
Future of the UN Commission on Sustainable Development

By Felix Dodds, Executive Director, UNED Forum



Paper # 5

WHAT Governance Programme

A Joint Initiative of the World Humanity Action Trust (WHAT), UNEDForum¹ and Global Legislators Organisations for a Balanced Environment (GLOBE) Southern Africa

WHAT Governance Programme

Richard Sherman Project Coordinator

C/O GLOBE Southern Africa

26 Derwent Street, Gardens, Cape Town, 8001, South Africa

Phone: +27 21 422 0475 Fax: +27 21 422 0285

Email: rsherman@globesa.org.

Web: www.globesa.org and www.earthsummit2002.org

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

Future of the UN Commission on Sustainable Development

By Felix Dodds, Executive Director UNED Forum

Table of Contents

1. Introductions
 2. The United Nations Commission on Sustainable Development
 3. The Role of Stakeholders
 4. The Inter Agency Committee on Sustainable Development
 5. Where are we going? Recommendations
 - i. CSD and other functioning Commissions
 - ii. The Possible CSD Work Programme 2003 -2007
 - iii. CSD Intersessionals
 - iv. IACSD
 - v. Funding the Secretariat
 - vi. New Major groups
 - vii. Major Groups reporting
 - viii. Major group Participation
 - ix. Ministerial Meeting
 - x. Report Back
 - xi. Funding CSD Agreement Programme of Action
 - xii. Bureau
 - xiii. Regional Commission Monitoring Implementation
 - xiv. Size of the CSD
 6. Conclusions
-

Future of the UN Commission on Sustainable Development

1. Introduction

The Johannesburg Earth Summit 2002 offers us a chance to review the international architecture that we are operating with. At the UNEP Governing Council meeting in February 2001 Ministers agreed to set up a review of the environmental architecture. This very important work needs to be supplemented by a similar discussion on economic governance ⁽²⁾ and also the future of the UN Commission on Sustainable Development (CSD). There is no question that the CSD has been the most interesting UN Commission and has developed the most advanced interaction with Major Groups. This paper will offer a 'think piece' looking at possible approaches to the future of the CSD.

2. The United Nations Commission on Sustainable Development

The Earth Summit in 1992 agreed Agenda 21 which dealt with environment and development issues. In the preparatory process there was some disagreement about if there should be a follow up mechanism and if there was what type of body it should be. In the end it was agreed that a new functioning Commission of the UN Economic and Social Council would be set up. Chapter 38 identifies the setting up of the CSD; it says:

“In order to ensure the effective follow-up of the Conference, as well as to enhance international cooperation and rationalization the intergovernmental decision making capacity for the integration of environment and development issues and to examine the progress of the implementation of Agenda 21 at the national, regional and international levels, a high level Commission on Sustainable Development should be established in accordance with Article 68 of the Charter of the UN.” Agenda 21 **(1)**

The General Assembly met in the autumn of 1992 to debate the setting up of the CSD; it resolved that:

- The Economic and Social Council has been requested to establish a high level Commission as a functional council body.
- Representatives of 53 states have been elected by the Council for up to three-year terms.
- The Commission will meet once a year for two or three weeks. It is a functional ECOSOC commission with a full time secretariat based in New York. Care has been taken to ensure that the Secretariat has a clear identity within the UN system.

² It is hoped that Financing for Development will provide input on this. UNED is organizing a series of workshops on economic governance issues for input to Earth Summit 2002 process

-
- Relevant intergovernmental organizations and specialized agencies, including financial institutions, are invited to designate representatives to advise and assist the Commission, and also to serve as focal points for the members and secretariat of the Commission between sessions.

Rio had seen an unprecedented involvement of stakeholders in the preparatory process and the Summit itself. Agenda 21 contains nine chapters dealing with the role of Major Groups ⁽³⁾. In creating the mandate for the Commission governments recognised the important role that Major Groups would have in the realisation of Agenda 21. There is no question that the Commission on Sustainable Development gives the Major Groups the greatest involvement in the work of any UN Commission. The CSD's Mandate (Resolution 1993/207) is:

- To monitor progress on the implementation of Agenda 21 and activities related to the integration of environmental and developmental goals by governments, NGOs, and other UN bodies.
- To monitor progress towards the target of 0.7% GNP from developed countries for Overseas Development Aid.
- To review the adequacy of financing and the transfer of technologies as outlined in Agenda 21.
- To receive and analyse relevant information from competent NGOs in the context of Agenda 21 implementation.
- To enhance dialogue with NGOs, the independent sector, and other entities outside the UN system, within the UN framework.
- To provide recommendations to the General Assembly through the Economic and Social Council (ECOSOC).

The expectation of many developing countries was that the CSD would be an effective body to monitor progress towards the target of 0.7% GNP the adequacy of financing and the transfer of technologies. This did not happen the CSD looked at finance and technology transfer in isolation from issues that might have enabled there to be an effective argument for new funds. In addition the CSD did not have in attendance Ministers that had the budgets to deliver finance.

The CSD Secretariat is located within the Department for Social and Economic Affairs (DESA). DESA also has the secretariats for the Commissions on Population, Status of Women and Social Development. This offers a very good chance to integrate between the different UN Conference and summit follow up processes.

At its inception, the Economic and Social Council stated that the CSD Secretariat should:

³ The Major Groups in Agenda 21 are: Youth, Women, Farmers, NGOs, Local Government, Business, Academics, Indigenous People, Trade Unions the relevant chapters are 24 to 32.

-
- Be an identified entity, highly qualified and competent.
 - Aim for geographical and gender balance.
 - Draw upon the expertise method and structure of the preparatory process leading to UNCED.
 - Be supplemented by secondment from other relevant bodies, notably UNEP, UNDP and the World Bank, while not 'negatively affecting the work programmes of those organizations'.
 - Call upon members of national governments and appropriate specialists on limited term contracts.
 - Be funded from the regular UN budget and depend to the maximum extent possible upon existing budgetary resources.

The CSD is made up of 53 countries a third are up for election each year. The allocation of seats are 13 from Africa, 11 from Asia, 6 from Eastern Europe, 10 from Latin America and the Caribbean and 13 from Western Europe and North America. One of the interesting aspects of elections to the CSD is that they have been actively pursued by countries unlike many other UN Commissions.

During the first seven years of its existence the CSD has been seen as a pioneer in many areas. It is important to note that there are very good reasons for this:

- It is the most recently set up UN Commission and therefore the structures it developed encompassed the approach taken for Rio.
- The CSD is a 'political' forum. Each year it gets between 40 and 60 Ministers of environment, development, finance, tourism, forests to attend out of a membership of 53 countries. The Chair of the CSD is usually a Minister a former Minister or Ambassador.
- It has the active involvement of 200-600 representatives of Major Groups.
- It has the active positive involvement of all stakeholders including industry.

It should be remembered that the CSD is a soft law forum. It is not a forum for the negotiation of international legal agreements negotiated, nor for financial commitments. It is the place where we try to deal with the very difficult issues on sustainable development. If an issue requires a stronger legal framework, then the initial discussions can take place at CSD (where they can be more creative) before they are sent to the appropriate body for legally binding action.

There are some people who are very critical of the CSD - they say it is just a talkshop, too many environmental interests, too many environment Ministers not enough development Ministries, too many northern NGOs, no machinery for implementation.

These are all legitimate concerns that the CSD must address but the CSD has had some successes. In particular it:

-
- Recommended that there should be a legally binding status of the Prior Informed Consent procedure (1994).
 - Called for greater co-operation of the CSD with the governing bodies of the Bretton Woods institutes and the WTO (1994).
 - Introduced national reporting to the CSD and started an integrated indicators programme (1994).
 - It adopted a very forward-looking recommendation on trade and environment (1995).
 - Established an Inter Governmental Panel on Forests (1995) and an International Forum on Forests (1997).
 - Set up a work programme on sustainable consumption and production (1995).
 - Supported the Washington Global Plan of Action on protecting the marine environment from land-based activities (1996).
 - Agreed the replenishment of Global Environmental Facility (GEF) (1997).
 - Agreed the new work programme for the CSD (1997).
 - Informally highlighted to governments the problems of the draft Multilateral Agreement on Investment (1997).
 - Prepared governments for the negotiations on climate change (1997).
 - Set a firm date of 2002 for governments to produce their National Sustainable Development Strategies (1997).
 - Added in effect three new chapters to Agenda 21 on Energy, Tourism and Transport (1997).
 - Did not agree to the setting up of a Panel on Finance - issue was then taken to the GA in 1997 and it became Financing for Development.
 - Instituted the multi-stakeholder dialogue sessions (1998).
 - Set up a multi-stakeholder group under Department for Economic and Social Affairs (DESA) to look at voluntary agreements in industry (1998).
 - Set up a new process in the General Assembly to discuss oceans (1999).
 - Agreed new consumer guidelines to include sustainable development (1999).
 - Discussed tourism for the first time bringing the issue in to the Rio process (1999).
 - Development an International Work Programme on Sustainable Tourism (1999).
 - Agreed that in 2000 Governments should address if there should be a new Summit in 2002 (1999).
 - Agreed to a new summit on Sustainable Development (2000).
 - Set up an ongoing multi-stakeholder group on sustainable agriculture and rural development (2000).
 - Agreed to the setting up of a UN Forest Forum under the General Assembly as a separate body.
 - All stakeholders address the first PrepCom for the Johannesburg Summit.

These are some of the successes that the CSD has managed to achieve since it's first substantive meeting in 1994. One of the key lessons has been that to achieve

change time is needed. So in addition to the two-week CSD and the two week preparatory meeting there have over the past 7 years been hundreds of government and Major Group hosted intersessional meetings. These meetings have been crucial to developing the successes of the CSD.

3. The Role of Stakeholders

The Commission on Sustainable Development has been a very important space for Major Groups (stakeholders) to develop their relationships with the United Nations and among themselves. One of the questions that has been asked since 1992 was why these nine stakeholders and not others? Since 1992 other stakeholders have indicated that they would also like to have recognition; these include the Education community, Older People, the Media and Faith Communities.

There is no question that the Commission on Sustainable Development has been one of the key places where the stakeholder's involvement in the UN has been developed. In 1993 the CSD asked that the NGOs⁴ who had been accredited to Rio be allowed to be accredited to ECOSOC. This started a 3-year dispute where the more conservative members of the UN kept rejecting the CSD agreement on NGOs when it went to the General Assembly. In 1996 it was finally agreed that the NGOs would be written to asking if they wanted to become fully accredited NGOs. In the end 123 NGOs joined together bypassing the normal NGO accreditation process.

The CSD has enabled Major Groups at the CSD each year to see an increase of their involvement. These included:

- 1993 Being let into informal and formal meetings and then invited to speak.
- 1994 Being able to ask their governments questions on their national presentations in front of their peer group.
- 1995 The introduction of 'Day on a Major Group'.
- 1997 The introduction of the Dialogue Sessions - as a series of 5 half-day Major Group presentations.
- 1997 All Major Groups were given a slot in the Heads of State meeting of UN General Assembly Special Session - this was a first at the UN.
- 1998 The Dialogues developed as an interactive two-day discussion among governments and certain stakeholder groups on a specific topic.
- 1998 The setting up of the first multi-stakeholder process to follow up a CSD decision (on voluntary agreements and initiatives on industry).
- 1999 The Dialogues outcomes given higher status as they are put on the table with Ministerial discussion and CSD Intersessional document for governments to draw on by the CSD Chair.
- 1999 The setting up of the second multi-stakeholder process to follow up a CSD decision (on tourism).

⁴ NGOs here should be read as the UN definition which includes all Major Groups.

-
- 2000 The setting up of the third ongoing multi-stakeholder process to follow up a CSD decision (on sustainable agriculture, facilitated by FAO); following joint lobbying and statements by a coalition of Major Groups (women; business; farmers; trade unions; Indigenous Peoples).
 - 2001 The first Preparatory meeting for the Johannesburg Earth Summit had presentations by all nine Major Groups.
 - 2001 The PrepCom agrees that there will be multi-stakeholder Dialogues at PrepCom 2 and 4 and at the Summit.

The CSD has seen quite a large involvement of Major Groups in its work. Each Commission meeting has had around 200-300 Major Group representatives attending at some point through the two-week period. In the 2001 CSD this grew to over 600. The CSD has pioneered a greater involvement of Major Groups in the sessions of the Commission. None of the sessions are now closed even the small working groups are held open for Major Group representatives to attend and in many cases speak.

The increased involvement of Major Groups in the implementation of the UN Conference agreements has seen an increased involvement in the framing of the agreements. The Habitat II Conference expanded the involvement of stakeholders at the Conference and its preparatory meetings. Here stakeholders were allowed to enter suggestions of text amendments. To do this they were required to organise themselves into a negotiating block and then the UN brought the NGO amendments out as an official UN document - A/Conf.165/INF/8. This was the first time this had happened. For the text to be taken into the negotiations a government had to promote it. This retained the negotiations within governmental control but extended the ability of stakeholders to put forward their expertise.

The Habitat II process had the negotiations happening in Committee 1 and at the same time within Committee 2 there was a series of half-day dialogues between stakeholder groups. Because the negotiations were going on in Committee 1 the level of participation from governments was low and the input into the negotiations was zero.

But the idea of the Dialogues was taken up by the CSD NGO Steering Committee who wrote to the Under Secretary General Nitin Desai in August 1996 requesting his support for the introduction of Dialogues at the CSD in 1997. The General Assembly agreed in November 1996 (check) and asked each of the Major Groups to prepare for half a day dialogue sessions on the role they have taken in implementing Agenda 21.

The CSD Dialogues in 1997 were also held at the same time as negotiations and were in most cases poorly attended they were written into the work programme of the CSD next five-year programme of action. The topic for the Dialogues for 1998 was agreed to be industry and the then Director of the UN Division on Sustainable Development Joke Waller Hunter brought together the International Chamber of

Commerce and the World Business Council on Sustainable Development for Industry, the International Confederation of Free Trade Unions for Trade Unions and the CSD NGO Steering Committee. Under her leadership a new formula was agreed. This included the breakthrough that the negotiations would NOT take place during the Dialogues. Each stakeholder group was to consult and produce a starting paper on the sub themes of:

- Responsible Entrepreneurship
- Corporate Management Tools
- Technology Cooperation and Assessment
- Industry and Freshwater

These papers were to be given out as UN background papers before the CSD Intersessional in March so Governments would have them to reflect on as they discussed the issue for the first time. One of the very important by-products of this approach by all stakeholders is that it caused 'peer group' review inside the stakeholder group. Another important outcome was that comments that in the past were made by a group to governments in the corridors now could be made in a 'creative' forum where governments could hear the reasons for and against and challenge them.

When the Dialogues started at the CSD some governments were unhappy about the idea that they had to listen to stakeholder groups and saw this as an encroachment on governmental space. The success of the Dialogues in part was due to the chairing by the then Philippines Minister of the Environment, Cielito Habito, who challenged the stakeholder groups on what they were saying and caused peer group review between stakeholder groups and with governments. It caused the birth of the first really dynamic model for engaging the different stakeholders in a UN ongoing process.

The third year Dialogue Session dealt with Tourism and to focus better the NGO CSD Steering Committee suggested that the papers should be four pages and be structured:

- Problems
- Solutions
- Institutional responsibilities
- Possible partnerships

The active involvement of Simon Upton, the then New Zealand Minister for the Environment during the preparatory process saw the Dialogues succeed again. Through his office a meeting was convened under the chairing of David Taylor (New Zealand Government) in London where representatives of all the stakeholder groups were brought together at the end of March to identify common ground we might agree on. This was followed by a meeting chaired by David Taylor on the behalf of

Simon Upton the night before the CSD to see if after consultation the agreements would hold.

The outcome from the CSD Dialogue sessions was important in three areas:

- 1) The setting up of a **multi-stakeholder** group under the World Tourism Organisation to look at financial leakages in the tourism industry and make recommendations next year and on preparing a joint initiative to improve information availability and capacity building for participation on tourism.
- 2) The agreements that came out of the two days were then used with the CSD Intersessional document and the outcomes of Tourism from the High Level Ministerial to develop the final text of the international work programme on sustainable tourism.
- 3) The setting up of the third ongoing multi-stakeholder process to follow up a CSD decision (on sustainable agriculture, facilitated by FAO); following joint lobbying and statements by a coalition of Major Groups (women; business; farmers; trade unions; Indigenous Peoples)

This was an enormous leap in Major Group involvement in the United Nations. Instead of the work and expertise of the Major Groups being part of a sideshow, or having to work exclusively in the corridors, we are now seeing the work incorporated into the negotiations.

Multi-stakeholder processes are now being written into many other areas of the UNs work. UNED Forum have produced a review of these and an easy guide on how to do them ⁵.

4. The Inter Agency Committee on Sustainable Development (IACSD)

The setting up of the Inter Agency Committee on Sustainable Development was a direct result of Rio. In Agenda 21 it said:

“To ensure effective monitoring, co-ordination and supervision of the involvement of the United Nations system in the follow up to the Conference, there is a need for a co-ordination mechanism under the direct leadership of the Secretary General. This task should be given to the Administrative Coordination Committee (ACC) headed by the Secretary General.” Agenda 21 **(2)**

The IACSD is a subsidiary body of the UN Administrative Coordinating Committee (ACC), which in turn acts as a kind of 'cabinet' for the Secretary General. The IACSD is chaired by Under Secretary General Nitin Desai and is made up of senior level officials from nine core members of the ACC - FAO, IAEA, ILO, UNDP, UNEP,

⁵ This can be found on www.earthsummit2002.org/msp and will come out in a book form by Earthscan in January 2002. : "Multi-Stakeholder Processes for Governance and Sustainability. Beyond Deadlock and Conflict" by Minu Hemmati, with contributions from Felix Dodds, Jasmin Enayati, and Jan MacHarry

UNESCO, WHO, World Bank and WMO. Officials from other UN bodies, intergovernmental agencies and representatives from Major Groups are able to attend by invitation. The IACSD was set up in the aftermath of Rio and asked by the ACC to focus on four areas:

- Streamlining the existing inter-agency coordination machinery.
- Allocating and sharing responsibilities for Agenda 21 implementation by the UN system.
- Monitoring the new financial requirements of UN system organizations that relate to Agenda 21.
- Assessing reporting requirements that are related to the implementation of Agenda 21 and making recommendations on streamlining.

The IACSD has two Sub-Committees, which report through it, these being the ACC Sub-Committee on Oceans and Coastal Areas and the ACC Sub-Committee on Water Resources.

Commenting in 1998 Joke Waller Hunter Director of the Division on Sustainable Development said: "In many ways, the inter-agency coordination system, working with the task manager⁶, has not created a threat to those agencies (such as UNEP) at all. By not sending someone from the outside to investigate their agency, but instead inviting them to report to the CSD themselves, we have not questioned or challenged agency policies nor mandates of agencies." **(3)** As Joke Waller Hunter indicates the involvement of the UN Agencies in being Task Manager for different chapters of Agenda 21 that related to the work of their Agency ensured a more co-operative approach to reviewing the work of their Agency. The CSD does offer one of the few places where it is possible to review the work of different Agencies out of their own Governing Bodies.

In 1997 at the UN General Assembly Special Session to Review Agenda 21, it was recognised in general that the IACSD had done a good job and it was agreed to:

"Strengthen the ACC - IACSD and its system of task managers, with a view to further enhancing system wide inter-sectoral cooperation and coordination for the implementation of Agenda 21 and for the follow up to the major United Nations conferences in the area of sustainable development." **(4)**

The IACSD has proved a good model of how to integrate the work of different UN Agencies in the follow up to a UN Conference. However although there has been success, there has also been opposition where some UN bodies take a less than positive attitude to the CSD making suggestions about the work they should be engaged in or producing work programmes for them. Sometime their attitude has been hostile, to quote one UNESCO official: "we have our own governing bodies".

⁶ The IACSD set up a Task Manager system for every Chapter of Agenda 21. This ensured that there was transparency in who was co-ordinating the follow up process.

Although this is true the nature of Rio in particular was to ensure that we had a more integrated approach to sustainable development. It does raise a serious question if the UN General Assembly endorses the CSD decision, which it does each year, then should a UN Agency be able to just disregard a decision of the GA?

5. Where are we going?

There have been discussions around the corridors as to whether we need a CSD. After all, the reform package being discussed within UNEPs IEG process should strengthen UNEP. The questions have been posed as to whether CSD is replicating work that should be done by UNEP? Is it basically only Environment Ministers are attending the CSD?

These are all legitimate questions to ask and reach have a grain of truth in them which needs to be addressed.

The reform package that will come out of the present discussion around reform of UNEP is expected to strengthen UNEP hopefully with secured funding. It could even be upgraded to a UN Agency and the Environmental Conventions could be clustered around it, which will all help ensure that UNEP is able to do the job it has a mandate for. This will strengthen the environment side of sustainable development but will not be able to deal with the areas that address other aspects of sustainable development. It is true that the majority of Ministers that have been attending the CSD have been Environment but there have been Development, Transport, Tourism, Finance and Forestry Ministers at different times. The success of any 'club' is that the members feel happy being with each other. The need to have Ministers attend a CSD is very important, but the club needs to be extended much further into reinforced in development areas, , including economy and finance ministers, health and education departments.

Recommendations

(i) CSD and other functioning Commissions

For the period beyond 2002 there is a need for more joined up thinking between the CSD and the other UN Commissions that are actively involved in monitoring aspects of Agenda 21 and whatever comes out of Earth Summit 2002.

The UN Economic and Social Council has four Commission that cover areas that could work more together. These are the Commissions on Social Development, Status of Women, Sustainable Development and Population and Development. All of these Commissions are serviced by the UN Department for Social and Economic Affairs (DESA). In the next phase of work these Commissions plus the Commission on Human Settlement, which is a standing committee, could work for a set of common meetings.

This might include:

- Each year there should be High Level (Ministerial) joint meetings of two different Commissions.
- Joint programmes of work by the Secretariats where possible.
- A common diary of related meetings that are feeding into Commission meetings - this would include published dates at the beginning of the year for all associated meetings within EcoSoc and government sponsored meetings as well.

The CSD needs to focus within its future work programme on the implementation of the subjects under discussion not just creating new text. It should include as a matter of course:

- Development needs in the subjects under area, and the scale of change and investment needed to get to a sustainable level;
- Current levels of expenditure, current and capital on meeting those needs, and the scope for enlarging ODA, FDI, domestic investment etc to come up to the necessary levels, with the active participation of those at national and international level who deploy those resources;
- Legislative and regulatory frameworks for the topic in question and how they may need strengthening or changing;
- The scope for Major Groups - what they are prepared to do of their own volition, and what steps governments could take to incentivise appropriate action.
- Outline clearly the roles and responsibilities of Major Groups, and the needs for collaboration of governments and Major Groups so that ongoing and future partnerships can be monitored.

(ii) The possible work programme for the CSD from 2003-2007

This approach would have some very important collateral effects. It would not only ensure more co-ordination between the UN Divisions responsible for servicing the UN Commissions but it would also force government departments to co-ordinate among themselves should ensure that there is better implementation. Table 1 tries to give some idea of what an integrated approach to beyond 2002 might look like.

Table 1: The possible work programme for the CSD from 2003-2007

(Year	Sectoral theme's	Key Bodies	Cross cutting issues relating to the sectoral issue	Dialogue session
2003	Health- Aids & HIV Environmental Health	WHO, UNEP, UN Commission on Population & Development UNAIDS International Financial Institutions	Trade, investment, consumption and production, poverty, capacity building and technology transfer, governance	Health including AIDS/HIV and development finance
2004	Tourism Freshwater	Commission on Status of Women and Human Settlement UNEP, UNDP IFIs, WTO, World Bank	Trade, investment finance consumption and production, poverty, capacity building and technology transfer, governance	Tourism and freshwater
2005	Agriculture and Energy	Commission on Social Development, UNDP, WTO, World Bank and IMF, FAO	Trade, investment, finance, consumption and production, poverty, capacity building and technology transfer, governance	Agriculture and Energy
2006	Urbanization/LA21	Commission on Human Settlement, UNDP, UNCHS, UNEP, World Bank	Trade, investment, finance, consumption and production, poverty, capacity building and technology transfer, governance	Urbanization
2007	Summit of the Regions			

(iii) CSD Intersessionals

The CSD Intersessionals need to become much more active. One possibility would be to move the Dialogues to the beginning of the Intersessionals. This would help to put forward the ideas of the stakeholders at the beginning of the process.

Another possibility would be for there also to be input from the regions on the topics. This would require the Regional Economic Commissions to be much more active. The second week of the Intersessional would then be governments making presentations on the global level.

The Chair would produce a draft drawing from the stakeholder dialogue, the regional input, IACSD (see below) and the global discussion. This would be published on the last day for governments to take back to their capitals and review.

The object would be for the Chairs text to be drawn from the largest pool of expertises and views.

(iv) IACSD

The IACSD should report to the CSD Intersessional on what they have done on interagency work on the subjects being discussed. The Chair of the IACSD should then be questioned by governments on the report and recommend further work that might be done.

(v) Funding for the Secretariat

If the CSD is able to take on a much more active agenda it will need additional funds. These should become more untied. Although it is good that governments want to second people into the Secretariat these tend to be their own nationals. This means any additional staff will probably only come from countries that can afford to second. A pool of funders for secondments may be a bending a few rules but there is a wealth of good people who could be brought in if non-tied funds were made available.

(vi) New Major Groups

The restriction on the number of Major Groups needs to be reviewed. As mentioned before we have in essence added three chapters to Agenda 21 on Energy, Transport and Tourism in 1997 and it is quite likely we may add additional chapters during the 2002 process. There are obvious additional Major Groups asking for recognition the most obvious being the Education Community - there is a chapter on Education and nearly all chapters mention the role of education. Others mentioned include the media, faith groups and older people.

(vii) Major Groups Reporting

There is some general misunderstanding of what Major Groups can and can't do around the 2002 process. Most Major Group focal points do not represent or have contact with but a major part of their constituency. To be able to ask them to report similar to governments is just unrealistic. What can be done is that in certain areas they can report on successful pilot projects and these might be discussed to create the possibility of replication. In many cases they may need governmental input to help create the right conditions. A future CSD might consider in addition to the Dialogues at the intersessional having a session at the CSD with presentations on success stories and lessons learnt.

(viii) Major Group Participation

For MSPs to better contribute their potential, governments and intergovernmental institutions will need to develop more consistent policies as regards stakeholder participation. At the moment, different bodies are experimenting with different structures and mechanisms. And it is indeed difficult for stakeholders to understand what is expected of them, what they are being invited to do, and how reliable that role will be. In addition, governments should involve stakeholders more effectively, for example by challenging them to discuss implementation of policies and decisions in multi-stakeholder settings. This would alert stakeholders to their responsibilities, generate their commitment and forge partnerships, thus helping to make things happen. The CSD has been pioneering mechanisms that bring active stakeholder involvement and interaction.

The United Nations has a key role to play to develop appropriate mechanisms and make suggestions to its members. Agreeing advanced mechanisms of transparent, equitable, and legitimate stakeholder participation will ultimately strengthen (inter) governmental institutions – in terms of democratic governance as well as in terms of adequately addressing global challenges. Reinicke et al. (2000) have suggested a clearinghouse to act as an information hub. One could imagine a unit within the UN Secretary General's office, governed fifty-fifty by the UN and stakeholders, with staff being seconded in from the UN and various stakeholder groups. It could scope the existing mechanisms and experiences and suggest options to the General Assembly. The increase of corporate power and the rise of influential NGO movements presents a great challenge for democratic systems. By addressing the challenge pro-actively, rather than reacting to pressures from powerful stakeholders or engaging in various, rather unconnected individual initiatives, governments and intergovernmental bodies will also avoid their own disempowerment. Multi-stakeholder processes offer a tool by which governments and intergovernmental institutions can channel their relationships with stakeholders.

Dialogues and similar mechanisms are emerging because the solutions are often as complex as the problems, and all stakeholders have ideas about possible solutions and need to be part of them. The challenge is to provide them with the fora to bring their wisdom to the table effectively and equitably.

(ix) Ministerial Meeting

Ministerial meetings at the CSD have had problems of either being at the end of the session and therefore are left with little to comment on or in the first week and have had difficulty, as the way forward is not clear. If the first two days of the CSD were taken up by Ministers discussing the Chair text from the intersessional the first day in small groups not in plenary then this would allow for creative input from the Ministers.

(x) Report back

At CSD meetings there should be a report back on action taken by the UN and governments on previous CSD decisions. This should become an accumulative report that is updated each year and shows progress. The report should also identify problems and these should be addressed at the CSD meeting.

(xi) Funding CSD agreement programme of action

One of the problems with the CSD is that it isn't a body that can finance the outcomes. Any programmes of work agreed should have a finance schedule associated with it. It should indicate who might fund this e.g. donors, World Bank, IFIs.

(xii) Bureau

The Chair of the previous CSD should be an ex officio member of the Bureau.

(xiii) Regional Commissions Monitoring Implementation

Post Earth Summit 2002 there will still need to be a review of governments and other stakeholder implementation of Agenda 21. This could be devolved to the UN Regional Commissions. The Commissions were under threat in the 1980's from certain countries who saw them as unnecessary institutions. However in the last decade important work has been done in them.

If financed adequately they have the possibility to be a very effective monitoring and implementation level. The countries that are members tend to have much more in common than at a global level in the area of economic development.

Many face similar environmental problems and a structured review at the regional level with built in multi-stakeholder dialogue processes, timetables and targets to implement the agreed outcomes should ensure that developing countries would then want to see the required funds, technological transfer and capacity building released.

The UN Economic Commission for Europe has been an effective lawmaker across Eastern and Western Europe in areas such as air pollution and EIA and Access to information and Justice. Other UN Regions have yet to go down this way but they could. A Convention on trans boundary air pollution is under consideration within the area of the UN Economic Commission for South East Asia. There could be a co-ordinated approach between the different UN Commissions where each would also work to an agreed multi-year thematic programme of work. Table 2 makes an attempt to produce a possible 5-year work programme at moving to create regional law. This could lead to a 'Summit of the Regions'⁷ five years after Earth Summit 2002 to share the experiences of implementation and development of a framework of regional law.

⁷ Suggested by a French Government Official

(xiv) Size of the CSD

Perhaps the size of the CSD also impacts on the ability for it to do its work. In 1993 some countries argued for a CSD of about 27 countries. This issue should be reviewed.

6. Conclusion

This think piece on the Future of the CSD is intended to try and stimulate discussion. Some people have already commented that I paint a too rosy picture of the CSD. The CSD has played a very important role in monitoring the implementation of Agenda 21 and in the development of innovative practices to involve Major Groups in the work of the UN. But it has not fulfilled all of the promise that people entrusted in its inception. One of the key areas that it failed to deliver in was reviewing the adequacy of financing and the transfer of technologies as outlined in Agenda 21. This was an often-voiced criticism of G77 countries.

Any future work programme of the CSD should build on its successes and learn from some of its mistakes.

Table 2: Possible work programme for UN Regional Commissions

Year	Sectoral themes to review	Key Bodies	Cross cutting issue's	Dialogue session
2003	Transport Energy	UNEP WHO UNDP UNCHS UNCTAD IFIs	Human Settlements Technological Transfer Capacity Building Finance	Air pollution
2004	Freshwater Forests	UNEP UNDP WHO FAO UNCTAD IFIs	Poverty Technological Transfer Capacity Building Finance	Freshwater
2005	Agriculture Forests	UNDP FAO IFAD UNEP IFI's	Poverty Technological Transfer Capacity Building Finance	Forests
2006	Oceans	IOC FAO Regional Fisheries Bodies UNEP IMO	Poverty Technological Transfer Capacity Building Finance	Fisheries
2007	SUMMIT OF THE REGIONS			

Sources Cited:

1. Earth Summit '92 (1992) Agenda 21, Chapter 38, Institutional structure, Section 3, p231, The Regency Press, London
2. Ibid
3. Bigg, T and Osborn, D (1998) Earth Summit II - Outcome and Analysis, Earthscan, London, p64
4. Report of the UN General Assembly Special Session Programme for the further Implementation of Agenda 21 (1997), New York, UN.