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INTERNATIONAL ENVIRONMENTAL GOVERNANCE (IEG)

ISSUES AT STAKE, MAIN CHALLENGES

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« We understand global environmental governance (GEG) as the sum of organizations, policy instruments, financing mechanisms, rules, procedures and norms that regulate the processes of global environmental protection. »

IISD, 2006



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HISTORICAL BACKGROUND

Some milestones

- | | |
|-----------|--|
| 1972 | Stockholm Conference on Environment |
| 1975 | United Nations Environment Program (UNEP) is set up |
| 1971-2007 | Adoption of multilateral environmental agreements (MEAs) |
| 1991 | Global Environment Facility |
| 1992 | Rio Conference - creation of the UN-CSD |
| 2002 | UNEP Cartagena meeting on IEG; Earth Summit |
| 2005 | UN World Summit |



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Driving forces for the development of IEG: Environment as a component of globalisation

- Environment issues moving from local/national to regional/global: air pollution, rivers, chemicals, biodiversity
- Need to embark all countries
- Need to integrate environmental concerns with socio-economic approaches in the context of economic globalisation
- The specific role of international NGOs: IUCN, Greenpeace, WWF



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MAIN DEVELOPMENTS SINCE 1972

1/ Major legal developments through adoption of MAEs (Global agreements)

- **Biodiversity:** Ramsar, World Heritage Convention, Bonn Convention, CITES, CBD.
- **Climate Change:** UNFCCC, The Kyoto protocol
- **Oceans:** Law on the Sea, Marpol, Ballast water Convention (+ IWC)
- **Chemicals and waste:** Montreal Protocol, London, Rotterdam, Basel and Stockholm Conventions



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MAIN DEVELOPMENTS SINCE 1972

2/ Major legal developments through adoption of MAEs (Regional agreements)

- Regional Seas : Mediterranean, Caribbean, South Pacific, Baltic, Caspienne, etc.
- Regional Atmosphere : Vienna Convention
- Transboundary Lakes and Rivers : Mekong, Danube, Rhine, Lemman, etc.
- Mountains : Alpine Convention, Carpathes
- Antarctic Treaty

MAIN DEVELOPMENTS SINCE 1972

3/ Institutional developments

- **Specific Environmental Institutions** : UNEP, Global Environmental Facility (GEF)
- Permanent scientific processes: IPCC, Imoseb
- Environmental activities within **other** International Institutions or processes:
 - Unesco (MAB, IOC, WHC),
 - United Nations Development Programm (UNDP)
 - The World Bank
 - World Health Organisation (WHO)
 - International Maritime Organisation (IMO)
 - World Trade Organisation (WTO)
 - G 8



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MAIN DEVELOPMENTS SINCE 1972

4/ Institutional developments (2)

- Environmental activities within **Regional** International Institutions :
 - UN regional economic commissions
 - OECD
 - Council of Europe
 - European Union
 - Regional Development Banks
- Environmental activities within other Regional International processes :
 - NAFTA and other free trade treaties
 - APEC



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MAIN DEVELOPMENTS SINCE 1972

5/ International Non Governmental Institutions

- International Union for Nature Conservation (IUCN)
- Main International NGOs : WWF, Greenpeace, Conservation International, etc.
- Academic and scientific networks
- Networks of local communities, cities, indigeneous people
- International think tanks
- International foundations



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MAIN CRITICS ADDRESSED TO THE PRESENT STATE OF THE IEG

- Lack of a single, recognized platform to offer policy advice on environmental issues at the global level
- Lack of an effective and authoritative pillar within the UN system
- Lack of co-ordination between UN Agencies
- Inefficient use of limited resources

leading to a lack of effectiveness

The issue of effectiveness is the major concern ; it deserves to be clarified

THE EFFECTIVENESS OF ENVIRONMENTAL REGIME

Various indicators :

- Environmental issue is solved or on the right track (Rhine pollution, Vienna Convention)
- Obligations of the Conventions are met, but the state of the environment is not improved ,or not yet (Bern Convention, Montreal protocol)
- Members comply with their commitments
- Actors change their behaviour

Each MEA or process to be evaluated following its own objectives and targets

IS THERE AN EFFECTIVENESS GAP?

It would be unfair to evaluate the whole system as globally ineffective.

There are number of success stories and operative Conventions and programs such as Ramsar, Cites,IWC, Montreal Protocol, the World Heritage Convention, the London Convention ,the MAB as well as effective regional Conventions(Bern, OSPAR)

There are also succesful scientific assesments processes such as IPCC.

But the state of the global environment is affected by a negative trend as recalled by various reports (such as GEO 3, the Millenium ecosystem assesment, IPCC etc..) and recognized by the Earth Summit.

Some reasons for effectiveness gap

- UNEP weakness , related to the conditions of its creation as a small program, with no basic contributions and a limited mandate; gaps have been pointed out by recent official UN reports
- Fragmentation of the system not allowing for the formulation of a strategic vision at the UN level: the biodiversity case
- Overlapping and gaps: the case of Europe and the Mediterranean
- Lack of high level scientific assesments (marine environment, state of the biodiversity)
- Lack of coordination even in very close issues such as Marine biodiversity and fisheries; potential contradictions(IMO/BASEL , IWC/CITES on marine mammals); dispersion of Secretariats

Some reasons for effectiveness gap(continue)

- Mechanisms of compliance absent or unefficient (ex: IMO conventions, flags of convenience)
- Low level of ODA allocated to environmental infrastructures such as waste water treatment plants, solid waste management, protected areas: GEF project oriented policy
- Countries specific responsibility for weaknesses

IMPROVING GOVERNANCE : RECENT DEVELOPMENTS, NEXT STEPS

Initatives since Johannesburg Summit

- 2000: UNEP Cartagena meeting on IEG
- 2003/2007 german and french initiatives promoting the creation of a UNEO; EU endorsement and support; Sydney and Washington Seminars; Paris Declaration (2007) followed by »The friends of UNEO « Marrakech meeting
- UNGA: Follow up of the 2005 Summit; informal process of consultation on IEG by Ambassadors from Mexico and Switzerland
- Initiatives by Think Tanks and NGOs (IISD, Ecologic etc..)



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IMPROVING GOVERNANCE : RECENT DEVELOPMENTS, NEXT STEPS

Main options

- Creation of a UNEO as a new organisation within the UN system
- Upgrading UNEP into a specialized Agency
- Strengthening UNEP without modifying its mandate and status
- Making the existing system, specially MEAs, more efficient through mainstreaming, better monitoring, compliance, coordination, clustering, making use of economic instruments

IMPROVING GOVERNANCE : RECENT DEVELOPMENTS, NEXT STEPS

Main objectives

Any reform should meet objectives as set up by the 2005 UN Summit Declaration (art.169)

- Enhanced coordination
- Improved policy advice and guidance
- Strengthened scientific knowledge and assesment(IPCC as a reference)
- Better treaty compliance (while respecting the legal autonomy of the treaties)
- Building on existing Agencies and treaty bodies
- Involvement of non-state Actors



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IMPROVING GOVERNANCE : RECENT DEVELOPMENTS, Next steps

- Unformal process of consultation to be concluded
- Options paper by Ambassadors from Mexico and Switzerland (june 2007) to be discussed at the UNGA
- Formal negociation to be decided on by UNGA

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