work of the Consultative Group, as set out in the *Belgrade Process*, was guided by the following:
 - a) Any reform to international environmental governance should be based on the principle that form should follow function.
 - b) Consultations on functions will lead to a discussion on forms that could range from incremental changes to other broader institutional reforms.
 - c) The international environmental governance debate should be addressed in the broader context of environmental sustainability and sustainable development.
 - d) Developing a set of options for improving international environmental governance should follow from a fresh examination of multiple challenges and emerging opportunities.
 - e) Incremental changes to international environmental governance can be considered alongside other more fundamental reforms.
 - f) The work of the Consultative Group should continue to be political in nature.
9. Upon the request by the Consultative Group at the Belgrade meeting, the consultations in Rome were informed by a background paper prepared by the Executive Director of UNEP. The Executive

Director's Paper informed the discussions of the Consultative Group but there was no consensus on all of the ideas contained within the paper, which does not form part of this report.

The Consultative Group having concluded its work, presents the following set of options for improving international environmental governance to the eleventh special session of the Governing Council/Global Ministerial Environment Forum:

10. The objectives and functions of the international environmental governance system were considered by the Consultative Group in the context of the United Nations system (the 'UN system') as a whole as a way of expressing what is being sought from the UN system, notwithstanding current mandates, programmes or activities.

All objectives and functions are interlinked and must be addressed in a balanced manner.

The objectives and functions relating to capacity building, technology transfer and financial support are inextricably linked to those of creating a strong, credible and accessible science base and policy interface and those of monitoring, compliance and accountability, recognizing the principles contained in the Rio Declaration on Environment and Development ('the Rio Principles').

The Consultative Group identified the following objectives and corresponding functions for international environmental governance within the UN system:

- a) Creating a strong, credible and accessible science base and policy interface.
 - i. Acquisition, compilation, analysis and interpretation of data and information.
 - ii. Information exchange.
 - iii. Environmental assessment and early warning.
 - iv. Scientific advice.
 - v. Science-policy interface.
- b) Developing a global authoritative and responsive voice for environmental sustainability.
 - i. Global agenda setting and policy guidance and advice.
 - ii. Mainstreaming environment into other relevant policy areas.
 - iii. Promotion of rule making, standard setting and universal principles.
 - iv. Monitoring, compliance and accountability for agreed commitments and building related capacity.
 - v. Dispute avoidance and settlement.
- c) Achieving effectiveness, efficiency and coherence within the United Nations system.
 - i. Coordination of policies and programmes.
 - ii. Efficient and effective administration and implementation of Multilateral Environmental Agreements (MEAs).
 - iii. Facilitating interagency cooperation on the environment.
- d) Securing sufficient, predictable and coherent funding.
 - i. Mobilising and accessing funds for the global environment.
 - ii. Developing innovative financing mechanisms to compliment official funding sources.
 - iii. Utilising funding effectively and efficiently in accordance with agreed priorities.
- e) Ensuring a responsive and cohesive approach to meeting country needs.
 - i. Human and institutional capacity building.
 - ii. Technology transfer and financial support.
 - iii. Mainstreaming environment into development processes.
 - iv. Facilitating South-South, North-South and triangular cooperation.

Incremental changes and fundamental reform:

11. The Consultative Group considered that meeting the objectives and functions of the international environmental governance system could be improved through making incremental reforms. The Group considered that broader reforms should also be considered alongside making immediate

improvements to the international environmental governance system, without prejudging the outcomes.

Incremental reform of international environmental governance:

12. The Consultative Group identified the following options for incremental changes to the international environmental governance system:

The Consultative Group identified a number of options to further strengthen UNEP within the context of its existing mandate, including through taking immediate measures, based on clear timelines, to further enhance the:

- Implementation of the 'Cartagena Package', noting the efforts already underway by member states and by the Executive Director under the 'UNEP+' efforts.
- Full implementation of the Bali Strategic Plan on Capacity building and Technology Support (the 'Bali Strategic Plan') as part of a system-wide effort, supported by adequate financial resources, noting the efforts already underway through the UNEP Medium-term Strategy 2010-2013
- Role of the GMEF as the leading global environment authority that sets the global environmental agenda.
- Encourage the involvement of other relevant ministerial portfolios and United Nations entities and international organisations in the GMEF.
- UNEP's involvement in the United Nations Development Group.
- UNEP's participation at country level through the 'One UN' pilots, and the Common Country Assessments and United Nations Development Assistance Frameworks more generally, and through its partnership with other UN agencies, especially UNDP, including through the Poverty and Environment Initiative.
- UNEP's engagement and partnerships with civil society and the private sector, including through the GMEF.
- Role of the Environment Management Group in particular in taking further practical measures to enhance inter-agency cooperation, and cooperation with MEAs.
- Assisting countries, upon their request, in greening their economies to achieve sustainable development.
- Further strengthening of UNEP regional offices and their role in implementing the Bali Strategic Plan.

The Consultative Group also identified the following options for incremental reform to the international environmental governance system:

- A. Creating a strong, credible and accessible science base and policy interface.
- Develop a coherent science strategy for UNEP.
 - Strengthen the science-policy interface, including through consideration of the outcomes of negotiations on the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES), concluding the establishment of the regular process on assessment of the marine environment, and consider a means for interaction between the GC/GMEF and the International Panel for Sustainable Resource Management and the preparation of the Global Environment Outlook 5.
 - Support national, regional and sub-regional capacities for collecting, analysing and utilizing data and information.
 - Develop and maintain a systematic approach to facilitation of information exchange and networking between national and regional scientific capacities including through enhanced interoperability of data, facilitation of aggregation of data and assessment findings.
 - Focus on enhancing policy options, particularly at the national and local levels, going beyond only assessing the problems.
 - Enhance cooperation with other parts of the UN system and with the scientific community, including with national science academies.

- Ensure that scientific assessments have scientific credibility and independence through mechanisms such as peer reviews, intergovernmental consultations, and procedures for political endorsement of assessment findings.
- B. Developing a global authoritative and responsive voice for environmental sustainability.
- Strengthen the role of the GC/GMEF in providing broad policy advice and guidance.
 - Consider recommending universal membership of the GC/GMEF to the UNGA, independently and separately from consideration of any other reforms.
 - Consider producing a President's summary of the GC/GMEF, as well as a short negotiated outcome, when appropriate.
 - GC/GMEF conducting regular policy reviews based on thematic areas.
 - Develop a system-wide strategy and planning instrument for environmental sustainability for the UN system.
 - Stronger integration of environmental concerns, both by governments and by UNEP, in the system-wide coordination work for environmental sustainability.
 - Promote participation of major groups in the GC/GMEF building on the experience of the Commission on Sustainable Development.
 - GC/GMEF to consider a review of the national implementation of MEAs with member states on a purely voluntary basis.
 - Support countries in implementing obligations under the MEAs through targeted capacity building.
- C. Achieving effectiveness, efficiency and coherence within the United Nations System.
- Consider the recommendations of the Report of the Joint Inspection Unit on Management review of environmental governance within the United Nations system.
 - Further strengthen the Environment Management Group, including by considering its formal inclusion in the Chief Executives Board.
 - Continue to enhance linkages and synergies between MEAs
 - Invite the Conferences of Parties of the biodiversity-related conventions to launch a synergies process among the biodiversity related conventions, taking into account lessons learned from the chemicals and waste conventions process.
 - Develop a coherent approach to the management of UNEP administered MEAs and facilitate joint activities, including administrative functions of MEA secretariats, as appropriate and subject to the decisions of the governing bodies involved.
 - Ensure that future negotiations on a possible instrument for mercury are informed, as appropriate, by the chemicals and waste conventions synergies process (Rotterdam Convention, Stockholm Convention and Basel Convention).
 - Strengthen the implementation of the Poverty and Environment Initiative and the Bali Strategic Plan through increased collaboration between UNEP and UNDP.
 - Review and strengthen UNEP's cooperation with the Commission on Sustainable Development.
 - Strengthen partnership with UN Regional Commissions and International Financial Institutions.
- D. Securing sufficient, predictable and coherent funding.
- Enhance cooperation and partnership between the Global Environment Facility and its Implementing Agencies, including through strengthening UNEP's role.
 - Support longer term financial planning.
 - Seek new, additional and innovative sources of financing to complement official sources.
- E. Ensuring a responsive and cohesive approach to meeting country needs.
- Request the UNGA to consider adopting the Bali Strategic Plan as a system-wide plan for technology support and capacity building for the environment in support of sustainable development.
 - Consider the institutional needs for technology development and transfer.

- Accelerate the implementation of the Bali Strategic Plan and the Memorandum of Understanding between UNEP and UNDP.
- Report yearly on the Memorandum of Understanding between UNEP and UNDP and the implementation of the Bali Strategic Plan.
- Mainstream environment into development planning.
- Integrate environment in Common Country Assessments, the United Nations Development Assistance Frameworks, and Poverty Reduction Strategy Papers.
- Facilitate technology transfer to developing countries by fully implementing the Bali Strategic Plan.

Broader reform of international environmental governance:

13. The Consultative Group identified the following with respect to broader institutional reform:

- a) While incremental reforms could further enhance the international environmental governance system there is also a need to reassess the adequacy of the existing international environmental governance system through addressing broader reforms.
- b) Various options for broader reforms, which are not mutually exclusive, were put forward including:
 - i. enhancing UNEP;
 - ii. a new umbrella organization for sustainable development;
 - iii. a specialized agency such as a World Environment Organization;
 - iv. possible reforms to ECOSOC and the Commission on Sustainable Development; and
 - v. enhanced institutional reforms and streamlining of present structures.
- c) Such options, and others that may emerge, now require broader political inputs and guidance.
- d) In light of the options for broader reforms put forward, the GC/GMEF could consider the appropriate way to follow up on the need for broader reforms, including establishing an inclusive and transparent process on broader institutional reforms for international environmental governance that involves the UN system, without prejudging the outcome of any such process, to enable a fully informed political process. An analysis to support such a process could cover:
 - i. gaps, needs and considerations related to how the UN system is currently achieving the identified objectives and functions for international environmental governance;
 - ii. the nature and scale of existing costs and financing of environmental activities;
 - iii. the normative and institutional aspects of international environmental governance, including the role of the Rio Principles in underpinning the environmental pillar of sustainable development;
 - iv. options for broader reform to fully achieve the identified objectives and functions for international environmental governance and how each option would better meet the needs of countries; and
 - v. the cost effectiveness and financial implications of all potential options.
- e) Such a process would include the broader reform of the international environmental governance system in the context of sustainable development – addressing both the strengthening of the environmental pillar as well as its integration and interrelationship with the other pillars.
- f) In an effort to add further political momentum to making immediate improvements to the IEG system, while addressing broader reform, the GC/GMEF may wish to also consider requesting the UNGA to address the relevant incremental reforms requiring an UNGA decision.

Acknowledgements:

14. Participants expressed their sincere and special thanks to the Government of the Republic of Serbia and H.E. Mr. Oliver Dulić, Minister for Environment and Spatial Planning and President of the UNEP Governing Council, and the National Assembly of the Republic of Serbia for the warm hospitality and impeccable arrangements in hosting the first meeting of the Consultative Group.
15. Participants expressed their sincere and special thanks to the Government of Italy and H.E. Ms. Stefania Prestigiacomo, Minister for Environment, Land and Sea of Italy, and the World Food Programme for the warm hospitality and impeccable arrangements in hosting the second meeting of the Consultative Group.
16. Participants also expressed their sincere thanks to the Minister of Kenya, H.E. Mr. John Michuki and the Minister of Italy, H.E. Ms. Stefania Prestigiacomo for co-Chairing the Consultative Group.
17. The Consultative Group also expressed their sincere thanks to the Governments of Italy, Norway and Switzerland for their generous contributions to enable the participation of developing country representatives to the meetings.

Annexes:

Annex 1: UNEP Governing Council decision 25/4

Annex 2: The *Belgrade Process*

Annex 1

UNEP Governing Council Decision 25/4

The Governing Council,

Taking note of the recommendation contained in the report by the co-Chairs of the informal consultations of the General Assembly on the institutional framework for United Nations environment work, dated 10 February 2009, to produce proposals that “allow improving the current system”,¹

Taking note also of the discussion paper prepared by the Executive Director for the ministerial consultations at the twenty-fifth session of the Governing Council on the theme: “Globalization and the environment – global crises: national chaos?”² which presents the scale and nature of current global crises and the emerging opportunities to respond to them,

Taking note further of the discussion paper prepared by the Executive Director for the ministerial consultations at the twenty-fifth session of the Governing Council on the theme: “International Environmental Governance and United Nations reform – international environmental governance: help or hindrance?”³ which addresses International Environmental Governance from a country perspective,

Taking into account decision SS.VII/1 of 15 February 2002 on International Environmental Governance, which, together with its appendix, is known as the “Cartagena package”, and the management review of environmental governance within the United Nations system prepared by the Joint Inspection Unit,⁴

Aware that the consultative process proposed below and the conclusions reached by the Governing Council/Global Ministerial Environment Forum at its eleventh special session will provide input to, among other things, the General Assembly’s follow-up to the measures set out in paragraph 169 of the 2005 World Summit Outcome,⁵

1. *Decides* to establish a regionally representative, consultative group of ministers or high-level representatives, inviting each United Nations region to propose between two and four Governments to participate, while remaining open to participation by other interested Governments;
2. *Requests* the group of ministers or high-level representatives to conclude its work and present a set of options for improving international environmental governance to the Governing Council/Global Ministerial Environment Forum at its eleventh special session, with a view to providing inputs to the United Nations General Assembly;
3. *Decides* that the group will have two co-chairs, one from a developing country and one from a developed country, and requests the Executive Director to participate as an adviser to the group;
4. *Urges* the group to begin its work as soon as possible and, at its first meeting, to determine the structure of its work;
5. *Requests* the Executive Director to seek extrabudgetary resources, if required, in order to facilitate the participation in the meetings of the developing countries proposed by the regional groups.

¹ UNEP/GC.25/INF/35.

² UNEP/GC.25/16.

³ UNEP/GC.25/16/Add.1.

⁴ JIU/REP/2008/3, contained in document UNEP/GC.25/INF/33.

⁵ General Assembly resolution 60/1 of 16 September 2005.

Annex 2

**First meeting of the Consultative Group
of Ministers or High-level Representatives
on International Environmental Governance**
Belgrade, 27 – 28 June 2009

BELGRADE PROCESS

MOVING FORWARD WITH DEVELOPING A SET OF OPTIONS ON INTERNATIONAL ENVIRONMENTAL GOVERNANCE

CO-CHAIRS SUMMARY

Summary

This Summary of the co-Chairs sets out the discussions from the First Meeting of the Consultative Group of Ministers or High-level Representatives on International Environmental Governance and the process and the work for future meetings.

1. The First Meeting of the Consultative Group of Ministers or High Level Representatives on International Environmental Governance [hereafter the Consultative Group] convened under Governing Council decision 25/4 was held from 27-28 June 2009 in Belgrade, Serbia.
2. Opening statements were made by the Mayor of the City of Belgrade, the President of the UNEP Governing Council/Global Ministerial Environment Forum (GC/GMEF) and the UNEP Executive Director.
3. The consultations were informed by background papers setting out a number of key questions and identifying the core challenges that countries are facing on International Environmental Governance (IEG).
4. The Consultative Group was made up of delegates from 38 countries, including 8 ministers and 2 deputy ministers. The Group elected by acclamation H.E. Ms. Stefania Prestigiacomo Minister for Environment, Land and Sea of Italy and H.E. John Njoroge Michuki, Minister for Environment and Mineral Resources of Kenya to serve as co-Chairs of the meeting.
5. The co-Chairs summary is a reflection of the interactive dialogue that occurred among the ministers and high-level representatives attending the Consultative Group meeting. It reflects the ideas presented and discussed.
6. The Consultative Group will present its final report to the eleventh special session of the GC/GMEF in February 2010 in Bali, Indonesia

7. Ministers and high-level representatives generally supported the following:

- Any reform to IEG should be based on the principle that form should follow function.
- Consultations on functions will lead to a discussion on forms that could range from incremental changes to other broader institutional reforms.
- The IEG debate should be addressed in the broader context of environmental sustainability and sustainable development.
- Developing a set of options for improving IEG should follow from a fresh examination of multiple challenges and emerging opportunities.
- Incremental changes to IEG can be considered alongside other more fundamental reforms.
- The work of the Consultative Group should continue to be political in nature.

8. Other matters discussed during the course of the consultations on IEG included:

In the context of making incremental changes, clustering and synergies between Multilateral Environmental Agreements (MEAs) was stressed by many, while others referred to creating new institutions.

9. The political nature of the discussion was highlighted and participation at the highest level was encouraged. It was considered that the Group could provide a political strategy to facilitate progress on the reform of IEG.
10. Some participants highlighted the significance of the recommendations of the Joint Inspection Unit Report on the Management Review of Environmental Governance within the United Nations System.
11. Many participants stressed the importance of strengthening the status and working methods of the GMEF in order to respond to global environmental challenges.

12. Many emphasised the importance of strengthening the science-policy interface, and capacity building in the context of delivering on the Bali Strategic Plan on Technology Support and Capacity Building.
13. The need for new additional and predictable financial resources was stressed by many.
14. Others stressed that any outcomes intended to strengthen IEG should be based on core principles including the polluter pays principle and common but differentiated responsibility.
15. Some participants highlighted that the Consultative Group's discussion on IEG should take into account ongoing international processes on governance such as the 5th replenishment of the Global Environment Facility, 15th Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in Copenhagen (UNFCCC COP 15), and a possible Rio +20.
16. Participants discussed the Executive Director's paper that presented the core challenges to the current IEG system as the basis for articulating key functions for the UN system in:
 - Creating a strong, credible and coherent science base
 - Developing a global authoritative and responsive voice for sustainability
 - Achieving coherence within the UN system
 - Securing sufficient, predictable and coherent funding
 - Ensuring a responsive and cohesive approach to meeting country needs
 - Facilitating the transition towards a global green economy
17. The Consultative Group invited the Executive Director to prepare a paper that draws upon the discussion of the Consultative Group during its first meeting and any subsequent written comments provided by participating governments, proposing a number of potential functions and possible forms to address such functions and to circulate the document for comments electronically to participating governments through the co-Chairs. The Executive Director would, after receiving comments, prepare a final version of the paper in consultation with the co-Chairs to submit to the Second Meeting of the Consultative Group.
18. Noting the context and the busy period in which the IEG discussions are taking place some participants suggested that consideration be given to recommending to the Eleventh Special Session of the GC/GMEF that the mandate of the Consultative Group be extended beyond the current 2010 mandate, while some others were of a different view.
19. Participants also considered it appropriate to explore the possibility for the GC/GMEF to put forward to the General Assembly a proposal for UNEP to be involved in the preparatory process for a possible Rio+20 in 2012.
19. Participants noted the elements of a roadmap attached in Annex I to this co-Chairs Summary and requested the Executive Director to make arrangements for the second meeting of the Group with a high-level officials meeting to be convened immediately before it. The second meeting will take place in late October/early November in Rome, Italy.
20. Participants expressed their sincere and special thanks to the Government of the Republic of Serbia and H. E. Oliver Dulić, Minister for Environment and Spatial Planning of Serbia and President of the GC/GMEF, for the warm hospitality and impeccable arrangements in hosting the first meeting of the Consultative Group.