

Talking points IEG, February 2007

Ambassador Enrique Berruga, Mexico

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Co-Chairs informal consultations of the GA on environmental governance

Visit to Nairobi

The Mandate

Mandate of the Informal Consultations of the GA is the result of a political compromise at the 2005 summit; its implementation will be linked to the overall UN reform process. The mandate has the strength and weaknesses of a compromise and uses terminology of the International Environmental Governance discussion since Carthagena in asking us to look into enhanced

- Coordination
- Policy coherence through better policy advice
- More integrated research
- Implementation of agreements
- Mainstreaming of environmental activities in the SD framework

One can criticize the vagueness of the mandate (explore the possibility of improvements – and indeed, many delegations throughout our work were urging the Co-Chairs to clarify purpose and direction of our consultations). One can also understand the mandate as an invitation to be innovative and to use the political space created by vagueness. It is in this sense that the two Co-Chairs have understood their role and they urged delegations in New York, Nairobi and in the capitals to act accordingly.

In this context we appreciate all efforts aimed at giving direction to the work on IEG, which is largely institutional and procedural in nature. As on other occasions, form follows strategy: we have to know why we want to improve or change the governance structure.

Options of enhancing IEG within the existing framework

First round of consultations confirmed among all members of the UN, in the framework of GA, key elements of the analysis undertaken by different foras of environmental specialists over the past years:

- The persistence of environmental degradation
- The fact that the present system does not respond in terms of efficiency and effectiveness adequately to the challenges
- The need for a legitimate platform on which one can discuss different options of global environmental policies
- The dilemma between the fragmentation of the present system – which is responsible for a certain amount of inefficiency, and the importance to provide countries with specific advice
- The importance to change focus from norm setting to implementation
- The importance of capacity-building and technology transfer
- The importance of sufficient funding and more efficient funding mechanisms

- The necessity to have a clearer idea on the roles of different organs (GA, ECOSOC, GMEF, CSD)

While further discussions are necessary to foster consensus, we have heard ideas for concrete improvements on which many delegations seem to think in the same direction.

Proposals for improvements within existing institutional framework:

- Strengthen UNEP
 - / through a more stable financial structure
 - / through a better utilization of scientific resources in the course of the political process
 - / by giving UNEP a coordinating role with regard to the MEAs and by asking UNEP to present clusters of MEA reports to GA
- Revitalize EMG and thus reinforcing system wide coordination of environmental activities through issue driven cooperation schemes instead of formalistic coordination
- Better coordinate the MEAs
 - / by thematic or geographical clustering
 - / by rationalizing administrative structures and eventually use common services
 - / by a better coordination of scientific work
 - / by back-to-back organization of COPs
 - / by working on a common long term strategic plan
 - / by common evaluations
- Strengthen the development – environment nexus and integrating the environmental activities into the SD framework
 - / through stronger UNEP – UNDP – World Bank - GEF cooperation
 - / through the integration of environmental activities into PRSP, UNDAFs, TCPR etc
- More important funds and more efficient finance
- Stronger partnerships and inclusion of major groups in decision-making process
- A more integrated and stronger research system focused on informing the political decision-making process and equipped with an early warning function
 - / WHO's reaction to recent health crisis' (SARS, AIDS, local crisis) as a possible model to be adapted to environmental crisis situations
 - / in this regard: report by ED of UNEP on strengthening of scientific foundations reflects well the suggestions made by delegations in NY)

Differences in approach – topics to be discussed

Four areas to deepen in further discussions:

Firstly

Differences in approach are primarily linked to creation of new institutional framework: one group would like to work on the basis of present institutions, another is of the opinion that only a new institutional framework can effectively implement necessary reforms. Such a framework could be

/ the creation of an institution by transforming UNEP into a UNEO

/ a more developed network of institutions

/ an institutional roof with a legal personality covering all UN institutions and global MEAs with environmental activities

Difference is one between incrementalists thinking in terms of the present framework and transformers thinking in terms of a new institution; differences are still considerable.

Clarification is therefore important:

- Why is it so difficult, in the present framework, to implement decisions (Bali, Cartagena)? Why should there be suddenly an area of implementation?
- How would and institutional framework which could ensure better implementation look like and why should the creation of a new institution suddenly provide for better implementation?

Secondly:

Whatever the preferred institutional option is (status quo, network, roof, UNEO) more precision is important in defining the objectives we would like to achieve through IEG:

- What are applicable standards and what are the objectives to be achieved?
- What mandates does IEG need?
- What are the envisaged implementation/compliance mechanisms and what are the capacity-building measures, which are necessary?
- What is the level of finance
- What is the institutional and legal framework?

The saying that structure has to follow strategy that objectives and outputs have to be clearer in order to define the institutional structure may be true for IEG as well.

In this context, a more profound exploration of the possibilities offered by new technologies is important:

- Can we create virtual platform, which will help us to overcome fragmentation?
- Can we create new communities of interests through enhanced connectivity and interoperability of institutions?
- Can we have real impact through virtual platforms?

In view of the different sensitivities within the UN membership a careful balance between compliance and capacity-building measures seems to be crucial in order to foster a compromise on IEG.

Those proposing improvements and changes also should carefully reflect on designing strategies for implementation. What can realistically be achieved in a given timeframe? (6 months, 12 months).

Maybe this will help us have a clearer understanding of different interpretations of fragmentation, which seems to be at the heart of some of the problems:

- Is fragmentation a welcome multiplicity or an indication of inefficiencies?
- Could it be useful in this regard to make a distinction between analytical, normative and operational work.

Thirdly:

How are local, national, sub-regional, regional and global level interlinked?

Two questions might guide this discussion:

- Can we really hope that nations implement obligations without strong international institutions?
- What can a new institution reasonably contribute to national implementation?

Fourthly

Finally, we need more clarity with regard to finance and the issue of universality

- Do we envisage a voluntary, assessed or mixed system?
- And for what purpose would we use new resources?
- Do we want a new universal structure, and if so, should it comprise some limited organs?

Next steps

- Information of NY delegations on discussions in Nairobi and Paris
- Organize eventually hearing sessions with some key actors
- Draft in the framework of the consultations a proposals or options paper in view of taking decisions
- In doing so keep in mind SWC process of which we can say that HLP does similar analysis of problems as GA