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Enhancing Environmental Governance for Sustainable Development: Function-Oriented Options

by John E. Scanlon

The 2012 United Nations Conference on Sustainable Development, Rio+20, is likely to determine the future direction of the institutional framework for sustainable development and for international environmental governance. As states move toward the “sharp end” of their negotiations, it is important to analyze some of the risks and benefits of the identified options for the reform of international environmental governance and offer pragmatic ideas on how to make best use of existing resources and structures.

“...there is general agreement that: the international environmental governance system is not adequately fulfilling its objectives and functions ... and the status quo is not an option.”

In the current intergovernmental debates on the institutional framework for sustainable development, the environmental dimension is the subject of particular attention. More specifically, there is general agreement that: the international environmental governance system is not adequately fulfilling its objectives and functions; environmental governance reform should be addressed in the broader context of environmental sustainability and sustainable development; and the status quo is not an option.

Governments have developed ideas for institutional redesign over the past twenty years. They launched the latest rounds of negotiations, the so-called Belgrade Process, at the twenty-fifth session of the United Nations Environment Programme (UNEP) Governing Council in 2009, followed by a decision to continue the process in 2010.¹ The overall process resulted in a set of reform options regarding form and function, which are outlined in the Belgrade Process “Set of options for improving international environmental governance” and the “Nairobi-Helsinki Outcome” documents and include:²

- a. Enhancing UNEP
- b. Establishing a new umbrella organization for sustainable development
- c. Establishing a specialized agency such as a world environment organization
- d. Reforming the United Nations Economic and Social Council and the United Nations Commission on Sustainable Development
- e. Enhancing institutional reforms and streamlining existing structures

These options differ in the specific institutional structures that would be established or modified. Options (a) and (c) focus specifically on the environmental governance architecture, through UNEP or a successor organization. The other options address the wider sustainable development architecture, which is beyond the scope of this issue brief. Regardless of any changes in the wider architecture, one of the two UNEP-related options may be adopted at the upcoming United Nations Conference on Sustainable Development 2012, commonly known as “Rio+20.”³ These two options will differ in several respects, including: their negotiating tracks; the effort required to implement the negotiated outcome; and how the United Nations (UN) system addresses the environment.

However, the structural and procedural differences between the options do not fully encapsulate the range of functional issues which reform should address. Functional objectives are outlined in the Belgrade Process outcome; the ability of an enhanced UNEP or successor organization to meet these objectives will depend not only on which option is chosen, but on a range of architectural features, in particular the entity’s relationship with other bodies such as the United Nations General Assembly (UNGA), United Nations Development Programme (UNDP), World Trade Organization (WTO), and the diverse multilateral environmental agreements (MEAs). Such architectural details need to be discussed and decided

with their objectives in mind. As originally agreed when the current governance architecture was established in 1972, “form should follow function.”⁴ This brief examines the links between structural reform and functional outcomes. It presents an overview of the procedural and structural differences between the two UNEP-related reform options and offers some ideas on enabling a reformed institutional architecture to meet its functional objectives.

Reform of Institutional Structure: Specialized Agency vs. Subsidiary Body

The two main institutional alternatives under political consideration include a specialized agency of the UN, such as a World Environment Organisation (WEO) or a UN Environment Organisation (UNEO⁵), or an enhanced UNEP, which would retain its current status as a subsidiary body of the UNGA. The two alternatives differ in the legal instruments of their creation, their level of independence, their relationship with the rest of the UN system, as well as their membership and funding sources. Some of these differences are summarized in the table below, and others are discussed further below.

Common to both options is that they will require a negotiated outcome between states. States will determine the mandate, authority, and financing of any institutional form that is adopted. Such negotiations could occur directly or indirectly within the UNGA, or outside of it.

Specialized Agency

The rationale often stated for creating a specialized agency is to use 21st-century institutional models to respond to 21st-century challenges, and to achieve equivalency with other entities such as the International Labour Organization (ILO) (est. 1919), World Bank (est. 1944), Food and Agriculture Organization (est. 1945), UNESCO (est. 1946), World Health Organization (est. 1948), and World Trade Organization (est. 1995).

The governance of the specialized agency would be determined through its negotiation process, which would result in the adoption of a treaty, and its relationship to the UN would be determined by Article 57 of the UN Charter. A specialized agency would not fall under the authority of the UNGA or the UN programmatic or budgetary processes, and would have to create its own administrative regulations and rules (or explic-

	Specialized Agency	Subsidiary Entity of UNGA
Legal instrument	Specific treaty negotiated between states under the auspices of the UNGA or independently thereof	UNGA resolution (to establish or modify a subsidiary body), e.g., Resolution 2997 establishing UNEP
Membership	Open to all states but dependent on their ratification of the organization’s treaty. Universal membership is possible (and is an aspiration) but cannot be guaranteed ¹	Universal membership through the UNGA, although membership of its governing body may be universal or limited, e.g., UNEP Governing Council (GC), which currently has 58 members
Recent examples	United Nations Industrial Development Organization (UNIDO) with 173 State Parties, created in 1985 ² ; outside the UN system, the International Renewable Energy Agency, with 75 State Parties (and the EU), was created in 2009	UN Women, created in 2010; UN Human Rights Council, created in 2006. Neither entity has a governing body with universal membership
Funding	Usually through assessed contributions from member states; no funding from regular UN budget	Some funding from UN regular budget (for example, 4% of UNEP’s current budget plus direct and indirect support through the UN Office of Nairobi (UNON) ³ ; most funding is currently voluntary

¹ Individual states may or may not be party to an organization’s treaty, and historically have sometimes even withdrawn from and later rejoined some organizations.

² Interestingly, UNIDO was originally established in 1966 as “an organ of the UNGA” and functioned as an “autonomous organization,” although this has not been repeated.

³ Approximately US\$6 million per year. UNEP’s administrative costs are also reduced through direct and indirect administrative support from UNON, e.g., support for meetings of the Governing Council, security, etc., the precise value of which has not been fully calculated, but direct regular budget support may be between US\$10-20 million per year (UNON).

“...the ability of an enhanced UNEP or successor organization to meet these objectives will depend not only on which option is chosen, but on a range of architectural features... Such architectural details need to be discussed and decided with their objectives in mind”

itly adopt UNGA regulations and rules). It would be an authority unto itself, and would not need any further approval to either take or implement decisions within its mandate, which is a defining feature of this option. However, if the agency has less than universal membership, this will have implications for its financing and perceived authority.

While reference is often made to the “upgrading of UNEP into a specialized agency,” the creation of a specialized agency would not in itself abolish UNEP. Since UNEP is a programme of the UNGA, it would be for the General Assembly to determine the fate of UNEP. Issues such as these would need to be resolved through the negotiation process.

Subsidiary Body of the UN General Assembly

Whether UNEP is retained and enhanced, or re-created, there is wide scope available to the UNGA for the specific governance structure it establishes for a subsidiary entity, as is evident from a review of existing entities such as UNDP, UNICEF, UNITAR, UNAIDS, the Human Rights Council, UN Women – or UNIDO as it existed under the UNGA prior to becoming a specialized agency. The 58-member UNEP Governing Council could be expanded, for instance, or some of its responsibilities reassigned.

The UNGA can enable an entity to address matters within its competence without further approval by the UNGA, and can prescribe the voting process of the entity, or leave it to the entity itself to determine. It can also empower a subsidiary entity to create its own rules and to further expand on relevant UN rules, including human resources policies, provided they are consistent with the UNGA-approved regulations. Such an entity would, however, remain under the general authority of the UNGA.

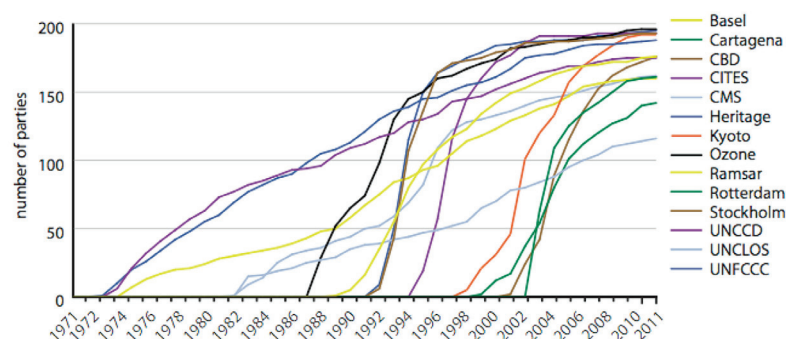
A subsidiary entity of the UN has a direct relationship with the UN and its other subsidiary bodies, and is linked to the wider sustainable development agenda, including through the review of its budget and program by processes established for most UN funds and programmes (noting that all exclusively voluntarily funded entities are excluded from the UNGA Committee on Programme and Coordination⁶). It would also remain open to the UNGA to further modify the mandate of a subsidiary body over time by resolution as necessary, as has occurred with UNEP.

Some Significant Changes since the Establishment of UNEP in 1972

- Membership of the UN has grown from 132 states in 1972 to 193 in 2011 (the UNEP Governing Council still comprises 58 states, as in 1972 – 44% of total UNGA membership in 1972 but 30% in 2012). Membership in multilateral environmental agreements has also grown dramatically, as illustrated in Figure 1.
- Environment ministries and related portfolios have been created across all countries.
- There are now 500+ MEAs, although most of these are regional agreements, such as river basin management organizations. In discussing international environmental governance, we are primarily concerned with the approximately 12-15 global MEAs with universal – or near universal – membership: UNFCCC, UNCCD, CBD, and Montreal Protocol have 192+ parties; WHC 182 parties; CITES 175 parties; etc. Most of these (but not all) hold meetings of the Conferences of the Parties (COP) every two years.
- New financial mechanisms have been established, most importantly the Global Environment Facility (GEF), with 182 State parties, and the Multilateral Fund under the Montreal Protocol, with 196 parties.
- Environment is built into the programs of multiple UN and other international entities, such as the World Bank, INTERPOL, WTO, UN Office on Drugs and Crime, etc. (42 in total).
- Civil society involvement has blossomed, with major NGOs such as Conservation International, the Nature Conservancy, and WWF having multimillion-dollar budgets, and NGOs collectively having billion-dollar budgets.
- The private sector is engaged with and investing in environmental issues, including through industry associations and fora such as the World Economic Forum.
- There are new environmental challenges and emerging opportunities: population growth, changing consumption and production patterns, advances in the technology available for exploiting nature as well as for its rehabilitation, etc.

Figure 1. Number of Parties to Multilateral Environmental Agreements.

Source: UNEP/GRID-Arendal Maps and Graphics Library



Proposals for Reform

While the focus of the current debate is on institutional form, simply choosing one of the options will not in itself resolve all the pertinent needs of a new environmental governance regime or entity. For instance, the cross-cutting nature of the environment – both thematically and through the broad range of tools used to address environmental issues – is such that any new entity’s relationship with a wide range of other bodies is critical. For example:

- For national-level capacity building, the relationship with UNDP (among others) is essential.
- For better connecting high-level policy advice with financing for the environment, the relationship with the GEF and the World Bank is essential, including in setting priorities for financing.
- For the effective implementation of decisions of a cross-sectoral nature, an interrelationship with entities as diverse as the FAO, ILO, WHO, WMO, INTERPOL, UNODC, WCO, WTO, OECD, the World Economic Forum, and the International Tropical Timber Organization, etc., is required.
- As the lead entity for the environmental dimension of sustainable development, interaction with the UNGA, ECOSOC and the Commission on Sustainable Development (CSD) (or its successor) is required.
- For effective and coherent implementation of the core MEAs, a programmatic interrelationship with MEAs addressing biodiversity, hazardous substances (chemicals and waste), and climate change, etc. will be critical.

These interrelationships cannot be directly resolved through the negotiation of an UNGA resolution or a treaty. For example, any formal interrelationship among the MEAs will need to be negotiated with each of the respective COPs, where parties will sometimes differ – as they will with other entities, and in particular those not falling under the authority of the UNGA, such as the GEF.

Any reform could address these details, and seek to fulfill the desired objectives of the UN system, regardless of which institutional form is ultimately adopted. The five objectives identified in the Belgrade Process document serve as a good way of identifying possible specific reforms aimed at achieving this end. In assessing these options, therefore, reference is made to “the new Environment entity” as a neutral term.

At the core of these possible reforms is the need for a more authoritative, accountable, and cost-effective entity, one that is better able to connect science with policy and policy with financing, can enhance more coherent and effective implementation efforts, and can provide meaningful direction and guidance to the entire UN system and beyond. They are also about making a shift from an era characterized by international negotiations to one focused on national implementation.

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

Proposal: The current UNEP Global Environment Outlook (GEO) process could be enhanced to provide a broad-based “landscape view” of the environmental science base and policy platform. The process could draw upon the contribution made through the Intergovernmental Panel on Climate Change (IPCC) and (in the future) by the Intergovernmental Platform for Biodiversity and Ecosystem Services (IPBES) to the science base and policy interface, as well as the environmental analysis of many bodies within and outside of the UN system. This enhancement would be in line with the mandate for GEO-5, which now includes a more explicit policy component.

The cycle of adopting and publishing GEO could coincide with the three- to four-yearly meetings of the governing body of the new Environment entity (see below), giving substance to the meetings of the governing body and providing a compass for setting financing and programmatic directions.

In addition to influencing financing priorities, the adoption of the GEO could be timed to enable it to inform the development of strategies for the relevant replenishment cycle of the GEF. And in order to help set system-wide programmatic priorities, it could facilitate the development or review of a UN system-wide plan for the environment (see below).


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

Proposal: Universal membership of the governing body of the environmental entity could be instituted to give it greater political legitimacy, particularly during an era where MEAs and financing mechanisms have universal, or near-universal, membership. Similarly, it could link agenda and priority-setting for financing and systemwide planning to the adoption of major scientific reports and policy statements in order to increase responsiveness and scientific legitimacy.

However, a distinction must be drawn between the authoritative voice that sets the global agenda, and the management oversight function, which can be served by a smaller management board to provide effective oversight of the secretariat. There is also a need for a secretariat that can work effectively across the UN system, which may require a strong voice and presence in UN Headquarters in New York.

The new Environment entity governing body could have universal membership and meet once every three to four years⁷ in Nairobi to:

- Adopt GEO on a three- to four-yearly cycle – after an inter-governmental process.
- Formally transmit GEO to the UNGA, CSD (or its successor), the World Bank, GEF, etc. as setting out agreed global environment priorities.



“In addition to being an authoritative voice, the new Environment entity could direct its energy toward programmatic coherence at global and regional levels and support of national-level implementation...”

- Review the outcomes of MEA COPs (voluntary outcome reports could be submitted by MEAs through their secretariats), consider issues of common interest, determine how to facilitate and support national implementation of COP decisions, and assess gaps and appropriate measures to fill them.
- Convene the Presidents/Chairs of MEA governing bodies, as well as their executive heads, and make recommendations to forthcoming MEA COPs on enhancing national implementation, including through joint actions.
- Monitor UN and MEA financing, capacity building, and technology-transfer efforts for the environment.
- Review state compliance with environmental commitments on a purely voluntary basis – with states that submit to a voluntary review being eligible for additional financial support, including through the GEF, to enable them to come into compliance as necessary.
- Support state-to-state capacity building and technology-transfer efforts on the basis of north-north, south-south, north-south, and south-north cooperation.
- Convene a broad-based stakeholder forum on the environment and engage with such stakeholders in an open and interactive manner, as appropriate.

The governing body meeting could be timed to be back-to-back with the GEF Assembly. The governing body could be complemented by a management board of a limited number of members (around 30 – the same as UNDP) established for management oversight functions, which could meet twice a year. Management board meetings could be held in Nairobi, with one meeting being held in New York every one or two years (noting UNICEF, UNDP, and UNFPA have an executive board session in Geneva every second year). In addition, joint sessions could be organized between UNDP’s governing board and the Environment entity’s management board in New York to address matters of common interest, and in particular national-level capacity building.⁸

c) Achieving effectiveness, efficiency and coherence within the United Nations system

Proposal: A UN systemwide plan for the environment could be prepared to better align all parts of the UN system and others in working toward achieving results on agreed priorities. It could be prepared by the UN Environment Management Group (EMG) (membership includes all relevant UN entities as well as major Global MEAs) and provide a common overarching strategy and set of programmatic goals and targets.⁹ It could be adopted by the governing body for the new Environment entity every three to four years (see above) and be transmitted to the UNGA. The EMG could also reach out to major intergovernmental organizations, NGOs, and foundations to determine how the efforts of the UN and such stakeholders could complement one another.

The Secretariat for the EMG could be formally brought within the new Environment entity (at present it is notionally outside),

and the new Environment entity could have a modus operandi that is closer to that of the EMG. The EMG could come under the direct authority of the UN Chief Executives Board, in a similar fashion to the UN Development Group, and be chaired by the executive head of the new Environment entity (currently chaired by UNEP). The Biodiversity Liaison Group (comprising the executive heads of six biodiversity-related conventions) could be restructured to come under the EMG, while still also reporting on its activities to relevant COPs. Similar groups could be established for the other thematic clusters of MEAs, as appropriate.

The new Environment entity could have a Nairobi-based executive head at Under-Secretary-General (USG) level (as is the case with UNEP), a New York Office, and a representative office in Geneva at levels that reflect the significance of these offices, namely, with leaders at the Assistant Secretary-General (ASG) level and D2 level, respectively. Locating the new Environment entity in Nairobi would build upon existing human resources and physical infrastructure.

In addition to being an authoritative voice, the new Environment entity could direct its energy toward programmatic coherence at global and regional levels and support of national-level implementation, with a strong regional programmatic presence and selected liaison offices, but no permanent country programmatic presence. It could take the lead in addressing regional environmental initiatives and connecting to regional processes, while programmatic country presence could be served by UNDP or other appropriate entities. The new entity and UNDP could jointly fund and recruit environmental specialists to enhance country-level implementation of environmental commitments through UNDP country offices.

The new Environment entity may be best served not administering any MEAs (noting that UNEP is, in essence, a UNON-administered Programme), which could be administered directly by UNON and the UN Office at Geneva (UNOG) and report to the relevant Director-General through the UN’s performance-appraisal system (ePAS) to ensure that delivery of the program is in line with UN rules.

The UN Secretary-General could be asked to amend the relevant UN rules as they apply to staff of all MEA secretariats, and in particular to enable MEA COPs and subsidiary governance bodies to have a more direct role in the recruitment of the executive head and in his/her performance appraisal on delivery against the COP-approved work program.

In response to calls to better streamline and coordinate MEA administration,¹⁰ appropriate convention secretariats could be clustered thematically, e.g., a chemicals and waste cluster secretariat. Such secretariats could be considered to service new clusters of MEAs, with:

- An atmosphere cluster secretariat to service the UNFCCC and its protocol(s), and the Montreal Protocol and Multilateral Fund.

- A biodiversity cluster secretariat to service the CBD and its protocols, CITES, Ramsar, CMS and its protocols. Clustering could first be considered for the CITES and CMS Secretariats, two species-based conventions with a long history of cooperation, and both located in Europe (Geneva and Bonn, respectively).
- FAO (food and food security) and UNESCO (cultural, natural, intangible, and movable heritage) already serve as clusters for the biodiversity-related MEAs they administer, and hence the World Heritage Convention and International Treaty on Plant Genetic Resources for Food and Agriculture are not included in the biodiversity cluster.
- Small nodes of specialist technical staff could be retained to service the particular specialist needs of each convention, similar to the arrangement for CBD protocols, with all other administrative/ICT/finance services being centralized to service the cluster.

The biodiversity cluster MEAs could meet back-to-back and/or simultaneously¹¹ on a three-yearly COP cycle, with chemicals and waste following a similar cycle – resulting in considerable cost savings. In addition, reducing the number of COPs by moving away from two-yearly to three-yearly cycles (as is the case with CITES) could help emphasize implementation rather than negotiation.

UNON/UNOG could establish and offer common conference services support to MEAs on a voluntary basis and with a financial incentive to participate. Climate negotiations could be oriented around one location servicing permanent missions, similar to the WTO.

The new Environment entity could be mandated to focus on programmatic system-wide coherence,¹² and support for national-level implementation of commitments/decisions taken under MEAs – including raising the required resources, undertaking joint initiatives, and reinforcing links to sustainable development.

d) Securing sufficient, predictable, and coherent funding

Proposal: The GEF could become an environmental fund, delinked from the need for global environmental benefits, to better support national implementation efforts. The new criteria could be the provision of funding for the national implementation of international commitments for the environment under any global MEA¹³ – recognizing that a global convention by definition must involve global benefits. Where funding is linked to a state's voluntary review of compliance with environmental commitments (see above), it could be fast-tracked in order to assist the state to come into compliance. The review could be conducted under the authority of the new Environment entity.

To ensure effective linkages between policy and financing, GEO outcomes could be formally acknowledged by the GEF as the primary source of advice on setting GEF strategies. The GEO could also be formally transmitted by the governing body to the

World Bank and all other financing institutions as the primary source of policy guidance on financing environmental initiatives, while the new entity could monitor all such financing and make appropriate recommendations based on the GEO.

The Executive Director of the new Environment entity could have a formal substantive role within the GEF governance structure to provide advice on priority setting, based upon GEO, as an ex-officio non-voting member of the Council. A reciprocal arrangement with the new Environment entity's governing body could be considered for the CEO of the GEF. In addition, the GEF Assembly could meet back to back with the new Environment entity governing body, with one joint session of both bodies. Meetings could alternate between Nairobi and elsewhere for this purpose.

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

Proposal: UNDP could be clearly accepted as the lead entity on national-level programmatic capacity-building for the environment, including for implementing the Bali Strategic Plan for Capacity Building and Technology Support (BSP) (or its successor), while the new Environment entity could be clearly accepted as the lead in addressing regional programmatic environmental initiatives and connecting to regional processes, with UNEP/UNDP staff being co-located in regional offices where possible.

The new Environment entity and MEAs could be mandated to provide specialized, targeted national-level capacity-building support in defined technical areas. The new Environment entity would not duplicate UNDP country offices, but work with them in employing country-based environment specialist staff (see above), and enhance its regional interrelationship and regional environmental leadership role.

The new Environment entity's management board and UNDP's Executive Board could hold joint annual or two-yearly sessions in New York (see above) to address issues of common interest, such as to approve and review environment work plans, including support to the United Nations Development Assistance Framework (UNDAF) and National Biodiversity Strategy and Action Plans (NBSAP) processes, etc., as well as adopt environmental capacity-building strategies.

UNDP/UNEP governing/management boards could convene the nominees of the:

- President and executive head of the CSD (or its successor) and presidents/chairs/executive heads of key natural resources management agencies such as FAO, to participate in joint sessions to address the links between capacity-building needs for environment and sustainable development.
- Presidents/Chairs of MEA governing bodies, as well as their executive heads, and of IPCC and (proposed) IPBES, to participate in joint sessions to address the identified capacity-building needs of Parties under MEAs and how these can be addressed through the environment workplans/NBSAP/



UNDAF/capacity-building strategies to be developed and approved by UNDP/UNEP.

- Presidents and executive heads of major international organizations, NGOs, and foundations to determine how they can complement one another in their capacity-building efforts.

Conclusion

Rio+20 is a moment in time when the direction of environmental governance for the decades ahead will be determined – whether it be retaining the status quo, fundamental reform, or something in between. Whatever direction is taken will have significant implications for how States collectively address both current and future sustainable development challenges and opportunities.

This brief offers various ideas for practical reform as a contribution toward the current debate on environmental governance, in the context of the institutional framework for sustainable

development. Made in a personal capacity, these suggestions represent some specific measures that could be considered, either individually or collectively, when further refining options for international environmental governance reform.

Which of the major structural options currently under consideration, if any, governments choose depends on a number of preferences, including the desired level of independence of the new Environment entity. Articulating some of the risks and benefits associated with the different options may help inform the negotiations. Regardless of structural preferences, incorporating some of these proposals into any decisions made at Rio+20 could help ensure that any changes make best use of existing resources and structures in effectively fulfilling the functional objectives identified through the Belgrade Process outcome, recognizing that governance reform is ultimately a means to an end, and not the end in itself.

Disclaimer

The author has prepared this issue brief in his personal capacity and the views expressed do not necessarily reflect the views of the UN, UNEP, CITES, or the CITES Secretariat (ST/AI/2000/13). There is no remuneration or honorarium associated with the preparation or publishing of this issue brief.

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Bibliography

- Biermann, F. (2011). "Reforming Global Environmental Governance: The Case for a United Nations Environment Organisation." Stakeholder Forum Think Piece Series for the 2012 UN Conference on Sustainable Development.
- Inomata, T. (2008). *Management Review of Environmental Governance within the UN System*. United Nations Joint Inspection Unit. Geneva. JIU/REP/2008/3.
- Ivanova, M. (2005). *Can the Anchor Hold? Rethinking the United Nations Environment Programme for the 21st Century*. New Haven, CT: Yale School of Forestry & Environmental Studies.
- Oberthür, S. (2002). "Clustering of Multilateral Environmental Agreements: Potentials and Limitations." *International Environmental Agreements* 2 (4): 317-340.
- Speth, J.G., and Hass, P.M. (2006). *Global Environmental Governance*. Washington, DC: Island Press.
- UNEP. (2009a). Belgrade Process: Moving forward with developing a set of options on international environmental governance – co-chairs' summary. Consultative Group of Ministers or High-level Representatives. 28 June 2009. Available at: hqweb.unep.org/environmentalgovernance/LinkClick.aspx?fileticket=7RzudGTFKRI%3d
- _____. (2009b). *Set of options for improving international environmental governance*. Consultative Group of Ministers or High-level Representatives. 29 October 2009. Available at: hqweb.unep.org/environmentalgovernance/Portals/8/documents/IEG-Draft-Report-Rome-final-edited.pdf
- _____. (2010a). *International Environmental Governance*. 26 February 2010. UNEP/GC SS.XI/1. Available at: hqweb.unep.org/environmentalgovernance/LinkClick.aspx?fileticket=i7kprFLmsq4%3d
- _____. (2010b). *Nairobi-Helsinki Outcome*. Consultative Group of Ministers or High-level Representatives on International Environmental Governance. 23 November 2010. Available at: hqweb.unep.org/environmentalgovernance/Portals/8/documents/Events/NairobiHelsinkiFinalOutcomeEdited.pdf
- _____. (2010c). *United Nations Specialised Agencies versus United Nations Programmes*. Note by the Executive Director to the Consultative Group of Ministers or High-level Representatives on Broader International Environmental Governance Reform. 7 June 2010.
- _____. (2011a). *Fragmentation of Environmental Pillar and its Impact on Efficiency and Effectiveness*. The Environmental Dimension of IFSD, Issues Brief Series, #2. Available at: hqweb.unep.org/environmentalgovernance/Portals/8/InstitutionalFrameworkforSustainabledevPAPER2.pdf
- _____. (2011b). *Legal Questions and Answers on IEG Reforms: WEO and UNEO?*. The Environmental Dimension of IFSD, Issues Brief Series, #4. Available at: hqweb.unep.org/environmentalgovernance/Portals/8/InstitutionalFrameworkforSustainabledevPAPER4.pdf

Endnotes

- ¹ UNEP 2010a.
- ² UNEP 2009b, 2010b.
- ³ The two options are included as alternatives (para. 51 and para. 51 alt.) in the Rio+20 zero-draft outcome document: UNCSO (2012). *The Future We Want*. Zero-draft of the outcome document for consideration by member states and other stakeholders. 10 January 2012. Available at: www.uncsd2012.org/rio20/content/documents/370The%20Future%20We%20Want%2010Jan%20clean%20_no%20brackets.pdf
- ⁴ Paragraph 7 of the Belgrade Process. UNEP (2009a).
- ⁵ A UNEO was originally put forward as a specialized agency. However, based on the precedent of UNIDO, it could be created instead as a subsidiary entity of the UNGA (as UNEP is currently), despite being named an “Organization”; in that case, it would be akin to the latter, enhanced-UNEP option.
- ⁶ Exclusively voluntarily funded, meaning receiving no regular budget. The Committee is the main subsidiary organ of the Economic and Social Council and the UNGA for planning, programming, and coordination. For more information see: www.un.org/en/ga/cpc/about.shtml
- ⁷ The existing UNEP Global Ministerial Environment Forum (GMEF) has universal “participation” and meets on an annual basis. Moving to universal membership and a three- to four-year cycle could also result in savings. The IUCN World Conservation Congress now meets once every four years, with its 2008 meeting attracting 6,600 participants.
- ⁸ Joint meetings would not be a new precedent. A recent UNDP Executive Board meeting has included a joint segment bringing together UN Women, UNFPA, UNICEF, UNDP, WFP, and UNOPS.
- ⁹ The fact that 42 entities across the system have environment programs is a success. However, there is no one overarching framework against which multiple inputs can be measured or through which programmatic overlaps or gaps can be assessed. Lessons can be learned from past practice and from the recent Strategic Plan for Biodiversity and Aichi Biodiversity Targets adopted at CBD COP 10 that seek to speak systemwide. For a brief history, see, for example: www.cites.org/eng/news/SG/2011/20110909_SG_IISD_art.php
- ¹⁰ Noting that “synergies” should also be considered from the programmatic, financing, and the UN systemwide (and beyond) perspective, as is addressed elsewhere in this brief. See also: www.cites.org/eng/news/SG/2012/20120221_UNEP-GMEF.php
- ¹¹ If meeting simultaneously, non-parties to any MEA would remain as observers, similar to what occurs with CBD and its protocols (and as has occurred at the simultaneous COPs of the chemicals and waste conventions).
- ¹² Such a role could be achieved through the governing body with universal membership, the systemwide plan, an enhanced GEO, the CEB/EMG (and role of BLG, etc. within the EMG), etc. – see above.
- ¹³ The issues of climate change and ozone (and the Multilateral Fund) may need to be addressed differently.

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