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# International Environmental Governance The Role of UNEP



## Paper # 1

# WHAT Governance Programme

*A Joint Initiative of the **World Humanity Action Trust (WHAT)**, **UNED Forum**<sup>1</sup>  
and **Global Legislators Organisations for a Balanced Environment (GLOBE)**  
Southern Africa*

*Report of a workshop on 2<sup>nd</sup> May 2001, Co-supported by LEAD International, World  
Federalist Movement, World Humanity Action Trust and UNED Forum.  
Hosted by the Baha'i International Community,  
866 UN Plaza, 1<sup>st</sup> Avenue New York.*

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<sup>1</sup> <sup>1</sup> From January 1st 2002 **UNED Forum** will be known as **Stakeholder Forum for Our Common Future**

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# INTERNATIONAL ENVIRONMENTAL GOVERNANCE

## THE ROLE OF UNEP

Report of a workshop on 2<sup>nd</sup> May 2001, Co-supported by LEAD International, World Federalist Movement, World Humanity Action Trust and UNED Forum. Hosted by the Baha'i International Community, 866 UN Plaza, 1<sup>st</sup> Avenue New York.

### **Workshop Report**

The half-day workshop was organised with two main objectives. First, to provide input to the UNEP Open Ended Intergovernmental Group of Ministers established at UNEP's 21<sup>st</sup> Governing Council session. Second to initiate ongoing discussion around international architecture for sustainable development, facilitated by UNED, as part of the dialogue around institutional governance that is of relevance to Earth Summit 2002.

The workshop, chaired by Derek Osborn and Felix Dodds (UNED Forum), was initiated by short presentations from Amin Adnan (UNEP), Joy Hyvarinen (RSPB/Royal Institute for International Affairs), Marcia Regis (LEAD International), Jack Jeffery (WHAT Commission) and Bill Pace (World Federalist Movement). The participants (see end of report) then broke into less formal discussion. The workshop participants agreed they could not constitute a representative NGO group but felt the workshop provided an opportunity to present their individual ideas on the subject of International Environmental Governance (IEG). The general discussion is outlined below.

All attending generally agreed that there is a pressing need for a greatly enhanced global champion of environment. An international environmental organisation should:

- monitor trends, progress and emerging issues;
- assist integrated approach to environmental issues within and between institutions and processes, regionally and globally;
- provide support and frameworks for good practice, learning, technology transfer, capacity building, participation and implementation
- Set Sustainable Development as its overarching aim

It was generally agreed that a process of engagement and capacity building would be necessary to ensure adequate and broad-based civil society input into the discussion for institutional reform. The group touched on six priority areas for future discussion:

1. Definition of governance
2. Assessment of Strengths and Weaknesses
3. Integration
4. Finance
5. Participation
6. Innovative Ideas

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## 1. Definition of Governance

There is vital need for a clear definition of the fundamental elements required for Good Governance – addressing both functional and institutional frameworks for good environmental governance at a global level. WHAT described governance systems as “*the framework of social and economic systems, legal and political structures within which humanity organises itself*”.

It was suggested that the definition of good governance could utilise examples of best practice that exist in various institutions. Proposed examples of best practice presented in the workshop included the Convention for Elimination of Discrimination Against Women (CEDAW) – where governments are required to produce national reports to the CEDAW secretariat, and NGOs and other major groups produce alternative reports which are then debated by the whole. Further, the Optional Protocol under CEDAW gives individuals the right to appeal to the UN (CEDAW committee) after exhausting legal measures in their own country. A large number of other examples were then discussed, including the ILO’s tripartite structure, Ontario’s civil rights legislature, Human Rights law, Montreal Protocol, WTO. Several academic groups and think tanks have been considering a range of future scenarios for International Governance and these proposals need to be clearly defined and made available for wider discussion, especially in the context of UNEP.

## 2. Assessment of Strengths and Weaknesses

It will be necessary to undertake a broad assessment to identify (with stakeholder input), the strengths and weaknesses of existing institutions. This assessment would require:

- examination of the degree to which institutions, particularly UNEP, are meeting the responsibilities and principles outlined in Agenda 21 e.g. subsidiarity, equity, precautionary principles;
- consideration of the need for new or more streamlined structures towards more integrated and consolidated international environmental governance;
- enhancing the use of indicators to monitor performance and progress in programmes, in order to highlight priority areas and develop future strategies;
- development of strategies to favour developing and transitional countries in process.

UNEP cannot undertake an independent / objective analysis alone. This is why the UNEP GC initiative on IEG was generally welcomed by the group. However, effective stakeholder engagement will not come to fruition without a better understanding of how to support stakeholder involvement in this process. One participant commented that many NGO’s and CBO’s have a mandate which focuses on “issues” as opposed to “process” as is required for interacting with the UNEP architecture. Therefore, effective engagement would require time to ensure that stakeholders are fully able to apply their "issue-based" experience to the wider context. This is likely to take a period of outreach to inform groups how to engage and then provide them with the adequate resources and background material in order to do so. It was felt by those attending the meeting that the Earth Summit 2002 would

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offer a better and more timely opportunity to fully undertake discussion on IEG. To expect all reforms to be addressed by the time of the summit would create an unnecessarily short deadline. Citing examples from past experiences it was pointed out:

- Don't blow it – through lack of leadership, political and public will, transparency and accountability
- Don't kill it – with pre-emptive and unconstructive attack, pre-judging the process before it has had a chance to develop
- Don't rush it – forcing an outcome before all the relevant groups have been able to contribute and a range of options duly considered

Another participant pointed out that a problem with governance at all levels is the numerous bodies who concentrate on single issues. A narrow focus can create false priorities, lack of coordination, conflict over resources and unsustainable use of resources.

### **3. Integration**

If we recognise there is need to move away from a purely reductionist approach in international environmental policy, then UNEP and other relevant institutions (e.g. MEAs) involved in IEG will require both horizontal and vertical consolidation. Wide discussion is therefore necessary to decide what form this could take and how to get there. There was some discussion at the workshop, but no agreement, about the idea of clustering MEAs together. Although there were some merits to this approach some people felt it did not adequately get over the issues of integration. Integration in policy and decision-making is essential at local, national, regional and global levels. The resulting “joined-up thinking and practice” across departments and between countries, will reduce and ultimately remove, the contradictions in the information and outcomes of different processes. Enhancing international linkages should be addressed, to include:

- UN ECOSOC coordination e.g. the Commission on Social Development, Sustainable Development, Human Settlements, Population and Women.
- Linking regional environmental agreements and UNEP regional bodies e.g. oceans and seas agreements.
- Coordination between UN Institutions, as well as those associated to Sustainable Development e.g. ILO, IMF, UNDP, UNESCO, UNEP, World Bank, WHO, WTO
- Linkages to International Commitments e.g. IDTs, MEAs, trade and investment agreements

### **4. Finance**

It was agreed that increased funding of UNEP was vital, with a view to enhancement/evolution of its core structure over the medium to longer term. All environmental activities and institutions are generally under financed and under resourced. The suggestion that UNEP could become a UN Agency was proposed as a means to enable UNEP to gain access to assessed contributions and not merely voluntary funds. It was also recognised that there needs to be enhancement for

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existing financial mechanisms, not solely GEF, and the introduction of new financial mechanisms would be necessary in order to ensure adequate resources for implementation e.g. international environmental charges, such as an air fuel tax.

In addition, stakeholder participants would require resources, particularly informational support and capacity building, well in advance of any processes, in order to effectively carry out problem solving and productive consultations.

## **5. Participation**

Taking into account the Subsidiarity Principle of Agenda 21, participation, which brings in local expertise and knowledge, is key. The last Governing Council session highlighted inadequacies in NGO and other major group participation that currently exist within UNEP. Their participation remains defined under the sweeping term “civil society” without clear distinction of the range and diversity of priorities and perspectives that different “stakeholders” can bring. There needs to be a drive for more ongoing, transparent and predictable dialogue processes with stakeholder groups, adopting a multi-stakeholder framework. (Inter)governmental bodies need to clarify how stakeholder input will be considered and used. UNED Forum is currently reviewing such Multi-Stakeholder Processes (MSPs) and has produced a Step-by-Step Guide which should be used by UNEP [www.earthsummit2002.org/msp](http://www.earthsummit2002.org/msp).

Stakeholders have clear roles in enhancing the impetus for good environmental governance. For example, NGO’s raise environmental pressure on governments through media campaigns and public outreach. Governments also have a clear role to play in terms of educating the public on global environmental issues. Facilitation of NGO input could take place under the auspices of Environment Liaison Centre International (ELCI), which was created precisely for such support activities. Other similar "nodal" bodies, e.g. ICFTU for unions, ICLEI for local government and WBCSD for business, could be officially recognised as representatives of their major groups. Care should be taken in the set up and design of such processes to ensure that such process lead to the highest common factor as opposed to the lowest common denominator.

## **6. Innovative Ideas**

The concept of a Global Environmental Organization was presented and distinguished between that of a World Environment Organisation. It was emphasized that a GEO should have a strong mandate, as regarding the “global commons” but much less so on regional and local environmental issues. A GEO should therefore be structured on the basis of the principle of subsidiarity, which requires that problems are addressed at the most appropriate scale. This implies that while improved local and national action is necessary for certain issues, it is not sufficient for addressing problems which take a global-scale and require the collective action of many countries. Regional strengthening was also proposed as a part of this.

Some people in the workshop suggested there was a risk in suddenly introducing an entirely new global structure that might require massive investment in resources from governments and other groups to make necessary adjustments. And a new structure

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wouldn't immediately imply that greater political support and financing for the global environmental governance. It might simply create another layer of bureaucracy. Broad proposals included:

- Convention cluster: to develop a loose network of environmental convention secretariats e.g. climate change, chemicals, biodiversity, Ramsar, oceans and seas.
- Strengthening UNEP to become a GEO: The GEO structure was suggested to address three levels: consolidation, coordination, consultation. Consolidation of environmental institutions responsible for the global commons, coordination and possible co-location of the treaty secretariats of the conventions, and consultation with other international organizations with environmental responsibilities (Bretton Woods institutions, etc) and the multiple stakeholders in society.
- To re-focus activities on Global Commons. UNEP or a new GEO should only target environmental issues that were truly global (although there is a lot of overlap between global and local environment).
- The internalisation of the Global Commons within economic and legal frameworks, to recognise their role as "Global Public Goods", along with the progressive reduction of environmentally "distorting" subsidies.

### **Follow-up**

This workshop was conducted in order to feed into the UNEP consultations in Nairobi 22<sup>nd</sup> -25<sup>th</sup> May 2001. The following areas of work were also proposed

- UNED will create a list server/e-group to allow for on-going major group dialogue on this topic
- UNED will put papers and key links on a online "governance" page in the Earth Summit 2002 web site: <http://www.earthsummit2002.org>
- The WHAT Commission, with the support of UNED, will undertake a programme to facilitate ongoing dialogue and outreach, including additional workshops on global governance for sustainable development, looking at the Commission on Sustainable Development, Bretton Woods Institutions, WTO. These workshops will provisionally take place around the World Bank meetings (September 2001) and a meeting in Bonn (December 2001).

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## **Workshop Participants**

### **Speakers**

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Jack Jeffery, WHAT Commission  
Bill Pace, World Federalist Movement  
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### **Participants**

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Hilary French, World Watch Institute  
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Minu Hemmati, UNED Forum  
Christine Hogan, Environment Canada  
Paul Hohnen  
Maria Ivanova, Yale Centre for Environmental Law and Policy  
Richard Jordan, Interfaith Partnership for the Environment  
Pamela Kraft, Tribal Link Foundation  
Julie Larsen, UNA Canada  
David Mittler, Bund (FoE Germany)/Friends of the Earth International  
Toby Middleton, UNED Forum  
Sally Nicholson, WWF- UK  
Emanuelle Prinnet, Association 4D  
Carolyn Stephenson, University of Hawaii/ISA  
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### **Chair**

Derek Osborn  
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### **Rapporteur**

Rosalie Gardiner