

Asia-Europe Strategies for the 'Rio+20 Earth Summit' 2012

Global Architectures for Sustainable Development Delivery



Asia-Europe Environment Forum

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Preface

The 20th anniversary of the United Nations Conference on Environment and Development (UNCED), now called Rio+20, is just a few days away. To this day, there has been little clarity on the possible outcomes on the discussions of the two major themes of the Rio+20 conference, namely, 1) The green economy in the context of sustainable development and poverty eradication; and 2) the institutional framework for sustainable development (IFSD).

The reform of the IFSD has received significant attention and inspired a wide range of proposals. However, the added value of incorporating bi-regional and national perspectives seems to have been overlooked. A closely related process is the proposed reform of the International Environmental Governance (IEG), which is often interpreted as the strengthening of the United Nations Environment Program (UNEP). After 20 years, it has become obvious that there is an urgent need to reform the IFSD which is seen as overly complicated and barely able to respond to sustainable development challenges. The lack of progress in sustainable development and failure to address emerging global environmental, social and economic issues, have been attributed, to a large extent, to the weaknesses of the UN Commission for Sustainable Development itself; its secretariat; the UN Department of Economic and Social Affairs (UNDESA); and UNEP, which has embodied the environment dimension of sustainable development.

The Asia-Europe Environment Forum (ENVforum) contributed to the IFSD discourse by undertaking a series of consultations that gathered the opinions and contributions of 80 IFSD experts from diverse sectors in Asia and Europe. During these consultation meetings, it became clear that there is an urgent need for a resource that could help clarify and explain reform options and their implications, particularly to Asia and Europe. As a result, the ENVforum commissioned a team of experts from Asia and Europe to analyse the various IFSD and IEG options, with support of foresight methodology and field research, as well as assess the inter-regional synergies in the IFSD and IEG debate.

There have been many studies on the IFSD and the IEG but these have largely zeroed-in on global issues. Hence, this study has provided a strong focus on the multi-level components of the IFSD and the synergy between Asia and Europe. These could be valuable inputs for decision-making in Rio and the subsequent implementation of IFSD and IEG reforms.

The institutional framework reform cannot be detached from the substantive component of sustainable development since, as it is always said, form follows substance. The formulation of sustainable development strategies at all levels was thus reviewed in relation to the existing institutions, particularly at the national level. There was also consideration of Sustainable Development Goals (SDGs) as a tool to pull together the attention and activities of the international community into a limited number of subjects and aspirations. Regarded as one of the most desirable Rio+20 outcomes, SDGs are seen to be complementary to the Millennium Development Goals (MDG), and to be incorporated into the development plans post-2015 or the end of MDGs timeframe.

This document reports on the consultation process and results of this study. It has four main sections.

The first part explains the consultation process and findings resulting from it.

The second sets the framework for the study by presenting the context within which the IFSD was conceived under Agenda 21 and what it has evolved into - a labyrinth featuring global, regional and national institutions of varying strengths and authorities that have not maximised the synergies of working



together. It argues that a cohesive governance and institutional framework within which co-ordination and information freely flow from side to side, top to bottom, and bottom to top could create these synergies to reinforce agenda-setting and the implementation of measures with regard to the environmental dimension of sustainable development.

The third section is dedicated to the global dimension of the IFSD, which is divided into global sustainable development institutional arrangements and the IEG. It reviewed and made recommendations on the creation of a Sustainable Development Council possibly headed by a High Level Representative for Future Generations and the reform of the Economic and Social Council (ECOSOC). On the other hand, the IEG consultations addressed all options on the table, including the contentious question of whether UNEP should be turned into a specialised agency.

The fourth part of this publication deals with the bigger, multi-layered and crucial downstream dimensions of the IFSD, which could benefit from greater attention. It compares and contrasts the experiences of Asia and Europe with regard to designing and running mechanisms and institutions that promote the horizontal and vertical integration necessary to ensure sustainable development. The lessons learned could feed into the whole IFSD debate as well as the reforms or creation of regional, sub-regional and national mechanisms worldwide.

This publication is to serve as a reference for governments, non-state actors and other researchers in the many discussions during the Rio+20 Conference, as well as in the eventual implementation of the IFSD negotiation outcomes.

7 June 2012



Foreword from Co-organisers

This report is the outcome of the Asia-Europe Strategies for the Earth Summit 2012, an initiative of the Asia-Europe Environment Forum (ENVforum). It addresses key issues to be discussed at Rio+20, in particular in relation to International Environmental Governance (IEG) and the Institutional Framework for Sustainable Development (IFSD). The Institute for Global Environmental Strategies is grateful to be part of this endeavour along with our partner organisations.

Asia has now become a growth center of the world, and its expanding middle class has started putting additional pressures on finite resources. Asia is also one of the regions considered to be most vulnerable to, in particular, extreme events caused by the effects of climate change, as evidenced by huge tidal waves (Tsunamis) in Aceh, Indonesia and East Japan, and serious floods in Thailand and Myanmar. Vulnerabilities may have been further reinforced by intransigent poverty and environmental degradation associated with rapid economic development.

Rio+20 provides an ideal opportunity for us to share with global leaders, our views and the experiences we have had in both Asia and Europe to promote the sustainability agenda and to enhance human wellbeing. It is hoped that Rio +20 will be able to map a path toward a more resilient, sustainable and low-carbon world, in which communities and major stakeholders are fully involved. Strengthening the IFSD and environmental governance through fundamental and incremental reforms at the global, regional, national and local levels, is essential for facilitating a transition toward a more sustainable and equitable world. Defining a clear mandate and process for developing a set of Sustainable Development Goals at Rio+20 will also foster further efforts towards achieving sustainable development.

The scenario based approach which has informed the main findings in this report, and coupled with multi-stakeholder policy dialogues between numerous sustainable development experts, have proven quite useful in articulating major directions for Asia and Europe, and the world, as we embrace our common future. I am confident that this report will be a valuable input into Rio+20, as it clearly sets out important messages to be shared from the two regions.

May 2012

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Sol Iglesias
On behalf of Asia-Europe Environment Forum



List of Acronyms and Abbreviations

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ACCA 21	Administrative Centre for China's Agenda 21
ADB	Asian Development Bank
AICESIS	International Association of Economic & Social Councils & Similar Institutions
AMR	Annual Ministerial Review
APNCSD	Asia- Pacific National Councils for Sustainable Development
APRCM	Asia Pacific Regional Coordination Mechanism
ASEAN	Association of Southeast Asian Nations
CED	Commissioner for Environment & Development
CFAA	Committee for Financial and Administrative Affairs
CHR	Commission on Human Rights
CM	Council of Ministers
CIVEX	Commission for Citizenship, Governance, Institutional & External Affairs
COP	Conference of Parties
COTER	Territorial Cohesion Policy
CoR	Committee of the Regions
CPR	Committee of Permanent Representatives
CS	Civil Society
CSD	Commission for Sustainable Development
CSDK	Council for Sustainable Development of Kazakhstan
CTE	Committee on Trade And Environment
DCF	Development Cooperation Forum
DA	Development Agenda
DEPR	Department of Environment, Parks & Recreation
DG DEVCO	Directorate General Development Cooperation
DGENV	Directorate General Environment
DSEWPC	Department of Sustainability, Environment, Water, Population & Communities
EA	Environmental Agreement
EC	European Commission
ECB	Environment Coordination Board
ECOS	Commission for Economic and Social Policy
ECOSOC	Economic and Social Council
EDUC	Education, Youth, Culture & Research
EEA	European Environment Agency
EEA	European Economic Area
EEAC	European Environment & Sustainable Development Advisory Councils
EESC	European Economic & Social Committee
EFTA	European Free Trade Association
EHC	Environmental High Council
Eionet	European Environment Information & Observation Network
EMG	Environment Management Group
ENP	European Neighbourhood Policies
ENRIN	Environmental Resource Information Network
EP	European Parliament
ESC	Economic & Social Committee
ESCAP	Economic and Social Commission for Asia And Pacific
ESCWA	Economic and Social Commission for West Asia
ESDN	European Sustainable Development Network



ESGP	Earth System Government Project
ETC	European Topic Centre
EU	European Union
FAO	Food & Agriculture Organization
GA	General Assembly
GAC	General Affairs Council
GC	Governing Council
GEMS	Government Environmental Monitoring System
GEO	Global Environment Outlook
GMEF	Global Ministerial Environmental Forum
GMSDF	Global Ministerial Sustainable Development Forum
GMS	Greater Mekong Sub-Region
GNHC	Gross National Happiness Commission
GNI	Gross National Income
GRID	Global Resource Information Database
GSD	Global Sustainable Development
HCHR	High Commissioner For Human Rights
HCSD	High Commissioner for Sustainable Development
HLP	High Level Panel
HQ	Headquarters
HRC	Human Rights Council
IAEMG	Inter-Agency Environment Management Group
IAMA	International Administration & Management Affairs
ICC	Intergroup for Climate Change
ICJ	International Court of Justice
ICSD	Interstate Commission for Sustainable Development
ICSDD	International Cooperation & Sustainable Development Division
IDC	International Development Council
IEG	International Environment Governance
IFAS	International Fund for Aral Saving
IFI	International Financial Institutions
IFSD	Institutional Framework for Sustainable Development
IGP	Institute for Global Policy
ILO	International Labor Organization
IMF	International Monetary Fund
IMCSD	Inter-Ministerial Committee on Sustainable Development
IRC	International Registry of Chemicals
JCSD	Japan Council for Sustainable Development
JPOI	Johannesburg Plan of Implementation
KPCSD	Korea's Presidential Commission for Sustainable Development
LGSD	Leading Group for Sustainable Development
MCC	Ministry of Climate Change
MCED	Ministerial Conference on Environment & Development in Asia & Pacific
MCSD	Mongolia Council for Sustainable Development
MDG	Millennium Development Goals
MoE	Ministry for Environment
ME	Ministry of Ecology
MEA	Multilateral Environmental Agreements
MEF	Ministry of Environment & Forests



MEFRA	Ministry for Environment Food & Rural Affairs
MENR	Ministry of Environment & Natural Resources
MF	Ministry for Finance
MFA	Ministry for Foreign Affairs
MNET	Ministry of Nature, Environment & Tourism
MPI	Ministry of Planning & Investments
MRC	Mekong River Commission
NCF	Nordic Culture Fund
NCSHD	National Council on Sustainable Human Development
NCM	Nordic Council of Ministers
NCSD	National Council for Sustainable Development
NDPC	National Development Planning Committee
NEASPEC	Northeast Asia Sub-Regional Program Environment Cooperation
NEC	National Environmental Commission
NEDA	National Economic & Development Authority
NESDB	National Economic & Social Development Board
NFPs	National Focal Points
NGO	Non-Government Organisations
NMDC	National Ministers for Development Cooperation
NPC	National Planning Council
NRC	National Reference Centres
NRP	National Reform Programs
NSDS	National Sustainable Development Strategy
PCGG	Presidential Committee for Green Growth
PCSD	Presidential Commission for Sustainable Development
PGSDO	Periodic Global Sustainable Development Outlook
PMO	Prime Minister's Office
PRSP	Poverty Reduction Strategy Papers
ODA	Official Development Assistance
RC	Regional Commission
RCM	Regional Coordination Mechanism
REC	Regional Environment Centre
RRCAP	Regional Resource Centre for Asia & Pacific
SAARC	South Asia Regional Cooperation
SACEP	South Asia Cooperative Environment Programme
SC	Security Council
SD	Sustainable Development
SDC	Sustainable Development Council
SDE	Sustainable Development & Energy
SDG	Sustainable Development Goals
SDI	Sustainable Development Indicators
SDN	Sustainable Development Network
SDO	Sustainable Development Outlook
SDO	Sustainable Development Observatory
SDS	Sustainable Development Strategy
SEPA	State Environmental Protection Administration
SIA	Sustainability Impact Assessment
SPREP	Secretariat of the Pacific Regional Environment Program
SWMTEP	System-Wide Medium-Term Environment Programme



UfM	Union for the Mediterranean
UM	Universal Membership
UN	United Nations
UNRC	United Nations Human Rights Council
UNCED	United Nations Conference on Environment and Development
UNCSD	United Nations Commission on Sustainable Development
UNCSD	United Nations Commission on Sustainable Development
UNDA	United Nations Development Assistance
UNDAF	United Nations Development Assistance Framework
UNDESA	United Nations Department of Economic and Social Affairs
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNECE	United Nations Economic Commission For Europe
UNEO	United Nations Environmental Organisation
UNEP	United Nations Environmental Programme
UNGA	United Nations General Assembly
UNHQ	United Nation Headquarters
UNIDC	United Nations Industrial Development Centre
UNIDO	United Nations Industrial Development Organization
UNJIU	United Nation Joint Inspection Unit
UNSA	United Nations Specialized Agency
UNSDC	United Nations Sustainable Development Council
UNSWC	United Nation System Wide Coherence
UNUO	United Nation Umbrella Organization
UPR	Universal Periodic Review
WB	World Bank
WEO	World Environment Organisation
WGSD	Working Group on Sustainable Development
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WPIEI	Working Party for International Environmental Issues
WSSD	World Summit for Sustainable Development
WTO	World Trade Organization



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Summary of Findings



General Findings

The current Institutional Framework for Sustainable Development (IFSD) is still very far from being as coherent and effective as could be envisioned. The consultation process thus found that there is an urgent need to update the existing system of IFSD enabling it to deal with current and emerging challenges. This can only be considered an initial step in the right direction, and even such reforms will not solve the sustainability challenges of a global society.

There is a host of large systemic problems that need to be dealt with to effectuate behavioural change and divert the course of global development. This includes the larger economic structure at the global level, which needs to be changed in order to better account for social and environmental externalities. An effective way to do so would be to change the financial incentive structure for consumption and production, which could be introduced by gradually phasing out fossil fuel subsidies and reorienting the funds towards restorative social and environmental activities.

For the interventions on IFSD and International Environmental Governance (IEG), the research found that strengthening the environmental dimension and reforming IFSD are not mutually exclusive undertakings. On the contrary, they have the potential to become mutually reinforcing interventions and should therefore be pursued to the highest level of political feasibility at Rio+20 and thereafter. It would be equally important for governments to focus on better integrating priorities regarding the three dimensions of sustainable development. This should stand as a long-term priority of policy making, as it requires prolonged attention and effort from the highest-level at line ministries of all sectors at the national, regional and global levels. National planning can create positive incentives for a wider involvement from the bottom up by including Sustainable Development Goals (SDGs) throughout line ministries' portfolios, also to ensure their participation at the intergovernmental level.

Goal Setting

The discussion on IFSD reform cannot leave out a consideration of the importance of SDGs which help to focus the attention of the international community on a limited number of topics. Regarded as one of the most desirable Rio+20 outcomes, the SDGs would be conceived as complementary to the already-established Millennium Development Goals (MDGs), and would need to be incorporated into post-2015 development plans. The elaboration and establishment of SDGs would allow a more practical approach to addressing several sustainable development issues and they would be of extreme importance in the identification of the needs and shortcomings with regard to implementation means, institutional strengthening, and capacity building in various countries. At the international level, they would serve as aspirational objectives and they could provide the much-needed goal posts for pursuing progress beyond Gross Domestic Product (GDP).

The research found that goals such as the SDGs should be guided by the following principles and characteristics:

- SDGs should reflect an integrated and balanced treatment of the three pillars;
- SDGs should be concise, action-oriented, limited in number and focused on priority areas such as Sustainable Consumption and Production (SCP) patterns, oceans, food security and sustainable agriculture, sustainable energy for all, water access and efficiency, sustainable cities, green jobs, decent work and social inclusion, Disaster Risk Reduction (DRR); and resilience. In particular, issues already broadly discussed should be clustered into the goals: Poverty eradication-jobs-gender; food security-land degradation-ecosystems-nexus of food-water-energy; SCP-green economy-green procurement; water and sanitation; waste



and resource efficiency; sustainable energy; oceans; cities and transport; and health and education;

- They would need to complement MDGs, but unlike MDGs, which address developing countries, SDGs would have a universal coverage;
- They should respect the sovereignty of states over their natural resources in accordance with the UN Charter and principles of international law;
- SDGs should be consistent with Rio Principles and in particular with the concept of common but differentiated responsibilities, taking therefore into account different national realities, capacities and development priorities, and they should ensure the implementation of Agenda 21 and the Johannesburg Plan of Implementation;
- They would need to rely on government driven implementation with involvement of all relevant stakeholders; SDGs should also include means of implementation for developing countries;
- SDGs should be strategic, transformational and verifiable with time-bound targets;
- SDGs would contribute to the monitoring of fulfilment of developed countries' international commitments, especially those related to financial resources, technology transfer and capacity building;
- No additional restrictions or burdens should be placed on developing countries or dilute responsibilities of developed countries;
- SDGs shall be voluntary in nature;
- The progress towards these goals should be measured by appropriate indicators and evaluated by possible specific targets;
- SDGs should be developed through an intergovernmental process under the United Nations General Assembly (UNGA) that is inclusive, transparent and open to the participation of all stakeholders; and
- SDGs should also give due consideration to cross-cutting issues including social equity and gender equality.

The articulation of SDGs would need to converge with the objectives of the current MDGs and be articulated into targets at a regional level and indicators at a national level, incorporating them into national and regional development plans. The national and regional implementation of SDGs would necessitate review and monitoring, as well as reporting at a global level, at an appropriate intergovernmental forum and through a periodic review of publication. This should be one of the main tasks and functions to be assigned to a Sustainable Development Council (SDC) or a renewed UN Economic and Social Council (ECOSOC), among others, through the establishment of mechanisms for periodic follow-up and reporting on progress. Such a review mechanism should involve countries as well as non-state actors.

Multi-Stakeholder Participation

The research recommends that participation of a broad range of stakeholders is a crucial part of governance and is happening at varying degrees of success already. To enhance the potential for meaningful participation, a guiding framework should be established to include mandatory participation of non-state actors in planning and policy-making at all levels; including guidelines for representation; accountability systems and procedures, and the maintenance of independence. Such functions would require adequate and sustained resources including establishing a deliberate financing scheme to sustain capacity building for non-state actors, particularly those represented in National Councils for Sustainable Development (NCSDs).

The current methodology for non-state actor participation could also be updated and be based on a simple



and clear overarching framework, which can provide the space for each sector's contribution to the larger sustainable development vision. Doing so would allow for more coherent and integrated contributions to intergovernmental decision making processes. Such a framework for participation would have to be rethought and revamped to attain better transparency, accountability, relevance and representativeness after Rio+20. Doing so can unleash the potential for a new Earth System Governance architecture. Governments should encourage the involvement of stakeholders, whose participation can range from advisory roles in the short- to medium- terms to voting and co-decision making in the longer term. An adequate institutional framework needs to be designed to allow this from the outset. The research also found that sustainable development councils should always be multi-stakeholder in nature and include non-state actors as members. The variety of stakeholders involved may vary from country to country.

Institutional Structures

The research found that a better and reformed institutional structure should have a high level political body with certain functions and composition. The determination and establishment of an IFSD with such functions should be a part of a longer term change agenda beyond Rio+20. Such functions would be best embodied in a Sustainable Development Council (SDC), noting however, that a functioning IFSD is not as dependent on form as on functions. A reform of the ECOSOC could be a politically feasible approach, if support for a new council is sparse, and if reform of ECOSOC is earnestly taking place. The structure could be headed by a High Level Representative for Future Generations to help bring the intergenerational equity to policy making and act as the UN's principal advocate for the interests and needs of the future. To better involve the financial and economic dimensions of sustainable development, meaningful participation of the World Trade Organization (WTO) and other International Financial Institutions (IFIs) should be ensured.

In terms of its functions, a reformed IFSD should be equipped with a rigorous monitoring and evaluation mechanism to assess progress towards sustainable development at all levels. It should approach issues in a balanced manner with both sectoral as well as systemic analysis in order to retain necessary issue and integrative focus. For vertical coherence, it should be reformed as a system, i.e., including national, sub-regional and regional levels. The co-ordination and coherence mechanisms currently in place may fail or create problems if the global reforms are decided upon and implemented in isolation without adequate measures downstream.

The Environment Pillar

To improve IEG, the research found that reforms should consist of a longer term vision of upgrading UNEP into a UN Specialized Agency (UNSA) along the lines of the International Labor Organization (ILO) and the World Health Organization (WHO). In the meantime, Member States could make use of a so-called "1.5 Option" in the short term, if broader reform is politically impossible at Rio+20 - this option is elaborated in the section on IEG. Given the lack of progress in current Rio+20 negotiations and the contagious character of the paragraphs on the IEG and IFSD, Rio+20 should at least decide on strengthening UNEP and set the stage for a strengthening process with concrete steps being implemented beyond Rio+20. Many of those should be introduced regardless of decision on reform. In order to ensure legitimacy and representativeness, a reformed UNEP should preferably be equipped with universal membership. To encourage efficient and effective decision making, it should accommodate for Qualified Majority Voting when necessary and appropriate. It should also include better mechanisms for civil society involvement, reciprocal to those proposed for the IFSD at intergovernmental and downstream levels.



Regional and National Levels of Governance

The regional and sub-regional mechanisms in both Asia and Europe have continually established mechanisms and created innovations to improve vertical and horizontal co-ordination and coherence. These have attained some degree of success and shown a good level of improvement in the current global set up. However, the research found that some areas of weaknesses remain. To ameliorate those, it could be helpful to establish platforms for co-ordination and knowledge sharing among sub-regions or across regions since current mechanisms are confined within regions and within sub-regions. The Asia-Europe Meeting (ASEM), which was created to expand co-operation between the two regions and has already been substantially involved in knowledge sharing, may be studied as a possible mechanism for sustainable development co-ordination in Asia and Europe. Moreover, the research found that it is necessary to establish systems and procedures to improve enforcement and compliance of global agreements, as well as, monitoring and evaluation of performance of countries and sub-global bodies in complying with said agreements. Related to this, governments should consider providing legislative powers to strategic bodies at regional and national levels. Additionally, it would be useful to strengthen national sustainable development mechanisms by addressing issues and challenges that beset them, foremost of which are inadequate participation of non-state actors, lack of financing and low capability.

The IFSD includes nations and serves nations. Its strength, therefore, is dependent on the collective strengths of nations and their institutional mechanisms. To start a strengthening of these levels, it would be necessary to clarify the functions and focus areas of co-ordinating mechanisms at each level. Subsequently, the promotion of the subsidiarity principle (e.g. programme implementation and resolution of localised issues at the national level; facilitation and monitoring at the regional level) could more clearly articulate responsibilities and empower those levels most concerned with implementation.

The research also recommends strengthening the political and administrative mechanisms for vertical and horizontal co-ordination that are already in place. To reflect reforms at the global level, it would be necessary to also make adjustments on these mechanisms. This could mean better access to adequate and sustained financing for NCSDs including for its non-state members.

This could also include the development of capacity of national sustainable development bodies by strengthening technical and substantive inputs; providing venues for the exchange of knowledge and experiences; holding regular meetings; and undertaking joint projects. Finally, the research recommends establishing an Asia-Pacific Principle 10 Convention to ensure stakeholders' access to information and to allow them to contribute substantively to policy and decision-making.

The issues briefly summarised in the pages above are substantiated in the research findings elaborated in subsequent sections.

The table below illustrates the connections between different components of the research. It is meant to provide suggestions as to how the IFSD could be better linked, both thematically and across geographical levels. The columns represent the focus of the sections in the report, and the rows represent functions and characteristics that – ideally should become a part of each of the three focus areas. Equipping the global IFSD, the regional and national mechanisms, and the environmental governance arm with reciprocal roles and mandates would greatly enhance integration, which in turn could produce a more coherent and cohesive response needed to enhance the role of sustainable development governance.



Table 1: Overview of Research Components

	Components →	A: SDC	B: Integration and NCSDs	C: IEG and UNEP
↓ Links	Stakeholder participation in new thematic framework for coherent participation.	Bi-chambered decision making with “other stakeholders” represented in one chamber as a) advisors; or b) for co-decision.	Civil society, business and other stakeholders participate in NCSD.	Civil society, business and other stakeholders participate in UNEP GC as a) advisors; or b) for co-decision.
	Implementation	SDC (or reformed ECOSOC) undertakes annual periodic review.	National and regional members of SDCs and governments report at annual periodic review.	GMEF reports at annual SD assembly on environmental dimension of SD (ex. MEA implementation, or emerging issues). UNEP and UNDP integrate for better country level representation of UNEP.
	Co-ordination for coherence and efficiency	SDC oversees SD related work of the UN under CEB, UNDG, EMG (UNEP represented under latter).	Regional commissions are primarily concerned with co-ordinating SD response of UN family.	Clustering MEA secretariats streamlines the reporting processes. Combining COPs, set up sector specific.
	Strategies and Plans	Global goals are overseen by SDC.	Regional and national goals are embedded in NSDS or existing development strategies, as appropriate.	
	SDGs	SDC has annual SD assembly for reporting on SDG progress.	Vertically subsidiary activities on SDG implementation are reported at annual SDAssembly.	Environment dimension of SDGs is administered by UNEP, and reported at annual SD Assembly.
	Geographical	SD Assembly (under SDC or reformed ECOSOC)	National and regional reporting at Regional commissions akin to Regional Implementation Meetings under current CSD.	UNEP GMEF represented at annual SD Assembly.
	High Level Representative for Future Generations (HL FG)	HL FG as leader of SDC.	Regional HL FGs, either separate or mandated to the executive secretaries of the Regional commissions.	N/A



1. Asia-Europe Strategies for the Earth Summit 2012 Report

Asia-Europe Strategies for the Earth Summit 2012 Report Executive Summary

The Asia-Europe Strategies for the Earth Summit 2012 project aims to promote dialogue around an Asia-Europe position on the International Framework for Sustainable Development (IFSD) for International Environmental Governance (IEG) reform, to inform discussions at the Earth Summit 2012 (known as Rio+20).

A series of three informal consultation workshops were held among stakeholders of the Asia-Europe Meeting (ASEM)¹ process, over a period of 12 months leading to Rio+20. A scenario planning approach was employed to visualise alternative IEG futures — at the international, regional, national and local levels — that may emerge, according to what IFSD is agreed upon at Rio+20.

The three workshops benefitted from the input of 80 international participants representing governments, regional and international organisations, civil society organisations, academe, think tanks, the media, the private sector and the youth, from both Asia and Europe — all extensively involved in sustainable development and environmental governance.

Specifically, recommendations have been made in the following areas: Guiding principles for Sustainable Development Goals (SDGs); the Creation of a Sustainable Development Council (SDC); IEG reform; and enabling conditions to bring about IFSD and IEG reforms.

¹ Since its inception, ASEM has gone through several stages of enlargement. Currently the 48 ASEM partners are: Austria, Australia, Belgium, Brunei, Bulgaria, Cambodia, China, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Ireland, Italy, Japan, Korea, Laos, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Mongolia, Myanmar, the Netherlands, New Zealand, Pakistan, the Philippines, Poland, Portugal, Romania, Russia, Singapore, Slovakia, Slovenia, Spain, Sweden, Thailand, United Kingdom, Vietnam, the ASEAN Secretariat and the European Commission.



I. Background

The United Nations Conference on Sustainable Development (UNCSD) marks the 20th anniversary of the 1992 United Nations Conference on Environment and Development (UNCED) and the 10th anniversary of the 2002 World Summit on Sustainable Development (WSSD). However, the global dialogue on sustainable development began much earlier in Stockholm, Sweden, in 1972, with the United Nations Conference on the Human Environment (UNCHE). Bringing together representatives from 113 governments and international organisations, it was the first international gathering to discuss the state of the environment around the world and also marked the emergence of international environmental law. The conference laid out principles and agreements for various international environmental issues and also saw the creation of the United Nations Environment Programme (UNEP).

The setting up of the World Commission on Environment and Development (WCED) in 1983 further acknowledged environmental deterioration on a global scale and the urgent need to find meaningful solutions. The 1987 Brundtland Report that followed, coined the often-cited definition of sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs” — paving the way for the UNCED in 1992. Approximately 172 governments and 2,400 civil society organisations (CSOs) participated in this landmark event, also known as the Earth Summit, with important international agreements opened for signature including the UN Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD). Most importantly, the Earth Summit produced Agenda 21, a comprehensive blueprint of action for stakeholders of sustainable development at the global, national and local levels.

It was decided during the WSSD (also known as the second Earth Summit) in 2002 in Johannesburg, South Africa, that instead of establishing new multilateral agreements, governments would form partnerships with civil society to manage the implementation of existing agreements that had yet to be fulfilled, including the 2000 Millennium Development Goals (MDGs). During the meeting, approximately 300 new partnerships between governments and CSOs were forged and many more have since emerged.

Nevertheless, 40 years after Stockholm, implementing sustainable development principles continues to be a challenge for countries around the world. Global threats such as the financial crisis, food security and climate change are, on the one hand, undermining all three pillars of sustainable development (i.e. economic development, social development and environmental protection), while at the same time demonstrating their interconnectedness. Increasingly, the push for International Environmental Governance (IEG) reform by way of establishing a comprehensive Institutional Framework for Sustainable Development (IFSD) is seen as the way forward and is one of the key agenda of Rio+20. In light of this development, the recent 2010 Nairobi-Helsinki consultation process calls for the UN to provide stronger leadership and more coherent frameworks to support policy formulation and the implementation of sustainable development objectives; to streamline co-ordination among the many UN agencies responsible for sustainable development; and to articulate and strengthen the IEG going forward.



Table 2: Sustainable Development Timeline

Year	Environmental Milestone	Decisions Adopted	Outcome/ Impact
1972	UN Conference on the Human Environment, Stockholm	The Stockholm Declaration; UNEP established.	Human development linked to the natural environment; recognition that a differentiated approach is required to address development in different countries.
1983	World Commission on Environment and Development (Brundtland Commission) convened	Brundtland Report (“Our Common Future”).	Sustainable development defined; includes social, economic, and environmental aspects.
1992	UN Conference on Environment and Development (Rio Earth Summit)	The Rio Declaration; Agenda 21; Forest Principles; UNFCCC; the CBD.	Strong enthusiasm for sustainable development principles. Criticism regarding success of implementation.
1997	“Rio+5”	Review of the implementation of Agenda 21.	Implementation issues identified, especially regarding the IFSD.
1997	Kyoto Protocol	Targeted reduction of emissions by 2012, following the UNFCCC.	Protracted ratification process, but eventual implementation, with targets set to reduce carbon emission levels to 1990 benchmark.
2000	Millennium Summit	Millennium Declaration.	Millennium Development Goals (MDGs).
2002	“Rio+10” — World Summit on Sustainable Development (WSSD)	Johannesburg Plan of Implementation.	A shift away from the multilateral approach.
2010	Nairobi-Helsinki Process	The Nairobi-Helsinki Outcome.	Produced a set of options for improving IEG.

II. Process and Methodology

Asian and European countries represent two-thirds of the world population and have an important stake in the outcomes of the negotiations regarding IFSD reforms at Rio+20. At the civil society level, Asia and Europe have prepared a consolidated bi-regional position specifically to feed into policy discussions on IEG reforms. The Asia-Europe Environment Forum (ENVforum) was tasked to facilitate this process by



organising the Asia-Europe Strategies for the Earth Summit 2012, which culminated with a series of three workshops held over a period of 12 months leading to Rio+20.

This exercise was able to harness the expertise of a group of 80 key stakeholders — representing governments, regional and international organisations, CSOs, academe, think tanks, the media, the private sector and the youth in the Asia-Europe Meeting (ASEM) countries. The workshops built upon findings of prior consultations that have called for the UN to provide stronger leadership and more coherent frameworks to support policy formulation and the implementation of sustainable development objectives; streamline co-ordination among the many UN agencies responsible for sustainable development; and, going forward, articulate and strengthen IEG.

The “1st Workshop: Asia-Europe Strategies for the Earth Summit 2012” was held in Yogyakarta, Indonesia, from 16 to 18 July 2011. The three-day process yielded four scenarios, each depicting a distinct IEG future, namely, 1) Status Quo; 2) Incremental Progress; 3) Fundamental Change; and 4) Beyond Institutional Change. Using the year 2032 as the pivoting point, participants drew from a diverse pool of collective knowledge and experiences to imagine the IFSD option agreed upon at Rio+20 for each scenario and the opportunities and challenges that might emerge thereafter. Analysis was made at the global, regional and national levels with implications for Asia-Europe relations and the way forward outlined. Participants concluded that the Status Quo scenario would be least desirable and a number of innovative approaches and solutions for IFSD options were proposed — all of which echoed the need for an integration of the economic, social and environmental pillars of sustainable development; the strengthening of UNEP; greater participation and accountability of civil society; and closer co-operation between Asia and Europe. They were subsequently shared during the UN High Level Dialogue on the Institutional Framework for Sustainable Development that was held immediately after, in Solo, Indonesia, attended by over 200 delegates representing 90 countries, 56 UN bodies, and environmental groups.

The scenarios were further developed during the “2nd Workshop: Asia-Europe Strategies for the Earth Summit 2012” held in Uppsala, Sweden, from 10 to 12 October 2011. An invitation from the Rio+20 Second Preparatory Committee to produce a submission for the Zero Draft of the Rio+20 Outcome Document, served to frame discussions in the context of initial recommendations to realise desirable IFSD options within all four scenarios. Taking the cue from both the Yogyakarta and Solo meetings, participants underlined the importance of an apex body in the scenarios to promote the horizontal integration of the economic, social and environmental pillars of sustainable development at the international level, and its replication vertically at the regional, national and sub-national levels through the principle of subsidiarity. In terms of IEG reform, the enhancement of UNEP continued to be mentioned as a much needed and important development. For civil society, an accountability framework was considered indispensable to ensure better participation at all levels of governance. Lastly, the Uppsala meeting touched on the application of IFSD options in four priority areas for sustainable development, namely, 1) Access to environmental information; (2) energy efficiency and climate change mitigation; (3) biodiversity and ecosystems; and (4) resources and waste management.

The scenario planning exercise concluded in Bangkok, Thailand, during the “3rd Workshop: Asia-Europe Strategies for the Earth Summit 2012” that took place between 17 and 19 April 2012. Here, initial findings from research commissioned by partners of the ENVforum were shared with participants, to help frame discussions to arrive at recommendations for the IFSD and IEG. Consisting of three components, the research findings covered the following areas: 1) Creation of a Sustainable Development Council (SDC); 2) implications of regional and national sustainable development mechanisms for vertical integration, with a



look at Asia and Europe; and 3) analysis of Asian and European positions on strengthening IEG. Given the high likelihood of decisions to be made on IFSD and IEG reforms at Rio+20 at this juncture, the workshop yielded recommendations in the following areas: 1) Guiding principles for Sustainable Development Goals (SDGs); 2) the creation of a SDC; and reform of IEG.

In terms of methodology, what distinguishes these outcomes from that of other multi-stakeholder consultations is the use of foresight techniques, such as “future triangles” (using pulls, pushes, weights); and “megatrends” analysis (using the STEEP approach) that capture and link unknown factors and the uncertainties of the future in a systematic manner.² These techniques were employed to comprehensively draw out the many drivers, trends, challenges and uncertainties that could arise over a period of 20 years for each scenario. This scenario planning approach also harnessed the diverse knowledge and experience of participants and accommodated different opinions and interests, providing the tools and the space for productive brainstorming.

In providing tangible, detailed and realistic depictions of the future state-of-play of different potential IFSD outcomes, this exercise aims to push countries to act decisively at Rio+20, to avoid the consequences of poor decisions or inaction.

III. Mapping the IFSD and Examining the Status Quo in Asia and Europe

Despite the commonly recognised inter-linkages between poverty, natural resource use and ecosystem degradation; fragmentation, lack of co-ordination between UN agencies and the international financial institutions (IFIs), and silo-type responses still occur. Over the last four decades, well over one hundred multilateral environmental agreements (MEAs) have been concluded and around 50 UN bodies have the environment as part of their remit. They are also resource-heavy. It was estimated by a UN Joint Inspection Unit that the cost of the IEG system in 2006 was \$US 1.6billion.³ Moreover, there are numerous bodies at the supra-national, regional, national and local levels, including those that involve non-state actors (business, NGOs and academic institutions) that already exist.

While non-exhaustive and merely indicative, the diagram below highlights various dimensions of the IFSD. At the highest order, sustainable development is at the convergence of three dimensions of global governance, namely:

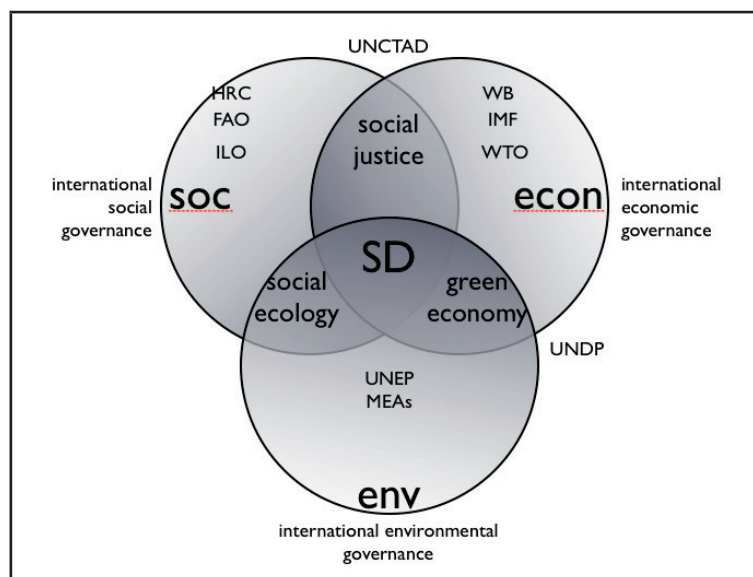
- International social governance, as effected by the Human Rights Council (HRC), the Food and Agriculture Organization (FAO) and the International Labour Organization (ILO);
- International economic governance, as effected by the World Bank (WB), the International Monetary Fund (IMF), World Trade Organization (WTO); and
- International environmental governance, or IEG, as effected by UNEP and MEAs.

² For more information, please refer to Annexe 1.

³ Council of the European Union 2010. <http://register.consilium.europa.eu/pdf/en/10/st14/st14634.en10.pdf>



Figure 1: Schematics for the IFSD



Three sets of interactions between these dimensions can also be identified. For instance, there is a convergence of social justice (involving bodies such as the United Nations Conference on Trade and Development) and green economy (involving the United Nations Development Programme, for example); and a convergence of social ecology and social justice, and so forth.

As it can be seen, current governance arrangements are very complex and often lack coherence, and therefore, better co-ordination, including putting into place effective mechanisms for monitoring or ensuring implementation of agreed commitments need to be enhanced. These include activities in the area of programme implementation, financing, convention and agreements (including MDGs), technology transfer/ capacity building, multi-stakeholder participation/communication.

There is certainly a wealth of experiences in self-propelled sustainable development at the national level that can arguably continue to flourish without a major change in the UN. Moreover, a basic tension between global commitment to a legally-binding framework versus infringement on national sovereignty underpins the creation, by whatever means, of a SDC.

In Europe, there have been environmental advisory councils since the 1970s, while SD Councils or National Councils for Sustainable Development (NCSDs) have proliferated from the 1990s following the first Earth Summit. These SD Councils tackle all aspects of sustainable development, including environmental issues which are often important. They are all composed of non-state actors with different backgrounds (various CSOs, businesses and local governments), and in some cases government representatives are also members. Very few SD Councils follow a multi-stakeholder model with the head of government (e.g. the prime minister) as the lead. Which model is chosen, and what is successful, depends on the political and cultural context of a country. Many countries in Europe, as well as the European Union (EU), adopted a Sustainable Development Strategy (SDS), and have established mechanisms for horizontal and vertical co-ordination. For the latter, the EU is obviously a dominant mechanism. The European Commission is a front-runner in conducting “impact assessments”, i.e. assessing the economic, social and environmental



impacts for all its policy proposals. SD Councils have been successful in giving policy advice and stimulating informed debate, in bringing sectoral views together and finding new perspectives, in “webbing into society” – raising awareness for sustainable development, and reaching out and engaging the wider public. Some governments, however, have decided to terminate their respective SD Councils.

In the case of Asia, only a few countries have active NCSDs, such as Kazakhstan, South Korea and Vietnam. The majority of these are government-led, such that vertical and horizontal links are strong. However, only a few bodies are consistent with the Agenda 21 prescription and, like Europe, these councils are subject to potential cuts in funding or the negative impact from change in leadership which ultimately affects their fates as councils for implementation. The majority of Asia’s NCSDs formulate SDS although the degree of implementation may vary. In addition, many countries in Asia do not have a developed or vibrant civil society, which suggests that mechanisms for representation, accountability, and feedback at all levels may be weak.

IV. IFSD Options: Four Scenarios

Consolidating the outcomes from the three workshops, the “Asia-Europe Strategies for the Earth Summit 2012” made significant progress in identifying the different IFSD options that could be on the table at Rio+20.

Four rich scenarios depicting different IFSD futures in 2032 were explored and developed, namely, 1) Status Quo; 2) Incremental Progress; 3) Fundamental Change; and 4) Beyond Institutional Change. Although none of these scenarios may necessarily happen, workshop participants used their collective experiences and skills to provide realistic depictions of what *could* happen. Discussions then expanded to apply the scenarios in four priority areas for sustainable development, namely, 1) Public access to environmental information; 2) energy efficiency and climate change mitigation; 3) biodiversity and ecosystems; and 4) resource and waste management. Tapping on the diversity of participants, foresight techniques were also employed to predict Asia-Europe relations in each of these scenarios.

From here, and narrowing to a more certain and desired IFSD future, a new SDC was proposed that is modeled after the Human Rights Council, where recommendations can be made directly to the UN General Assembly (UNGA). Beyond that, however, due to the nature of international negotiations, it is difficult to make a clear assumption of what an SDC could mean. As a working definition, a SDC could be defined in the simplest terms as either 1) A reform of the UN Economic and Social Council (ECOSOC), vesting an environmental dimension into the body with better defined responsibilities for delivering on sustainable development; or 2) a new institution that will replace the UN Commission on Sustainable Development (UNCSD), with enhanced capacities through a reform similar to the upgrade of the Office of the UN High Commissioner for Human Rights into a UN Human Rights Council (as one example).



Table 3: Overview of Possible IFSD Scenarios

	Scenario 1 <i>Status Quo</i>	Scenario 2 <i>Incremental Progress</i>	Scenario 3 <i>Fundamental Change</i>	Scenario 4 <i>Beyond Institutional Change</i>
Creation of SDC	There is no decision made for the creation of an SDC; ECOSOC is recommended as key co-ordinating agency.	Changes to the UN Charter results in an enhanced ECOSOC to integrate sustainable development pillars. ECOSOC mainstreams decisions in UN agencies; overseeing implementation of Agenda 21, Rio Principles and promotion of outcomes; introduces universal membership	Rio+20 leads to creation of an SDC to integrate the three pillars of sustainable development at the international, regional, national and sub-national levels. SDC introduces a High Commissioner for Sustainable Development. SDC reinforces international co-operation in the fields of finance, technology and capacity building. SDC reviews and monitors progress in implementation capacities and progress in the elaboration of policies for sustainable development, and develops policy recommendations to address emerging issues.	A rethinking of the global governance structure extends co-ordination beyond the purview of an SDC.



	Scenario 1 <i>Status Quo</i>	Scenario 2 <i>Incremental Progress</i>	Scenario 3 <i>Fundamental Change</i>	Scenario 4 <i>Beyond Institutional Change</i>
State of play for IEG	Decisions and resolutions continue to be made at UN and relevant bodies but no significant reform of IEG. A significantly weakened UNEP is lead organisation for sustainable development.	Additional funding and universal membership for UNEP.	UNEP is replaced by a World Environment Organisation or United Nations Environment Organisation to strengthen the environmental pillar.	Fundamental reforms to IEG have failed, bringing about a push to rethink the global governance structure to alleviate poverty and accelerate the development of a green economy. Locus of policy making with national governments, in tandem with local government and civil society; private sector, with funding from IFIs, become better integrated into the policy process.
Civil society & private sector	Civil society and the private sector have an enhanced role, but with limitations regarding participation and impact.	Enhanced role for civil society, also by granting it the status of observer for the major issues discussed.	Civil society participation and accountability mechanisms assured; major groups granted voting rights.	Civil society and private sector playing a significant role; focus on green economy.



	Scenario 1 <i>Status Quo</i>	Scenario 2 <i>Incremental Progress</i>	Scenario 3 <i>Fundamental Change</i>	Scenario 4 <i>Beyond Institutional Change</i>
Asia-Europe relations	Dominance of few countries and marginalisation of others. Asia reaps benefits as global engine of growth but also most affected by depletion of natural resources; Europe benefits from sound environmental governance although economic decline results in a more inward-looking EU. ASEAN, EU, SAARC try to bridge the gap by intensifying bi-regional co-operation, but scope to translate dialogue into action is limited.	Greater role for regional organisations and mechanisms. Both Asia and Europe place greater priority on environment and sustainable development although support for institutionalisation is weak. Dialogue at policy and grassroots level are vibrant and good practices and innovation are disseminated.	Sustainable development co-ordination bodies established. Relocation of high carbon emissions from Europe to Asia. Asia-Europe collaboration focuses on low tech transfers and innovations; education and capacity building; and security issues. Asia-Europe convergence on policy issues increasingly common.	Asia and Europe focus primarily on technology exchange, co-operation and consultation.



	Scenario 1 <i>Status Quo</i>	Scenario 2 <i>Incremental Progress</i>	Scenario 3 <i>Fundamental Change</i>	Scenario 4 <i>Beyond Institutional Change</i>
<i>Priority areas:</i>				
<i>Public Access to Environmental Information</i>	Adequate access to right of information on environment not addressed resulting in little impact by civil society.	Enhanced public awareness and partnerships to support proper access to environmental information.	Regional convention agreed upon, mirroring Aarhus Convention, making way for policy co-ordination for sustainable development.	n/a
<i>Energy Efficiency and Climate Change Mitigation</i>	Global economy remains reliant on fossil fuels; awareness and incentive programmes have not made significant impact.	Good practices adopted in managing emissions and energy efficiency with some countries creating systems for trading of credits and certification.	Enhanced energy efficiency and switch to non-fossil fuels/renewable energy, with maturing of credit or certification systems; Asia establishes regional market for credits and certification.	n/a
<i>Biodiversity and Ecosystems</i>				
	No legal provisions to protect biodiversity and ecosystems which continue to be exploited with increased emissions of greenhouse gases.	Efforts made to support biodiversity and conservation through implementation of Nagoya Protocol on ABS of Genetic Resources, although exploitation remain in certain areas.	All countries are parties to CBD and Nagoya Protocol on ABS of Genetic Resources. Increased sharing of genetic resources between communities and countries.	n/a
<i>Resource and Waste Management</i>	Limited efforts put into understanding economic value of waste; landfills are overrun with non-biodegradable substances where no sound treatment is available.	Opportunities to gain Clean Development Mechanism (CDM) arise with social programmes to promote 3R practices (reduce-reuse-recycle), at grassroots and policy levels	All countries adopt 3R policies and legislation with further programmes to develop information-sharing on waste management. Increasing efforts to innovates CDM credits between agencies.	n/a



IV.1. Status Quo Scenario

A. The World in 2032

In this scenario, Rio+20 did not yield a global consensus for an IFSD and as such, IEG reform has been hampered for the past 20 years. In a “business-as-usual” scenario, UNEP retains its normative role for sustainable development issues at the international level. However, without a universal mandate and an overarching IFSD to integrate the three pillars of sustainable development, the organisation suffers from a lack of credibility, financial certainty and direction. It has been unable to push for any new environmental agreements or collective actions. Its gradual decline is also being exacerbated by other UN agencies and multilateral organisations that are competing over the same resources and conflicting priorities.

Consequently, there is little incentive for national governments to prioritise sustainable development. Although there has been considerable progress in the implementation of some international laws and agreements, economic growth, often at the expense of the environment remains the norm, especially for developing countries. An expanding world population entrenched in a fossil fuel economy leaves limited options for those whose incomes and livelihoods depend on the preservation of biodiversity and ecosystems and the proper management of natural resources. There is a desperate scramble for finite food, water and energy resources and a prevalence of green dumping and protectionism among states. The cost of inaction has become enormous, with environmental degradation and biodiversity losses reaching their tipping points. Extreme outcomes have included failed states, wars, climate refugees, famines and environmental disasters.

On the other hand, gaps in the IEG structure and the threat of global environmental meltdown have empowered civil society stakeholders to create alternative enabling mechanisms to advance the sustainable development agenda at the international, regional, national and sub-national levels. CSOs have mobilised with the help of the Internet, social networking sites and other technological advancements. Multinationals have also gained considerable influence in creating awareness and steering public opinion by providing technical expertise and resources. There is an abundance of ideas and innovations and the sharing of best practices. However, in an increasingly multipolar world, dominant countries or interest blocs determine which agendas are prioritised. In this context, greater political and financial power translates into greater access to resources and information for certain stakeholders, but the marginalisation of many others, without proper mechanisms for recourse.

a. Public Access to Environmental Information

Providing the public with adequate access to environmental information has not been addressed sufficiently by governments, particularly in Southeast Asia. As such, legislative initiatives at the national and regional levels are either weak or non-existent. Moreover, there is no regional agreement or convention on public access to environmental information and strategic environmental impact assessment in Asia. Although CSOs are compelled to mobilise, collective action to tackle environmental challenges remain ineffective and misplaced in the absence of the right information. As such, it is difficult for grassroots movements to change the behaviour of businesses and consumers. A possible way to tackle this issue would be to promote the Aarhus Convention⁴.

⁴ The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, usually known as the Aarhus Convention.



b. Energy Efficiency and Climate Change Mitigation

The global economy remains entrenched in fossil fuels and as such, awareness-raising and incentive programmes, including public partnerships for energy efficiency and climate change mitigation, have not really made an impact.

c. Biodiversity and Ecosystems

As there are no legal provisions to adequately protect biodiversity and ecosystems, there are limited alternative options for those whose incomes and livelihoods depend on them. An expanding world population continues to exploit natural resources and destroy habitats, gravely threatening multiple ecosystems and increasing greenhouse gas emissions into the atmosphere.

d. Resource and Waste Management

An expanding world population is also producing increasing amounts of waste. Yet, limited efforts have been put into understanding the economic value of waste and there are limited social programmes and technological developments to better manage landfill sites and treat waste in an environmentally sound manner. As a consequence, landfill sites are increasingly overflowing with plastic, toxic metals and other non-biodegradable materials, as well as methane emissions, and scavengers remained socially and economically marginalised.

B. Asia-Europe Relations

The Asian region has been the engine of economic growth over the past two decades and is currently reaping the benefits. Increasingly, Asian countries are enjoying higher levels of income, urbanisation, education and technological advancements, compared to their counterparts in other regions; which is masking the fact that they are also the countries that are most affected by natural resource depletion and the impacts of climate change. EU countries, on the other hand, have benefited from sound environmental governance policies at the national and regional levels in the past. However, many of them are currently experiencing economic decline and the region as a whole has become more conservative and inward-looking.

There is a genuine attempt by regional organisations such as the Association of Southeast Asian Nations (ASEAN), the EU and the South Asian Association for Regional Co-operation (SAARC) to bridge the gap in the IEG structure by intensifying bi-regional co-operation. Civil society and the private sector are also actively feeding into the policy process through direct involvement or their own parallel structures. However, the scope to translate dialogue and the sharing of best practices into concrete actions and reforms has remained limited in both regions.

C. Going Forward

Inaction at Rio+20 has contributed towards rapid environmental decline worldwide 20 years onwards. While the absence of a proper IEG structure and a weakened UNEP have created some space for co-operation and exchanges between government and civil society, at the regional, national and sub-national levels, the world is becoming too fragmented to reach a consensus regarding the best way forward. As a result, any gains made for sustainable development have been highly limited. Bold reforms are desperately needed but only after experiencing the full-scale impact of environmental degradation, biodiversity and natural resources losses, and climate change, will countries be compelled to act.



IV.2. Incremental Progress Scenario

A. The World in 2032

Twenty years after Rio+20, UNEP retains its current institutional status but has benefited from amendments to the UN Charter that has integrated sustainable development pillars in an enhanced UN ECOSOC. The organisation now enjoys universal membership and has been given an additional mandate and funding to improve its efficiency and effectiveness. Its portfolio has also been expanded to support sustainable development activities and partnerships at the national and regional levels. The enhanced ECOSOC also creates a dialogue segment with other development agencies where a peer review mechanism is initiated.

As a result, national governments are increasingly considering the environment and sustainable development as short- and long-term policy priorities at the national and regional levels, in addition to supporting bottom-up approaches. The emphasis on multi-stakeholder engagement has allowed CSOs, the private sector and financial institutions to take on increasingly prominent roles in sustainable development efforts, leading to the emergence of various Track II activities that promote awareness raising, partnerships, capacity building and the development of incentive mechanisms.

However, poor co-ordination and a mistrust of the larger UN system, a gap between environmental, economic and trade priorities and an expanding global population mean that such gains are apparent in some policy areas but not others. An imbalanced “green growth” results in a “green divide” among developed, emerging and least developed countries. These challenges threaten to cancel out the incremental gains that have been made in sustainable development so far. However, for the moment, countries seem very reluctant to push for further reforms.

a. Public Access to Environmental Information

With sustainable development gaining traction, there have been multiple efforts from both government and civil society to assess public access to environmental information and support the development of relevant legislation. This has contributed towards an enhanced public awareness and partnerships on the need for proper access to environmental information and its use to determine the best ways to conserve the environment.

b. Energy Efficiency and Climate Change Mitigation

Good practices to enhance energy efficiency and reduce greenhouse gas emissions at the household and business levels have been emerging over the years. In addition, some countries are introducing the trading of certificates or credits on energy efficiency and greenhouse emission reduction, and creating systems to promote them at the national and sub-national levels.

c. Biodiversity and Ecosystems

Although the implementation of the Nagoya Protocol on Access and Benefit Sharing (ABS) of Genetic Resources and corresponding national legislations still faces some hurdles, efforts have been made to support biodiversity and ecosystem conservation in sporadic areas. Natural resource exploitation and encroachment remain in other areas with limited benefit sharing arising from the use of genetic resources.

d. Resource and Waste Management

Waste management is increasingly linked to opportunities to gain Clean Development Mechanism (CDM) credits, for example, through biogas usage which reduces methane emissions. There are also many social



programmes to promote waste separation and reduce-reuse-recycle (3R) practices, at both the grassroots and the policy levels.

B. Asia-Europe Relations

Both Asia and Europe are benefiting from greater global and regional environmental governance. Asian and European countries are placing a greater priority on the environment and sustainable development issues and are open to creating more scope for co-operation and exchange at global and bi-regional levels and cross-cutting different policy areas. Dialogue between government and civil society in the two regions has become more vibrant and many good practices and innovations have been widely disseminated. However, support for institutionalising regional and bi-regional governance structures remains weak.

C. Going Forward

Although building blocks have been created to allow for greater IEG reforms in the future, at the moment, there is a resistance from countries to consider further changes.

IV.3. Fundamental Change Scenario

A. The World in 2032

A UN Convention for Sustainable Development was agreed upon at Rio+20, leading to the creation of a SDC to integrate the social, economic and environment pillars, and to co-ordinate, implement and facilitate international co-operation on sustainable development. The SDC is spearheaded by a UN Commissioner for Sustainable Development, giving the UN Secretary General the mandate to truly drive sustainable development reform. Moreover, the global structure was replicated vertically through the creation of or the strengthening of sustainable development bodies at the regional, national and local levels, operating on the principle of subsidiarity.

The SDC reinforces international co-operation in the fields of finance, technology and capacity building; reviews and monitors progress in implementation capacities and progress in the elaboration of policies for sustainable development, while addressing emerging issues through the development of policy recommendations.

To strengthen the environmental pillar from within, at the apex, an enhanced UNEP took the form of either a World Environment Organisation (WEO) or an UN Environment Organisation (UNEO). Universal membership was extended to all member countries and other stakeholders, including Bretton Woods Institutions and private sector and CSOs, creating a single platform for dialogue, co-ordination and implementation worldwide. Over the past 20 years, the WEO/UNEO has successfully pushed for many new international agreements and conventions including a global convention to support public access to environmental information, as well as universal membership to CBD and the Nagoya Protocol on ABS. These efforts have been supported by the creation of an International Court for Environmental Justice.

Regional organisations such as ASEAN and the EU play key roles in co-ordinating and implementing global sustainable development objectives in their respective regions. At the national level, legislation and programmes to raise awareness help create incentive measures and address sustainable development issues, supporting regional frameworks and allowing for greater horizontal integration and co-ordination among line ministries and agencies.



The participation of civil society has been formalised and regulated through multi-stakeholder processes in joint-agenda settings. This greatly enhances civil society input in the policy process, builds capacity at the grassroots level while at the same time, compelling CSOs to be more transparent to their constituencies. A new mechanism has been created to ensure a broader representation of CSOs in environment and sustainable development, greater accountability and effective subsidiarity at all levels.

Despite these important achievements, however, greater income gaps, increased corruption within each country and degradation of the environment and depletion of natural resources continue to be a reality. While urbanisation and migration have freed up rural areas for conservation, scarcity of fresh water, food and energy sources remain a source of conflict and opportunities to demonstrate military might. Countries continue to struggle to balance the implementation of environmental governance reforms with the desire for rapid economic growth.

a. Public Access to Environmental Information

A regional convention on the public access to environmental information has been agreed upon in Southeast Asia, mirroring the Aarhus Convention. Consequently, Southeast Asian countries have been obliged to adopt legislation to support public access to environmental information. A peer review mechanism to assess the implementation of the convention has also been put into place to put pressure on non-compliant countries. For individuals, mechanisms have also been put into place for those seeking remedies on the infringement of their right to access to environmental information both at the national and regional levels. As a result, there is increased policy co-ordination at the regional and global levels for environmental protection and the promotion of sustainable development goals. There is an enhanced rectitude of consumers and business behaviour in protecting the environment and supporting sustainability principles. In particular, businesses are developing practices to conduct proper impact assessment of their work.

b. Energy Efficiency and Climate Change Mitigation

All the countries have introduced legislations and programmes to promote awareness and provide incentives to reduce energy use, enhance energy efficiency and switch to non-fossil fuel energy sources. All countries have also introduced programmes for trading credits or certificates on energy efficiency and greenhouse gas emissions reduction. Asia has established a regional market for trading these credits and certificates and currently leads the global market. As a result, there is a noticeable increase in energy efficiency; the maturing of the credit or certificate trading systems at the national, regional and international levels; and a greater involvement from non-Annex I countries (to the Kyoto Protocol) to take part in these efforts.

c. Biodiversity and Ecosystems

All countries have become parties to the CBD and the Nagoya Protocol on ABS. They have also adopted legislation and more measures to ensure the protection of ecosystems and biodiversity. As a result, there is increased benefit sharing of genetic resources with local communities and countries.

d. Resource and Waste Management

All countries have adopted 3R policies and legislations, which has enabled them to better promote composting and waste separation and develop programmes to promote information sharing and support the replication of good practices in waste management. Moreover, there is increasingly inter-agency collaboration to develop innovations for CDM credits.



B. Asia-Europe Relations

As there has been a relocation of high carbon footprint activities from Europe to Asia in the last 20 years, the relationship between Asia and Europe focuses on high and low technology transfers and innovation; education and capacity building; and food security. There has been plenty of scope for co-operation between stakeholders in the two regions in the area of sustainable development. As such, a greater sense of convergence on the most pertinent policy issues has emerged and an Asia-Europe position in international policy debates is becoming increasingly common.

C. Going Forward

Although fundamental reforms of the IFSD have been achieved at Rio+20, the struggle to balance the three pillars of sustainable development, namely, social, economic and environmental, remains. Indeed, significant progress has been achieved at the global, regional and national levels and both government and civil society are becoming increasingly aligned in their sustainable development priorities. However, the competition for scarce natural resources means that maintaining a commitment to sustainable development principles will always remain a challenge and further reforms will be needed in the future.

IV.4. Beyond Institutional Change

A. The World in 2032

Twenty years after Rio+20, it is clear that incremental and even more fundamental reforms to the IEG have not been adequate. There is now a push to rethink the global governance structure to alleviate poverty and accelerate the development of a “green economy”. A global regulatory framework for environmental goods has emerged and regional and national mechanisms for implementation, accountability and sovereignty are enabled, given such factors as: changes in economic processes, valuing of natural resources, improved financial markets, elimination of distorting subsidies, technology transfers, and others. It has been instrumental in forging international consensus, offering good practices, mobilising regional co-operation and monitoring implementation of international environmental agreements.

Although the UN plays a role in steering, facilitating, and co-ordinating sustainable development co-operation, more authority and legitimacy have been given to civil society to play a role in the policy process. National governments are still the primary locus of policy-making and sustainable development planning and play the role as enabler, facilitator as well as enforcer, in tandem with civil society and local governments. However, a transfer of sovereignty through different mechanisms and structures (regional, national, local) allows for subsidiarity and greater consensus, collaboration, facilitation and knowledge technology transfer between different stakeholders. Therefore, it results in the strengthening the role of civil society at the implementation level. Transparency and accountability mechanisms have facilitated the process.

In this regard, the private sector is taking the lead, focusing on what they do best, namely, providing products and services. However, they are also pushing to be better integrated into the policy process as well as into research and development and technology transfer. IFIs and bilateral financing institutions provide innovation funding, technology transfer, and capacity building, among other resources. Civil society continues to implement programmes while acting as watchdog and provides input to policy formulation and planning. Communities are also empowered to directly take part in the policy process.



B. Asia-Europe Relations

While self-regulating, Asia and Europe primarily focus on trade and technology exchange, increased co-operation, consultations and sharing on environmental issues, where the full cost of externalities in commodity pricing and the full adoption of natural resource accounting are taken into account.

C. Going Forward

A counter-progressive lobby headed by vested interests in the business sector still exists and there is a limited and often conflicting understanding among countries and stakeholders of the concept of “green economy”. Still, further development of green economy principles will continue. A transformative impulse could be pushed by the failure of prevailing economic models, reinforced by acquiring and disseminating evidences. Scarcity of resources will necessitate such a change, possibly with a strong impulse from the grassroots.

V. Recommendations for ASEM Governments

The three workshops for Asia-Europe Strategies for the Earth Summit 2012 anticipated different IFSD outcomes that could be on the table at Rio+20. It is notable that at the very first workshop, participants already expressed that the perpetuation of the status quo would be the least desirable outcome. What became clearer in discussions from the subsequent workshops is that the failure to come to decisive action in Rio would be a missed opportunity which at best will result in incremental, but inadequate progress. Moreover, participants agree that moving towards positions that encourage fundamental change will be more beneficial than continuing to pursue incremental progress. Nevertheless, the more realistic and pragmatic approach seems to be to push for incremental progress, while at the same time, strive for fundamental changes.

V.1. General Recommendations

Bearing in mind the objectives of Rio+20 to produce a focused political document to facilitate a global transition to a “green economy” and reform the IEG structure by improving the IFSD, participants of the “Asia-Europe Strategies for the Earth Summit 2012” recommend that ASEM governments:

- Participate in Rio+20 at the highest levels through their respective heads of state or government;
- pledge to produce a politically-binding outcome document that secures a renewed political commitment for sustainable development, assesses the progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development, and address new and emerging challenges; and
- agree on measures to strengthen the IFSD through fundamental and incremental changes, including those that go beyond the current IEG structures. Such efforts should ensure greater participation and accountability from civil society in the entire policy process for sustainable development from agenda setting to decision making; and forge closer co-operation between government and civil society at bilateral, regional and inter-regional levels.



V.2. Specific Recommendations

The following outlines specific recommendations from discussions on three key areas that were identified as critical for the upcoming Rio+20 meetings:

- Guiding Principles for SDGs;
- creation of a SDC or the equivalent;
- recommendations for the IEG by expanding UNEP's mandate; and
- enabling conditions.

A. Guiding Principles for SDGs

The international community recognises that humanity's overarching goal for the 21st century is sustainable development. The formulation of SDGs will further help prioritise and direct the international community's efforts to achieve sustainable development in a given time frame (2012 to 2032).

In terms of actual goals, priority themes for sustainable development have already been expressed, such as, food, water, energy, shelter, oceans, biodiversity, etc., while cross-cutting issues that affect these themes were similarly highlighted, such as, gender, health, sustainable consumption and production (SCP), and education.

It is anticipated that the international community, particularly the G77 nations, may not be ready for or receptive to strict precepts in terms of SDGs. Rather than propose a set of SDGs, *recommendations on key guiding principles* will be useful at this critical formulation stage.

The expression of SDGs should ideally be broad and aspirational. This should take into consideration existing philosophies that are guiding development plans and structures at national and regional levels, for example, Thailand's Sufficiency Economy, Bhutan's Gross National Happiness, South Korea's Green Growth, Japan's Low Carbon Economy, the European Social Model, Germany's Energy Transition, etc. At a global level, there is a need to determine themes and clusters for SDGs that are broad enough for countries to decide on their specific direction and pace.

The implementation of SDGs needs to be discussed and agreed upon at regional levels (by regional, sub-regional bodies, etc.), then integrated at the national levels, ensuring common but differentiated responsibilities. This also bears in mind lessons from the top-down approach of the MDGs which resulted in the targeting and monitoring of less developed countries at the exclusion of the rest of the world. In addition, MDG targets and actions were set and carried out mainly by UN bodies and often existed as multilateral or bilateral plans rather than as integrated national systems, hence limiting the extent to which MDGs were adopted.

SDGs should adopt a principle of non-regression and universality, i.e. they should not negate what was previously agreed and implemented (e.g. Principle 10), and needs to be universal in adoption. SDGs should support the process of convergence between MDGs and the post-2015 development agenda.

Non-state entities such as civil societies and business councils, etc. must be consulted in the formulation of SDGs. While the percentage of participation should not be prescribed, the ideal could approximate proportional representation.



Lastly, while national targets are to be set by countries, these targets should be measurable and include deliverables and milestones. Policy review mechanisms should be in place to enable peer review, to independently establish whether targets are indeed met.

B. Creation of Sustainable Development Council

A fundamental tension exists between the global commitment to a legally-binding framework and national sovereignty to implement development goals, which in turn undermines the creation of a SDC. Furthermore, sustainable development initiated at the national level, with its accompanying experiences, can arguably continue to flourish without a major change in the UN.

In order for the regional co-ordination of SDGs to occur, there exists at the global level, a need for a central body and mechanisms to achieve horizontal and vertical integration and co-ordination of sustainable development. The intention behind the following reform recommendations is to strengthen the existing ECOSOC — and not to entirely replace these organisations. As such, the resulting SDC is envisioned as an umbrella organisation with enhanced co-ordination under which the IEG is one of three dimensions, i.e. economic, social and environmental.

A reformed or enhanced SDC is hence proposed, with either:

- A reform of the ECOSOC vesting an environmental dimension into the new body with better defined responsibilities for delivering on sustainable development; or
- a new institution that will replace the UNCSD with enhanced capacities through a reform similar to the transition of the Office of the UN High Commissioner for Human Rights into a UN Human Rights Council (as one example).

With the above strengthening in mind, the following roles are put forth for the enhanced SDC:

- Co-ordinate green development, social ecology and social equity and justice;
- monitor the implementation of the Johannesburg Plan of Implementation and SDGs, among other mandated tasks;
- finance sustainable development infrastructure and the achievement of SDGs;
- effect the convergence and clustering of MEAs and their supportive structures;
- ensure a platform for technology transfer, capacity building and information dissemination;
- enable multi-stakeholder participation; and
- fulfill a spectrum of policy-related functions ranging from scientific advisory to monitoring of legally-binding commitments.

Examples of international bodies and governance mechanisms that can support the SDC:

- UNEP;
- ECOSOC;
- The Aarhus Convention;
- The Stockholm Convention;
- FAO; and
- World Business Council for Sustainable Development (WBCSD).



On this basis, the following non-exhaustive list of key stakeholders is proposed to be negotiated for representation in a global SDC (without prejudice to structures at regional, sub-regional, national and local levels):

- Inter-governmental bodies, such as the EU, ASEAN and other regional organisations;
- internationally active non-government organisations (NGOs), Major Groups and more;
- business associations;
- the private financial sector;
- NSDCs/mechanisms and networks; and
- local governments.

At least three financing dimensions were identified as critical with the establishment of an enhanced SDC, namely:

- Financing as a means of implementation by an SDC needs to be innovative with concepts such as a financial transaction tax imposed to fund sustainable development;
- the need for environmental costs to be internalised, measured and mainstreamed into general economic accounting; and
- the inclusion of financial authorities and the financial sector in any IFSD.

C. Recommendations for IEG

a. Horizontal Integration

The 2011 *Solo Message* resulting from the High Level Dialogue on IFSD called for an international body to promote the horizontal integration of the economic, social and environmental pillars of sustainable development. To this end, workshop participants recommended that an SDC should be established, spearheaded by a high level UN representative such as a UN High Commissioner for Sustainable Development or a UN Ombudsman for Sustainable Development that will work together with all key stakeholders to promote and achieve sustainable development goals, according to an agreed IFSD. This exercise would draw and build upon relevant institutional reforms, including the recent experience of establishing the UN Human Rights Council. Three legal frameworks could be considered, namely: 1) Decisions and resolutions of the UN and other relevant bodies; 2) relevant changes to the UN Charter; or 3) the establishment of an international convention for sustainable development — with the latter considered the most appropriate to drive meaningful reform.

As the global co-ordinating body for sustainable development, the SDC must represent both state and non-state stakeholders concerns and priorities. It would be mandated to report the state-of-play of sustainable development around the world, monitor compliance and take action on complaints and grievances, in line with the Aarhus Convention. Progress will be measured through transparent indicators and monitoring mechanisms that identify gaps in commitments already made as well as new and emerging challenges. This should include the use of a future-oriented, foresight approaches and long-term planning to ensure flexibility and preparedness for the uncertain challenges that the SDC will need to address in the years to come.



b. Vertical Integration of IEG

In the implementation of sustainable development goals, the horizontal integration of the economic, environmental and social pillars should be replicated vertically both top-down as well as bottom-up, throughout the international, regional, national and sub-national levels, according to the principle of subsidiarity, and tailored to the needs and realities at each level.

A multilevel SDC would facilitate the creation of sustainable development bodies where they do not exist, and complement existing structures to provide a strengthened mechanism for sustainable development. The legacies of the 1992 Earth Summit and the 2002 WSSD – in terms of institutions, mechanisms and good practices — should be mapped and built upon. In line with Principle 10 of the 1992 Rio Declaration, these structures and mechanisms should be further constituted as multi-stakeholder platforms to create synergy among scientists, policy-makers and field researchers; innovative actions for policy development, technology application, social mobilisation and develop partnership building; undertake strategic research; and provide platforms for higher education, training and capacity development.

At the national level, the SDC would monitor how states adjust policies, reform institutions and enact legislation to meet sustainable development targets, whereas at the regional level, the SDC could review existing mechanisms for sustainable development pillars and map best practices; promote complementarity between the UN system (including the regional commissions and offices) and regional organisations; produce a regional report on the progress sustainable development goals based on a clearly-defined set of indicators; monitor the performance and implementation of national and regional goals based on long-term sustainable development strategies; initiate actions and distribute resources for programmes at different levels in order to meet the targets set; support the peer review process of national policy performances; and allow individual petitions/communications and administer a mechanisms for complaints and redress.

To accommodate the need for meaningful public participation at all levels of governance, inclusive civil society participation in all SDC deliberations must be assured. At the same time, it is necessary to develop a democratic and transparent accountability framework to ensure that civil society representatives are truly accountable to their constituents.

Moreover, access to information, public participation and environmental justice are needed in order to promote compliance that ensures transparency, accountability, efficiency and effectiveness of environmental governance at all levels. Based on Principle 10 of the 1992 Rio Declaration on the Environment and Development, the Aarhus Convention could be enlarged into a global convention. In this context, at the international level, it is vital that the bilateral and multilateral aid agencies and organisations incorporate Principle 10 objectives, particularly with regards to public access to environmental information, environmental information disclosure and public consultation on projects funded by aid and/or investment programmes. Trans-boundary environmental management programmes and bodies should also reinforce and institutionalise measures for ensuring public access to environmental information and public participation in environmental decision-making. Equally as important, national governments must ensure effective implementation through adequate compliance with national freedom of information acts or relevant legislative measures on public access to environmental information.

Failing a global convention, regional instruments could be considered. An Asia-Pacific Regional Convention on Principle 10 could include features such as compliance mechanisms through the peer review of national level convention implementation and individual/non-state actors' communications on non-compliance



issues. It should also include provisions that will ensure the effective implementation of impact assessment at the project level (environmental impact assessment) and at the planning level (strategic impact assessment), taking into account the UNECE Espoo Convention. Such assessments must include social and environmental impact assessments and follow the public consultation procedures.

c. Environmental Pillar

Apart from horizontal and vertical integration of the sustainable development pillars, there is an urgent need to strengthen the environmental pillar within the UN system to enhance overall coherence, effectiveness and efficiency. In this regard, UNEP must be transformed into a body with full and universal membership consisting of Member States and other stakeholders such as Bretton Wood institutions, other multilateral institutions, and prominent civil society and private sector organisations. Particularly in promoting greater civil society engagement and co-decision making in the environmental pillar, UNEP should have the power to request for seats for non-state actors at the SDC and facilitate innovative participation mechanisms. Moreover, UNEP should act as the interface between policy and science by working with a panel of inter-disciplinary experts representing relevant stakeholders groups such as governments, international organisations, major groups and academia to enable knowledge sharing, technology transfer, develop practical actions for the environmental pillar.

In implementing SDC priorities, UNEP must have clear mandate to oversee all UN environmental strategies and programmes down to the local level, including requiring for environmental impact assessments for development projects. At the same time, its efforts must be guided by a bottom-up approach to synergistically address the triple securities nexus of energy, water and food security, and promote ecosystems valuation and green accounting techniques. In this way, UNEP will be able to efficiently streamline priorities and work areas, including UN global conferences and agreements, and safeguard and properly allocate scarce resources and funding. Moreover, planned programmes should deliver tangible outcomes in order to receive additional funding.

In line with Principle 10, UNEP should also provide indicators and a general framework for the measurement of sustainable development goals that allows continuous and transparent monitoring and reporting to be coherent at the international, regional and national levels. Regular assessments of the carrying capacity and state-of-play of the environment using the available scientific knowledge are to be communicated to the public. In this context, UNEP's efforts should be supported by the creation of an International Court for Environmental Justice as a recognised mechanism for environmental recourse at the international level.

UNEP has helped bring about a robust definition of sustainable development, through the Brundtland Commission, Nairobi Declaration and Rio Declaration, Agenda 21, etc. and has facilitated treaties and conventions that are still in effect today. It has a strong mandate, and has had many commendable successes. UNEP needs to strengthen its implementation before exerting itself as a supra-organisation, which may lead to prohibitive funding structures and further hamper its work. Specifically, while scrutinising the IEG, key focal points for UNEP are in improving implementation, accountability, finance, and civil society and private sector participation.

D. Enabling Conditions

In order for these reforms to take place, various enabling conditions must be in place, taking into account not only financial costs, but also social and political costs, most importantly, 1) Increasing public awareness and education; 2) developing skilled human resources; 3) disseminating information on good practices; and creating the appropriate financial mechanisms.



a. Increase Public Awareness and Education

Reforms in all four priority areas mentioned above can only materialise when there is increased level of public awareness. Education for sustainable development is critical and should be integrated at all levels of formal education. Such reform would strengthen a multi-stakeholder dialogue platform for discussing various policy options and help forge partnerships to advance reform option development and their implementation. It would also forge networks of stakeholders to conduct strategic research for promoting innovative activities.

b. Develop Skilled Human Resources

There is a need for champions who could lead the charge in promoting awareness raising and social mobilisation for environmental protection, from the government, civil society and the private sector. These valuable human resources must be consciously nurtured through formal, informal and non-formal training programmes, as they will not emerge on their own.

c. Disseminate Information on Good Practices

There are many good developments that have resulted from social mobilisation and technological advancements, conducive to environmental protection and sustainability promotion. Yet, dissemination through public media such as newspapers, TV and the Internet may not necessarily help targeted audiences in attaining required knowledge and skills to adopt them. Information dissemination and outreach tools need to be tailored to specific needs and conditions. For example, combining outreach activities with face-to-face training programmes; finding windows for new pilot projects; learning lessons from other regions and tailoring them to the local context for timely implementation of the proposed policy options; and maintaining a multi-dimensional interface of policy/science/field actions at the national, regional and global levels.

d. Create Finance Mechanisms for Pilot Projects and Partnership Activities

It is a reality that many stakeholders who aspire for change are short of resources and require external assistance, not only in terms of funds, but also in terms of partners that can share knowledge, skills and technology. Certain mechanisms should be put into place to provide stakeholders with proper funding and matching opportunities for collaboration, to develop or strengthen mechanisms to provide stakeholders with financial and technical support and ensure partners accountability and information dissemination on the performance of such mechanisms.

While the current global political climate poses significant challenges to pushing through the environment agenda at high levels of policy, there remains no other alternative but to continue to involve governments and multi-stakeholders, particularly a Bretton Woods institutions-type approach, in the steep, uphill task of realising sustainable development.

VI. Beyond Rio+20

Rio+20 is a timely opportunity to renew and strengthen the global political commitment for sustainable development and poverty eradication, and assess progress and gaps in already agreed upon commitments and address new emerging challenges.

This year-long series of consultative workshops and research has resulted in intense foresighting of probable scenarios arising from Rio+20. The co-organisers of the ENVforum, namely, the Asia-Europe Foundation (ASEF), the Institute for Global Environmental Strategies (IGES), Hanns Seidel Foundation (HSF),



the Swedish International Development Cooperation Agency (SIDA) and UNEP are now in discussions to propose a further two-year collaboration, post-Rio+20, for the ENVforum to further focus on SDGs. The rationale behind examining SDGs is due to the high likelihood of this being a key focus at Rio+20.

By further exploring themes such as implementation and accountability issues, the ENVforum aims to bring new thinking to accountability issues. With its diverse participating partner countries, the ENVforum is well placed to look into this area via a European outlook on accountability as well as innovative practices from Asian countries such as incentivised accountability for positive actions.

Also being tabled for discussions and further study are due processes and implementation in the filtering down of resolutions between regions, to enable translation of these to the local levels. With the ENVforum's existing research on NSDCs, ASEF can facilitate the exploration of targets for regional and local levels in future ENVforum meetings.

Given the 20-year milestone of the first Rio meeting since 1992, public awareness and messaging can also be examined within and comparing the two regions.



2. The IFSD in Asia and Europe

The IFSD in Asia and Europe

I. Introduction

The sustainable development concept was introduced a quarter of a century ago. Since then, initiatives to understand and express it in operational terms have been undertaken at all levels all over the world. Two major global forums, the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro, Brazil, in 1992 and the World Summit for Sustainable Development (WSSD) held in Johannesburg, South Africa, in 2002, forged commitments among countries and governments to pursue and attain sustainable development in order to alleviate global poverty and make this world a better place to live in. To date, countless international and local efforts and huge amounts of resources and energy have already been spent for these purposes. These initiatives and efforts have led to some successes and discernible improvements in the conditions of the environment in many places worldwide. However, these are still dwarfed by more potent environmental challenges (e.g. climate change, deforestation, pollution) that have been wasting lives and resources, and worsening poverty and the quality of life in many countries.

Studies have shown that many of these environmental challenges and worsening economic and social situations could largely be attributed to human activities that indicate an inability to operationalise the sustainable development concept, and weaknesses in governance systems and practices at all levels. Many policy makers and the public at large have been unable to fully appreciate the importance of the environment and the key role it plays in attaining economic progress and social equity. They have failed to mainstream or consider environmental sustainability concerns in development planning, policy making, programming and project implementation. The following are other factors that lead to these situations are:

- Low understanding and ability of policy makers, stakeholders and the public to put sustainable development into operation or translate it into concrete programmes and activities. This in a large part results in inappropriate or inadequate and inconsistent policies and programmes.
- Absence of clear and coherent development strategies for attaining sustainable development at all levels (i.e. local, national, sub-regional and regional).
- Lack of stakeholder and people participation in development processes (planning; policy-making; program/project development and implementation; and monitoring and evaluation), which could be traced to poor access to information, hence low public awareness; inadequate capability to engage government and influence policy-making; and aversion of some governments to participation by non-state actors.
- Sector orientation of governance structures, systems and processes that impedes integrated approaches to economic and social development while maintaining the integrity and health of the environment. Related to this is the tendency especially in developing countries to prioritise economic progress and financial stability over environmental integrity.
- Limited horizontal and vertical co-ordination and integration at all levels. These are due to weak institutional mechanisms and the tendency for existing ones to look inward and protect turfs rather than deliberately co-operate with other mechanisms and harmonise and co-ordinate their programmes and initiatives.

It is against this backdrop that the 20th anniversary of UNCED has been dedicated to the renewal of commitments made in Rio and the highlighting of two themes: green economy and the institutional framework for sustainable development (IFSD). The promotion of a green economy hopes to address the



sustainable development operationalisation issue while the improvements of the various components of the IFSD are expected to contribute toward better governance mechanisms, systems and processes.

This research study is undertaken to contribute knowledge to the Rio+20 discussions especially on the IFSD theme. As form must follow substance, the study also touches upon substantive matters such as strategies for attaining sustainable development, particularly the National Strategies for Sustainable Development (NSDS), and tracking the progress of implementation of these strategies through sustainable development goals (SDGs) and targets.

The study consists of three components, namely: 1) A global sustainable development body; 2) sub-global (regional, sub-regional and national) bodies and mechanisms; and 3) international environmental governance reform. It focuses on the Asian and European regions, highlighting the situations in partner countries of the Asia-Europe Meeting (ASEM). The Pacific region is not covered but may somehow be mentioned in certain parts since it is strongly linked to Asia. For better appreciation of the sustainable development institutional framework, the study shall cover both organic bodies (e.g., government ministries), and less permanent mechanisms such as networks, committees/councils and programmes. The basic criterion for the selection of bodies and mechanisms to cover is the mandate to serve as co-ordinator for sustainable matters.

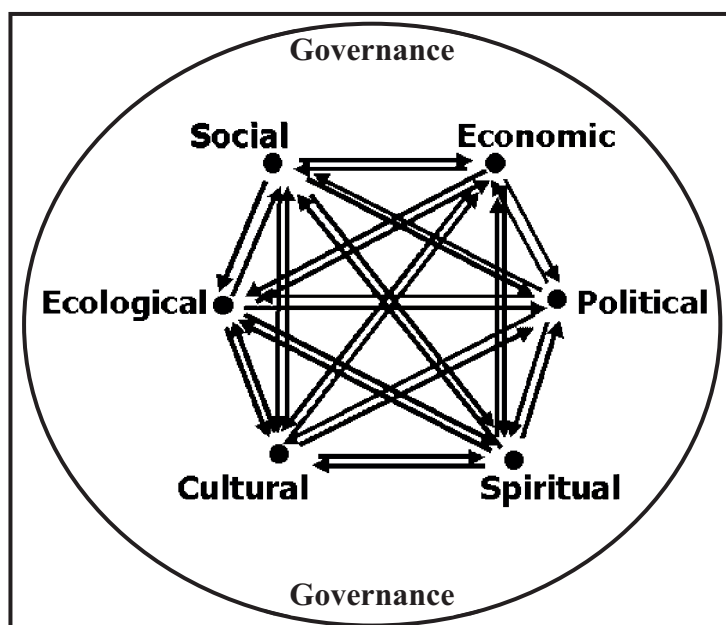
II. Framework for Sustainable Development Governance and Global Diffusion of Its Elements

II.1. Framework for Sustainable Development Governance

Sustainable development involves strengthening the connections between and among various development dimensions and ensuring a holistic and integrated approach to development as Figure 2 graphically depicts. This definition is an elaboration of the UN definition that cites the integration of the economic, social and environment pillars. It highlights the three other dimensions (i.e. political, spiritual and cultural), which may have been implicit in the social dimension in the original definition, but have largely been taken for granted precisely because these have been subsumed, hence not been given adequate or commensurate attention. These additional dimensions have not been well considered in the formulation and implementation of development policies, programs and initiatives. Many a time, these dimensions even dominate over the economic and environment dimensions such as in the case of the geopolitical conflicts and religious or ideological wars in some regions or countries.



Figure 2: Framework for Sustainable Development Governance



Source: Antonio 2008

Figure 2 highlights the important and integrating role of governance in strengthening the linkages among the six dimensions. It emphasises the fact that effective integration could best be accomplished through strong leadership, co-operative spirit and teamwork between and among government and stakeholders in society. In effect, it suggests that a mechanism that ensures proper and effective governance of development is a critical element in pursuing sustainable development.

II.2. Agenda 21 Agreements on Key Elements of Sustainable Development Governance

Twenty years ago, governments, civil society, business, thinkers and many other stakeholders agreed on the setting up of institutional mechanisms and the maximisation of stakeholder participation in these mechanisms and sustainable development processes as effective means to promote and facilitate the pursuit of sustainable development at the global, regional and national levels. Principle 10 of the Rio Declaration and Chapter 38 of Agenda 21 spell out most of such agreements and principles and these were reiterated ten years later in the Johannesburg Plan of Implementation. Some of these agreements are quoted below as the bases of this research study:

- The fundamental prerequisite for the achievement of sustainable development is *broad public participation in decision-making...* (Agenda 21, Chapter 23);
- Set up a *national co-ordination structure* responsible for the follow-up of Agenda 21... which would benefit from the expertise of non-governmental organisations... (Agenda 21 Chapter 38);
- An *effective institutional framework for sustainable development at all levels* is key to the full implementation of Agenda 21, the follow up to the outcomes of the WSSD and meeting



- emerging sustainable development challenges (JPOI, Chapter XI #137);
- ... promote the establishment or enhancement of *sustainable development councils*... at the national level, including at the local level (JPOI, Chapter XI #165);
- States shall facilitate and encourage *public awareness and participation* by making information widely available (Rio Principle 10); and
- Governments should adopt *national strategies for sustainable development* for the implementation of the decisions taken, in particular with respect to Agenda 21 (Agenda 21 Chapter 8.7).

In addition, the Earth Charter, which guides the ethical conduct of sustainable development, highlights and sharpens the call for public participation as an effective means of governance and building societies that are democratic, just and sustainable.

Interpreting all above principles and agreements for pursuing sustainable development, the “Ideal Set Up” in Figure 3 would have been the best institutional configuration at all levels. The configuration is marked by a solid and two-way co-ordination and communication, and strongly upholds the subsidiarity principle among and within the various levels of governance. More importantly, the sustainable development co-ordinating mechanisms are multi-stakeholder in nature or directly and genuinely engage and involve stakeholders. With closer and more effective co-ordination and co-operation among stakeholders and mechanisms at various levels, come greater efficiency and lesser cost and effort burdens to countries and governments. This ideal set up is far from being realised 20 years after Rio. However, there have been some improvements particularly in stakeholder participation in Asia and more so in Europe, and in co-ordination and coherence at all levels (see Chapter IV).

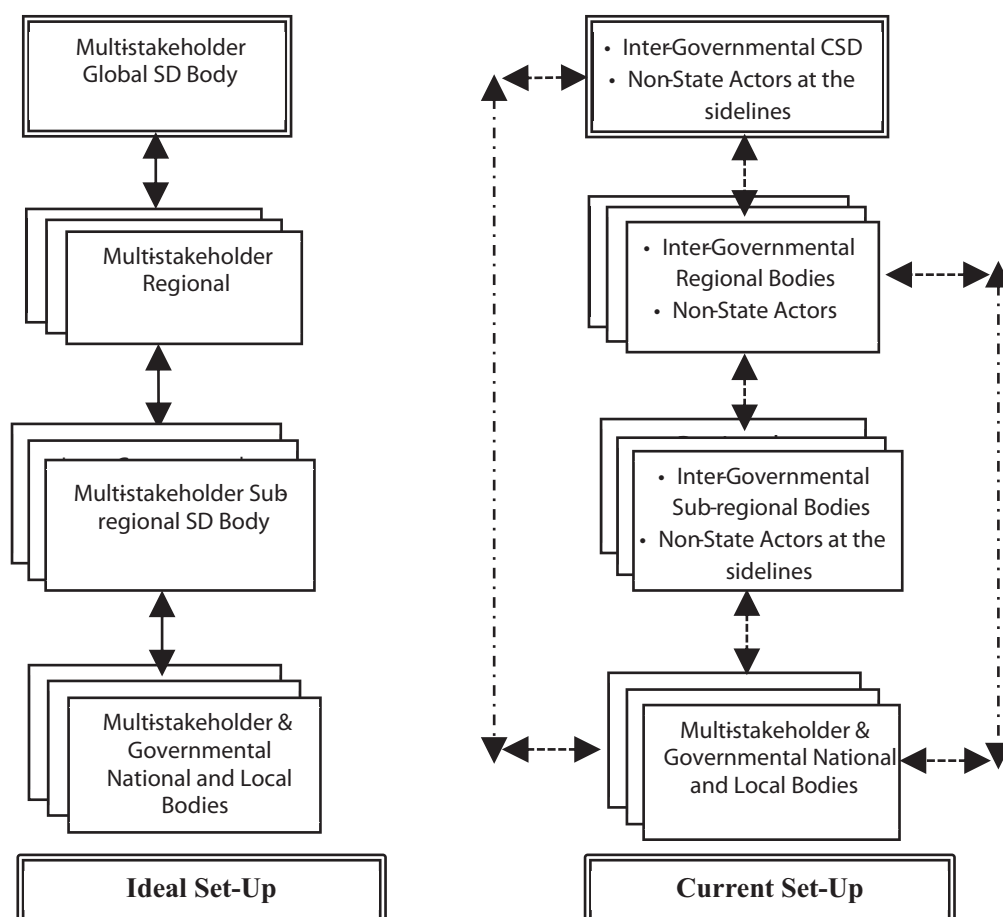
The “Current Set Up” in Figure 3 describes the existing institutional arrangements, which is characterised by weak vertical co-ordination and communication (broken lines); inadequate stakeholder participation (mechanisms are generally inter-governmental and stakeholders remain at the sidelines); and low regard for subsidiarity (e.g. direct but intermittent lines between UNCSD and countries thus minimal integration and value-adding at sub-regional and regional levels).

The hope is that the agreements on IFSD reforms made in Rio in June 2012 and the ensuing implementation such agreements would approximate, at the very least, the ideal set up. Attaining the ideal set up in a cost-effective manner would require adopting a set of parameters that may include the following:

- Vertical and horizontal linkages, co-ordination and integration;
- coherence and synergy;
- meaningful participation and contributions by non-state actors;
- optimised use of existing institutions and bodies; and
- promote savings and minimum financial burden to countries.



Figure 3: Relationships of Institutional Mechanisms for Sustainable Development



II.3. Sustainable Development Strategies (SDS)

Agenda 21 and the Johannesburg Plan of Implementation encourage international institutions to formulate regional and sub-regional strategies for sustainable development to co-ordinate and harmonise the various national strategies particularly in cases where countries of a region share ecosystems and have strong economic ties. In 2001, the European Union (EU) formulated the “A Sustainable Europe for a Better World: A European Union Strategy for Sustainable Development”(see Box 1). Asia still does not have a region-wide sustainable development strategy but there are sustainable development-related sector strategies such as the “The UN Decade of Education for Sustainable Development, 2005-2014”⁵ and the recently published “Low Carbon Green Growth Roadmap for Asia and Pacific”.⁶ Also, each sub-region’s long-term sustainable development strategy will be discussed in Chapter IV.

Agenda 21 also called for the formulation of NSDS that builds upon and harmonises the various economic, social and environmental policies and plans that are operating in each country. The 2000 UN General Assembly (UNGA), through the Millenium Development Goals (MDGs) set the deadline for countries to formulate their respective NSDS for 2002. But as of that year, many countries still did not have their NSDS.

⁵ UNESCO 2002. <http://unesdoc.unesco.org/images/0015/001540/154093e.pdf>

⁶ ESCAP and KOICA 2012. “Low Carbon Green Growth Roadmap for Asia and Pacific” Bangkok.



Hence the 2002 WSSD urged governments and stakeholders to make progress in the formulation and elaboration of NSDS for implementation by 2005. The MDG #7 echoed this call as a means to eradicate poverty and improve the living conditions of the poor.

The UN had continuously pushed for the elaboration and implementation of NSDS as it serves as the roadmap for eradicating poverty and attaining sustainability. Governments had been urged to ensure that their respective NSDS are put in place to serve as the directional guide to their respective nations' sustainable development processes.

A. National Sustainable Development Strategies (NSDS) in Asia

Notwithstanding the imperatives for NSDS, a regular survey of the UN Department of Economic and Social Affairs (UNDESA)⁷ showed that in mid-2000, many Asian countries still did not formulate or implement the NSDS. Instead, most countries maintained their medium- or short-term sector strategies such as five-year economic plans, Poverty Reduction Strategy Papers (PRSP), environment action plans, etc. The proliferation of plans discouraged national governments from preparing yet another. For compliance purposes, therefore, some countries insisted that their five-year medium-term plans are their NSDS. However, there were countries that formulated their NSDS in a very careful and consultative manner in strong partnership with business and civil society. An example is the Philippine Agenda 21, which took two years to complete because of the intensive and highly participatory process it underwent. The major factors that kept countries in Asia from formulating integrated NSDS include the following:

- Difficulty in finding and developing the sustainability framework that is most appropriate and applicable to the respective contexts of countries. For instance, there have been weaknesses in capabilities to reconcile poverty and environmental protection and conservation, or to balance the distribution of costs and benefits.
- The highest priority was accorded by most governments to economic development to the detriment of environmental sustainability in policy and decision-making.
- Inability or resistance of governments to look and think holistically and on a long-term basis, usually because of their fixed short terms in office.
- The absence of strong and effective institutional mechanisms and leadership that would continuously guide and push for the formulation, implementation and monitoring of sustainable development strategies (SDS).

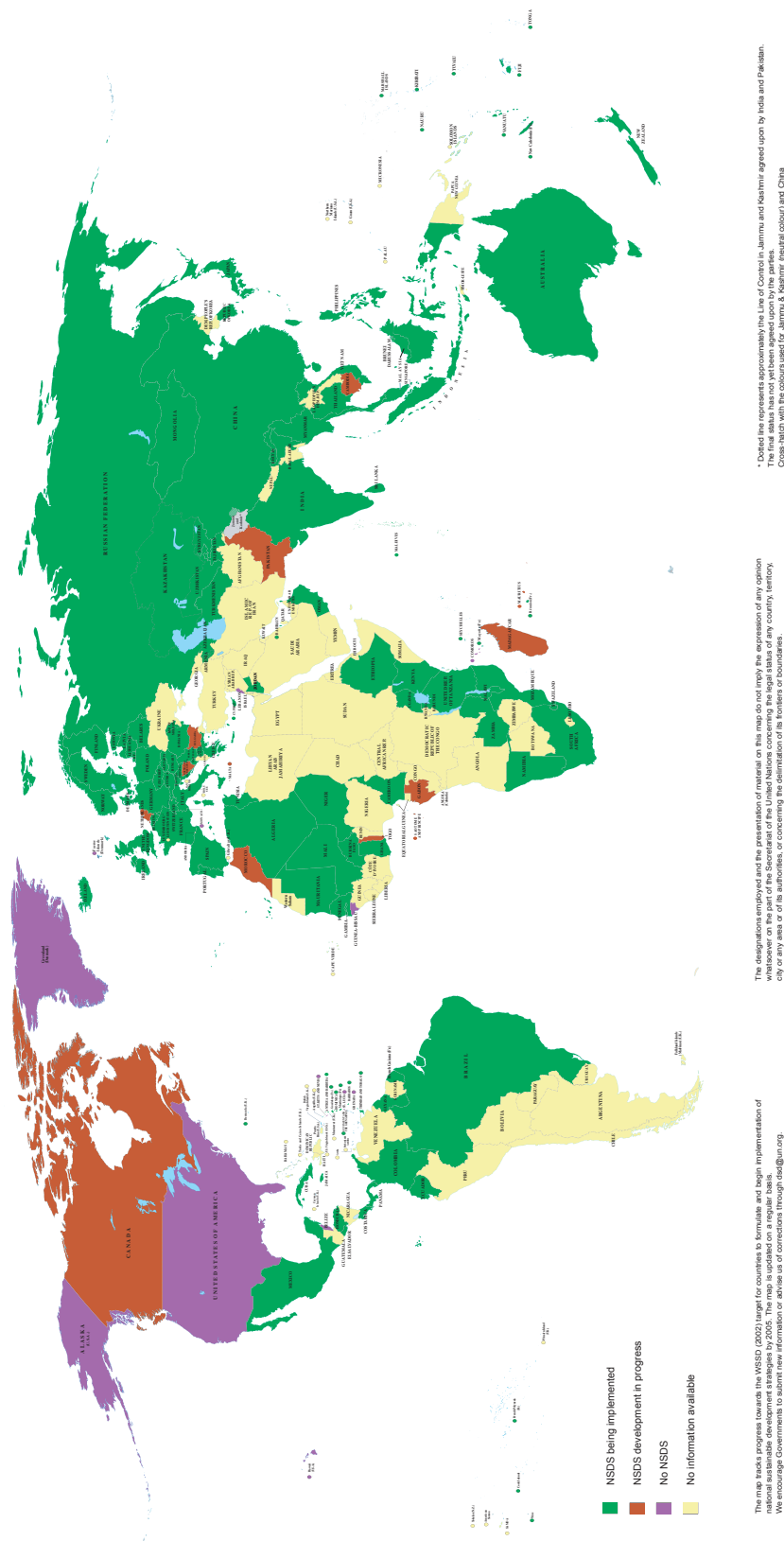
To address these weaknesses and surmount difficulties encountered in formulating or updating NSDS, UNEP (2007) implemented a project that built planning capabilities in 17 countries in South, Southeast, and Central Asia. This project almost filled in the NSDS gap in the region. Under this project, consultants Cielito Habito and Ella Antonio (2007) assessed the readiness of Greater Mekong Sub-Region (GMS) countries in NSDS formulation, implementation and monitoring and found the following:

- GMS countries are strongest in local/regional governance mainly due to the existence of local institutional mechanisms and systems (e.g. the Communist Party); and in identifying indicators and setting targets due to various external initiatives such as those of the UN and the Asian Development Bank (ADB).
- They are weakest in analysis and assessments especially at the policy level; and in monitoring and evaluation despite their strength in developing indicators systems.

The GMS is a microcosm of Asia. These findings would likely apply to the developing parts of the region. They were used to sharpen the focus of the project. As of 2010, the UNDESA Global NSDS Map shows that almost all countries in Asia have already been implementing their respective NSDS (Figure 4).

⁷ UNDESA 2010. http://www.un.org/esa/dsd/dsd_aofw_nsds/nsds_pdfs/NSDS_map.pdf

National sustainable development strategies: The global picture 2010



Source: http://www.un.org/esa/dsd/dsd_aofw_nsds/nsds_pdfs/NSDS_map.pdf

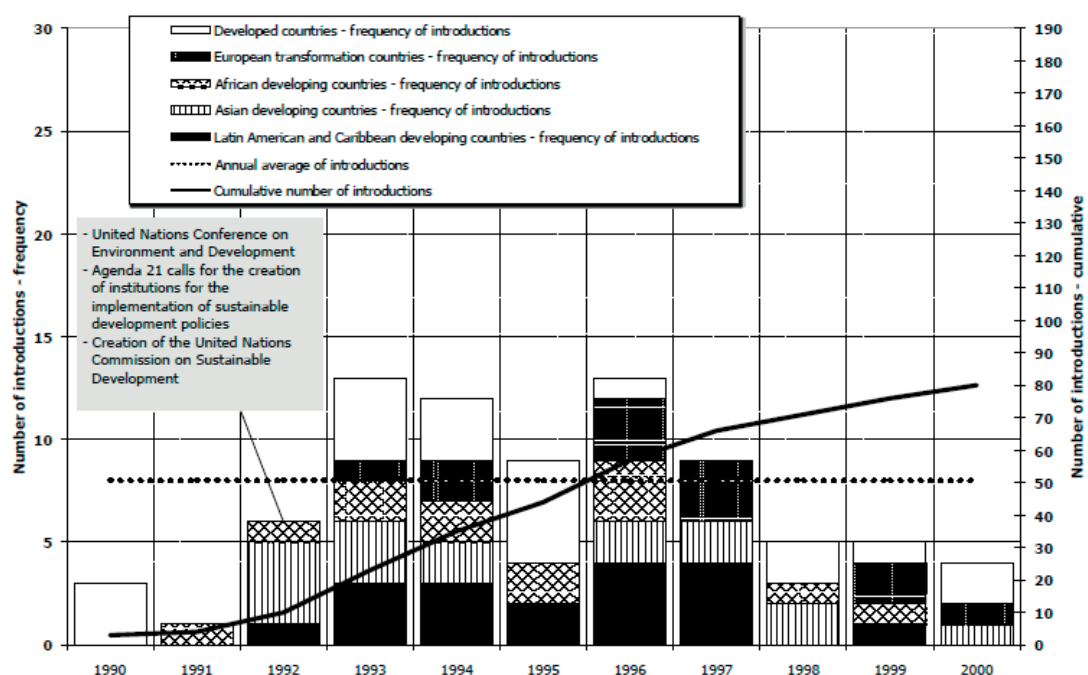


B. Diffusion of NSDS and National Commissions for Sustainable Development (NCSDs) Globally and in Europe

The first processes for SDS in Europe began in Belgium, Finland, Sweden and the United Kingdom (UK), with the latter being the first country to adopt an NSDS in 1994. Ireland followed suit in 1997.

For the global level, there are data available (until 2000) for the diffusion of Sustainable Development Councils (SD Councils) as mechanisms for horizontal/vertical co-ordination and multi-stakeholder involvement. It is likely that such institutional creations took place in the context of developing SDS, or other attempts to direct and integrate national policies towards sustainable development. It shows a peak in 1996/97 with further establishments continuing thereafter (see Figure 5).

Figure 5: Global Proliferation of SD Councils/Commissions



Source: Busch/Jörgens, 2010, p. 126

The “Rio +5” Conference called again on countries to develop NSDS, to be completed in 2002,⁸ triggering another wave of activities, including those in the EU itself (see Box 1) which have continued after the WSSD. The respective UN General Assembly (UNGA) Resolution of September 1997 underlines that such strategies need to “*reflect the contributions and responsibilities of all interested parties*” and that in order to achieve effective integrated approaches, “*a transparent and participatory process should be promoted. [with] the involvement of national legislative assemblies, as well as all actors of civil society, ... , to complement the efforts of Governments for sustainable development.*”⁹

⁸ UN GA Resolution A/RES/S-19/2, para 24 (a), <http://www.un.org/documents/ga/res/spec/aress19-2.htm>

⁹ UN GA Resolution A/RES/S-19/2, para 24 (b), <http://www.un.org/documents/ga/res/spec/aress19-2.htm>



In the 2002 Johannesburg Plan of Implementation, Governments reconfirmed their commitment to SD Councils, stating under Chapter XI (Strengthening Institutional Frameworks for Sustainable Development at the National Level) that States should “... *further promote the establishment or enhancement of sustainable development councils and/or co-ordination structures at the national level, including at the local level, in order to provide a high-level focus on sustainable development policies. In that context, multi-stakeholder participation should be promoted.*”¹⁰

The Earth Council stated in its report «National Councils for Sustainable Development (NCSD) Report 1999-2000, A Progress Report on National Councils for Sustainable Development and Similar Entities» that since 1992, NCSDs and similar entities had been established in more than 70 countries globally¹¹, which correlates with the data compiled by Busch/Joergens (see Figure 4).

Regarding the existence of SDS worldwide, UNDESA regularly analyses the country information provided for the UN Commission for Sustainable Development (UNCSD). The last overview in this respect states that in 2009 there were 106 UN Member States implementing a SDS¹² (see Figure 4 above). In the run up to Rio+20, a new questionnaire was circulated in 2011, which includes questions on NSDS and SD Councils. By early 2012, 20 countries have reported on progress with SD Councils.¹³

For 29 countries in Europe (27 EU Member States plus Norway and Switzerland), the last update for SDS was done in 2010 by the European Sustainable Development Network (ESDN), stating that almost all countries have developed such a strategy.¹⁴

However -- and this might apply to the global situation as well -- reporting about having SDS in place says little about its role and functioning. For Europe, the ESDN held interviews with about 20 national sustainable development co-ordinators, which provided a more solid picture. It may be inferred from the results that SDS 1) Are not necessarily used to support a process and/or as a communication tool; and 2) do not, in all cases, include a follow through, monitoring and review mechanism, and involve non-state actors. In Europe, not all countries that are marked as green in the map (see Figure 4) have a SDS that goes beyond the status of a document, and adopted by the respective governments and/or parliaments. The NSDS map therefore suggests a wider degree of diffusion if the country-specific situations on the actual use of the strategies were considered in the mapping.¹⁵ Corollary to this, where there is an active SD Council in place, there is usually also a SDS process ongoing.

III. Analysis of the Current Sustainable Development Institutional Set Up: The Global Context

III.1. General Overview

Current global environment and development problems have outpaced those very global institutions created to address them. Current issues and political dynamics are different from those in 1945 when the institutions of the UN were founded. While the UN environmental bodies have been founded later (notably, UNEP in 1972), they are based on the same set of underlying rationale, norms and procedures. Today's

¹⁰ http://www.un.org/esa/sustdev/documents/WSSD_POI_PD/English/POIchapter11.htm#H

¹¹ Earth Council 2000, p.1, 138.

¹² http://www.un.org/esa/dsd/dsd_aofw_nsds/nsds_index.shtml

¹³ Information provided by the Stakeholder Forum, e-mail from 15 February 2012. The data on the SDS question are not available.

¹⁴ http://www.sd-network.eu/?k=quarterly%20reports&report_id=18#_ftn3

¹⁵ The authors of the graph also state the empirical problems in the related background note http://www.un.org/esa/dsd/dsd_aofw_nsds/nsds_pdfs/NSDS_map_bg_note.pdf



problems however, are characterised by temporal, spatial, and sectoral interdependencies, complexity, as well as uncertainties (Kanie et al. 2012; Earth System Governance Project 2011; Biermann 2007). If global sustainable development institutions are to retain their political relevance and institutional effectiveness in addressing current and future problems, they arguably need to get better, which necessitates reforming the institutions that make up the current IFSD.

Since the WSSD held in Johannesburg in 2002, IFSD issues has been the subject of a huge amount of studies, publications, debates and discussions. Though there is still little agreement on which issues should be included in the concept of sustainable development, and on how its institutional structure should be modified in order to be more effective, there is a general consensus upon the fact that the environmental pillar needs to be granted more authority, if not predominance, over the economic and social components, and that the current IFSD is therefore in urgent need of reform.

It is hardly deniable that the institutional architecture that should regulate and co-ordinate the efforts for sustainable development lacks adequate guidance, sufficient financial resources and enforcement capacity (UN 2012). The drawbacks arising from this situation are further aggravated by the fact that a growing number of initiatives, including new programmes and funds, are being launched, while not being supported by appropriate leadership, implementation capacity and monitoring mechanisms, with a consequent loss in terms of governance consistency, coherence, and cost efficiency (Unmüßig 2011). In general, the major shortcomings that have been identified in the overall structure can be summarised as follows:

- Current institutions, treaties and agreements dealing with sustainable development are still too weak and fragmented;
- policies that have been formulated to rule the economic, social and environmental pillars are not sufficiently coherent and integrated neither at a horizontal nor at a vertical level, (global, regional, national and local efforts need to be better co-ordinated);
- institutions for sustainable development lack enforcement capability, effective monitoring and evaluation mechanisms, assessment processes and data collection;
- themes concerning sustainable development are still poorly integrated into decision-making systems of governments;
- efforts concerning the economic, social and environmental components are not adequately balanced. Attention is too much focused on economic growth, while the environmental pillar is evidently weak in authority, priority and capacity;
- the spheres of science and of policy are not connected enough, and dialogue among them is not appropriately fostered and facilitated; and
- though special dialogue sessions between ministers and major groups are regularly held within the UNCSD, civil society is not given adequate importance and authority to speak.

Notwithstanding these shortcomings, there are actual aspects that have improved throughout the years. Major upgrades have occurred in terms of scientific understandings of the environment, transparency in governance and access to information, while the formulation of the “delivering as one” model might turn out to be a successful attempt to co-ordinate the efforts of different UN agencies at the national level.

According to the analysis of strengths and weaknesses of the institutional framework, a number of aspects should be taken into consideration for reform:

- The three components of sustainable development should be further integrated in the attempt of promoting the enforcement of Agenda 21 and Rio Principles (UN, 2012). As each pillar includes several issues, each of these issues should be related and better connected with other issues



- from the other two pillars in a relevant way (Khor 2011; Bernstein and Brunnée 2011).
- the institutional architecture should foster co-operation, co-ordination and coherence among governments, organisations, experts and civil society. The IFSD should improve its implementation capacity, by assisting countries in the creation of their own institutions, policies and action plans, and by assisting countries in the acquisition of knowledge, technologies and good practices (Khor 2011). From their side, governments should support the institutional framework by providing a clear and cohesive policy guidance, also enhancing co-ordination among policy makers and implementing agencies (UN 2012). Policy-science interface is to be improved and strengthened, while civil society has to be given appropriate room in formulating sustainable development activities (Khor, 2011).
 - A mechanism for monitoring and implementing the Agenda 21 principles and its relevant outcomes should be created and enhanced at global, regional and national levels (UN 2012).
 - Financial resources and funding should be secured in a predictable, coherent and sufficient way (Bernstein and Brunnée 2011). Besides the need for enhanced financing mechanisms, a secretariat with adequate functions needs to be established. Its task would include alerting governments and society on emerging problems, by releasing reports and recommendations; providing technical and advisory support; and making arrangements for convening meetings and their follow up (Khor 2011).
 - The institutional framework should also be able to negotiate norms, both “soft”, such as political declarations and consensus reports, and more legally binding ones, such as treaties, protocols and agreements (Khor 2011).
 - Coherence among UN agencies and programmes is to be reinforced, with particular attention to the inputs that international finance and trade institutes can provide. The “delivering as one” model should be enhanced, in order to improve/advance consistency and responsiveness of the actions according to needs in the respective countries (Bernstein and Brunnée 2011).

To conclude, a revised IFSD should be able to comply with some key principles and approaches that include vertical and horizontal co-operation within a level and among the different levels, and the enhancement of multi-stakeholder participation into the structure; an improved vertical integration of policies from the international level to the local one; and improved compliance and enforcement capacity, through the formulation of best-suitable laws and regulations (IGES 2011).

The achievement of these objectives requires the institutional architecture for sustainable development to be deeply reformed. Several options have been proposed that are not always mutually exclusive, namely:

- An upgrading of United Nations Environment Programme (UNEP) with enhanced financial availability, authority and co-ordination tasks;
- the establishment of a new UN umbrella organisation for sustainable development, to be built above existing structures for better co-ordination internally as well as concerning Multilateral Environmental Agreements (MEAs);
- the establishment of a specialised organisation, such a UN Environmental Organisation (UNEO) or a World Environmental Organisation (WEO), similar to the World Trade Organization (WTO), in order to strengthen the environmental component among sustainable development institutions;
- a reform of the UN Economic and Social Council (ECOSOC) and of the UNCSD (with the possibility of creating a UN Sustainable Development Council, or SDC); and
- modernising existing structures, with a strengthened UNCSD, UNEP and other relevant organisations.



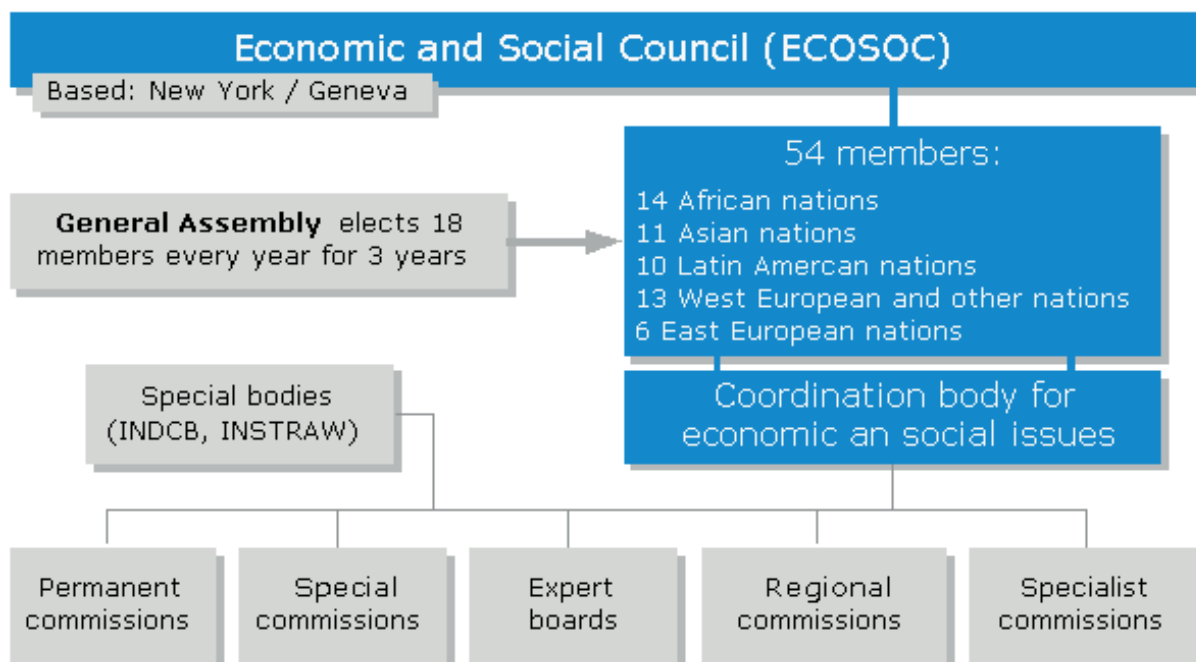
III.2. The IFSD

This section aims to provide an overview on the current institutional set up at a global level in order to provide a background for a discussion of the three options for IFSD reform which will be proposed. It will first focus on ECOSOC and UNCSD which, alongside governing boards of UN agencies including UNEP and the Conference of Parties (COPs) of MEAs, are considered central to coherence in the environment-development nexus at the inter-governmental level. After analysing the involvement of non-state actors in the current institutional architecture, and the role that Bretton Woods institutions and the WTO might have in a reformed IFSD, three IFSD reform options at a global level will be discussed. Proposals will include the option of the strengthening of current bodies (ECOSOC and UNCSD), the merging of ECOSOC and UNCSD into one single body and the creation of a new body *ex novo* (namely a SDC).

A. The UN Economic and Social Council (ECOSOC)

The UN ECOSOC is a body established by the UN Charter in 1945. It is responsible for promoting economic and social progress, including full employment and higher standards of living, while finding and formulating solutions to address international economic, social and health problems; fostering international co-operation in the sectors of culture and education; and encouraging universal respect for human rights and fundamental freedoms (Strandaneas, 2012). It holds 70 per cent of the human and financial resources of the entire UN system, including 14 specialised agencies, nine functional commissions and five regional commissions¹⁶.

Figure 6: The Structure of the ECOSOC



Source: http://www.dadalos.org/uno_int/grundkurs_3/ecosoc.htm

¹⁶ See the ECOSOC website <http://www.un.org/en/ecosoc/>



a. Mandate and Functions

The UN Charter has assigned a number of functions to the ECOSOC. Tasks and powers include:

- Initiating reports, preparing draft conventions, and making recommendations to the UNGA and to specialised agencies on international economic, social, cultural, educational and health matters (art. 62);
- entering into agreements with the specialised agencies, defining the terms, to be approved by the UNGA (art. 63);
- receiving regular reports from the specialised agencies, functional and regional commissions and communicating its observations on such reports to the UNGA (art.64); and
- providing information and assistance to the Security Council (art.65).

b. Composition and Procedures

The ECOSOC consists of the representatives of 54 members of the United Nations elected by the UNGA, with one-third of these representatives to be elected each year for a term of three years.

The ECOSOC meets regularly throughout the year, engaging in ad-hoc meetings, short sessions, round tables and panel discussions. These meetings take place in preparation of the four-week substantive session held in July, alternatively in New York and Geneva.

The ECOSOC includes an Annual Ministerial Review (AMR), which carries out progress assessment over the implementation of a UN development agenda, and a biennial Development Cooperation Forum (DCF), reviewing trends and progress in international development co-operation and promoting greater coherence among the development activities of different partners. The DCF has also been provided with an Advisory Group by the Under-Secretary-General of UNDESA, with the aim of co-ordinating, fostering dialogue and promoting the creation of partnerships among key stakeholders on the agenda of the preparatory meetings for the high-level biennial DCF.

c. Major Drawbacks

Since the creation of the ECOSOC in 1945, the growing number of subsidiary bodies and functional committees, together with new tasks, functions and issues (basically any issues except for security, international jurisdiction and decolonisation), that have been assigned to it seem to be weighing too much on its capability to function efficiently (Strandaneas 2012). Moreover, the power of the ECOSOC is hindered by the fact that it was placed under the UNGA and still it has to report to it, therefore being granted the power of providing recommendations, but being legally incapable of taking decisions (Martens 2012). Finally, the number of the members part of the ECOSOC is too low, in relation to its function as a representative forum for economic and social issues. Many of the G77 countries do not feel appropriately represented (Martens 2012).

B. The UN Commission for Sustainable Development (UNCSD)

The UNCSD was established by a UNGA Resolution in December 1992, as a functional commission of the ECOSOC, with the aim of ensuring

effective follow-up to the Conference, as well as to enhance international cooperation and rationalize 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, fully guided by the principles of the Rio Declaration on Environment and Development and all other aspects of the Conference, in order to achieve sustainable development in all countries [A/RES/47/191]

It is also responsible for rationalising the intergovernmental decision-making capacity for the integration of environment and development issues.

The UNCSD is composed of 53 Member States, with one-third of the members being elected on a yearly basis. The UNCSD meets annually in New York, and it focuses on different thematic clusters and cross-cutting issues. It is supported by UNDESA through its Sustainability Development Department. The UNCSD is working on the basis of two-year programmes, of which the first year addresses cross-cutting and sectorial issues and the second year is focused on policy development. It covers the following functions:

- Monitoring the progress in the implementation of Agenda 21 and promoting the incorporation of the principles of the Rio Declaration on Environment and Development in the enforcement of the Agenda 21;
- considering information provided by taking into consideration inputs from non-government organisations (NGOs), from the scientific and private sector in the context of implementation of Agenda 21;
- monitoring progress in relation to the UN target of allocating 0.7 per cent of each developed country's GDP to programmes for Official Development Assistance (ODA), therefore combining the monitoring process on the implementation of Agenda 21 with a review of financial availability;
- reviewing the adequacy of funding mechanisms, including those regarding the provision of financial resources, according to the objectives outlined in Paragraphs 33.13 to 33.16 of Agenda 21;¹⁷
- enhancing the dialogue with non-state actors, and promoting their effective participation in its work and contribute within their areas of competence to its deliberations; and
- providing appropriate recommendations to the UNGA via the ECOSOC;

a. Major Drawbacks

Though the UNCSD was provided with further political support at Johannesburg in 2002, it still remains a functional committee of the ECOSOC with subsidiary importance in terms of political influence (Strandaneas, 2012; Beisheim et al. 2011). The Commission holds limited resources in terms of staff, time and funds, therefore dedicating only a couple of weeks a year to meetings and discussions, with important issues discussed only once every few years. These conditions place a significant strain on the UNCSD's implementation capacity (Strandaneas 2012). Time constraints also impede an appropriate response to the topics that need to be addressed.

Even if the mandate is to ensure that decisions reflect all three pillars of the sustainability development concept (environment, social and economic), discussions are usually held in the absence of national ministries (such as ministries of economy and finance and trade, which have more influence over national budgets and development plans (IISD 2011). Member countries are normally represented by the ministries of the environment. The poor enforcing capacity is also due to the UNCSD's own nature, conceived as a soft law forum without the legal authority to negotiate binding agreements and commitments. In other words, the UNCSD suffers from the limitation imposed by being a subsidiary body in the institutional hierarchy, while striving to cover a leadership role at an internationally high level (Strandaneas 2012).

¹⁷ See Agenda 21 text, available at http://www.un.org/esa/dsd/agenda21/res_agenda21_33.shtml



Finally, the high politicisation of debates with the UNCSD, and therefore the excessive attention placed on any semantic infringement, has led to a detachment of the world of linguistic formulations from the reality on the ground (IISD, 2011). It often happens that the sessions are concluded without being able to come to a decision as it did during the UNCSD 19 Meeting, the last one before Rio+20.

In general, there is strong consensus about the fact that the UNCSD, its role and mandate, need to be revised and strengthened. At the present time, the Commission still lacks the tools and the authority to allow and promote a real integration and balancing of the economic, social and environmental components. (ECOSOC 2011) The agenda, working methods and programme of work of the Commission should be revised in order to foster the implementation of measures ensuring a more balanced and responsive engagement to sustainable development issues, while an enhancement of the review functions of the UNCSD might also be recommended (UN 2012).

C. Non-State Actors in the IFSD

Non-state actors have an increasingly central role to play in global decision-making on matters related to sustainable development, and in articulating the new IFSD, not the least to ensure an inclusive, representative and effective decision-making process. This is not new and non-state organisations have been given a much more prominent voice in several international fora, not the least in those addressing issues related to environmental sustainability and sustainable development. An ECOSOC Resolution, in fact, gave non-state actors under certain conditions, the right to qualify for consultative status with a focus on subject matters falling under the competence of the ECOSOC. Initially non-state actors had a rather passive role but they have become increasingly more active, not the least in connection with the WSSD when non-state participation was encouraged by a UNGA Resolution (UN Doc.A Res/56/226). In this context, the 2002 WSSD represented an unique occasion for them to engage in a process directly impacting decisions, policies and outcomes of the event.

The WSSD also brought to the attention of governments and of the public, the concept of multi-stakeholder partnerships, to be established among public and private actors, governments and civil society and among civil society representatives. The promotion of the creation of partnerships, besides favouring public participation in the institutional framework, is also seen as a way to address the three main deficits occurring at the level of the IFSD and IEG.

Multi-stakeholder partnerships intervene when governments are not able to carry out international agreements detailed enough to confront specific cases. An analysis of the distribution of partnerships among the areas of environmental concerns has shown that they are much more diffused in those sectors which are not adequately supported by regulation adopted with the creation of international agreements (Biermann 2007). The creation of partnerships can therefore provide that regulatory structure which is still largely missing in many areas – but they do not live up to that challenge (Biermann, Pattberg et al. 2012).

Another claim underlining the benefits of multi-stakeholder partnerships is the fact that they fill the gap created by the poor level of implementation of inter-governmental treaties, agreements and programmes. In this case, the role of the partnerships, when adequately funded and financed, and specifically focused on an issue, lies in their ability to carry into effect measures that have been decided at a governmental level.

The third gap that multi-stakeholder partnerships can address is participation. As outcomes of stakeholder engagement processes, partnerships are often seen as a way to improve involvement and participation of stakeholders (Biermann 2007).



Beyond the establishment of multi-stakeholder partnerships, non-state actors can also have a big role in a number of issues. Gemmill and Bamidele-Izu (2002) identify some major benefits that their participation in the IFSD can provide:

- *Expert Advice and Analysis.* Non-state actors can support governments with information and ideas that lie beyond the usual bureaucratic channels;
- *Intellectual Competition to Governments and Service Provision.* Civil society organisations (CSOs) and the business sector might have better analytical and technical skills to respond the issues discussed and can deliver such technical expertise through direct operational activities;
- *Mobilisations of Public Opinion.* Functioning as a link between the public and governments, non-state actors can have a lot of influence on public opinion;
- *Representation of the Voiceless.* Civic and business participation in the decision-making process would help marginalised groups to have their voice heard.
- *Monitoring and Assessment.* Non-state actors can play a very important role in monitoring negotiation efforts and governmental compliance.
- *Legitimisation of Global-Scale Decision-Making Mechanisms.* Non-state actors can help improve the authoritativeness and legitimacy of policy choices.

However, in order for the overall structure for sustainable development to gain full advantages from civil society's engagement, other institutional mechanisms need to be elaborated.

Even though non-state actors are now part of the governance structure of both the ECOSOC and the UNCSD, the effectiveness of these organisations in accomplishing their tasks has been the subject of continuous debate. Over the years the UNCSD seems to have lost its effectiveness in these terms. The 2nd Intersessional Meeting of UNCSD,¹⁸ held on 15 December 2011, revealed a general discontent among the civil society representatives for how the UNCSD has developed over time. The first years of UNCSD (1993 to 1997) could be considered successful in terms of stakeholder engagement and major groups' participation, with the UNGA Second Committee recommending that multi-stakeholder dialogues should be held in the Five-Year Review of the Earth Summit in 1997. The recommendations evolved into a two-day multi-stakeholder set of dialogues, which left much more space for major groups' speeches than how it currently is (Dodds). Another source of dissatisfaction is represented by the fact that the categorisation of the nine Major Groups does not allow other actors to be included in the process, forcing them, for "man" or "urban poor", to lobby with the representatives of some Major Group in order to have their thoughts and concerns exposed. The system, in fact, is not designed to bring in additional groups (Carpentier) and despite its shortcomings, it is meanwhile an established and politically accepted concept ready for use in any other UN setting where stakeholder engagement is being called for thereby closing the doors on more effective, representative systems of stakeholder involvement and increased legitimacy and effectiveness within the stakeholder organisation.

There seem to exist doubts and concerns also in the way organising partners – which are the facilitators that manage the participation process from the elaboration of discussion papers and the dissemination

¹⁸ "Civil Society Engagement in Sustainable Development Governance". 2nd Inter-sessional Meeting of UNCSD, 15th December 2011. Notes by Jeffrey Huffines, UN Representative for CIVICUS. Available at http://www.un-ngls.org/IMG/pdf/Rio_20_2nd_intersessional_side_event_15_Dec_2011-FINAL.pdf



of data on Major Groups and UNCSD cycle – are nominated or elected by the UNCSD Bureau. Other participants to the Intersessional Meeting have highlighted how CSO participation, with particular focus on NGO participation into debates is often inverse in proportion to the importance of the topic discussed. The more significant the issue is, the fewer civil society representatives are (Werksman). If the fact is considered in light of how much more effective than governments NGOs can be in reaching agreements where mutual accountability is required – considering the countries' reluctance to hold themselves responsible for their own commitments – then, NGOs participation in crucial issues must be favoured as watchdogs over governments' work in relation to the commitments they take. Instead of replicating governments' role, civil society should start filling the gaps left by the former (Werksman).

In general, it can be said that three main themes should be addressed when considering the issue of public participation. Firstly, the current Major Groups system does not ensure sufficient representation both due to the limited number of organisations that might be included in meetings and the type of civil society actors that do not fit in any of the nine groups. University and private business, for example, can fit into the nine Major Groups as part of much bigger categories that will not adequately reflect their interests and concerns (Foti). Secondly, high-level participation should be enhanced, with CSOs being granted status of observers in major issues, therefore allowing civil society to comment and review draft documents and agendas. Thirdly, the public needs to acquire more occasions to report and verify progress in international agreements, in order to foster and enhance states' accountability in relation to their own commitments (Foti).

To conclude, an IFSD reform should improve mechanisms to further engage the world of non-state actors, whose presence in the consultation and decision-making process should be balanced according to the different steps of the cycle and the different topics discussed. (Earth System Governance Project, 2011)

d. Bretton Woods Organisations and the WTO

The point of creating and enhancing a coherent and predictable funding system in the IFSD is closely related to the debate on co-ordinating the activities of the Bretton Woods Institutions (the World Bank and the International Monetary Fund) with UN goals and functions, a theme already treated in the UN Charter:

The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63 (art. 57.1 UN Charter).

The Charter further stipulates that:

The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly (art. 63.1 UN Charter).

Notwithstanding the indications of the Charter, efforts for strengthening the relations among Bretton Woods Institutions and the ECOSOC have been continuously postponed since 1945 (IGP, 2009). The result now is that the overall structure presents two urgent needs:



- A plan for a global and supra-national regulation of any financial systems needs to be developed and implemented; and
- the new system needs to be based upon the principles of democracy, transparency and accountability in order to act as a legitimate, efficient and representative body (IGP 2009)

In order to meet these needs, with particular attention to the second one, the institutions to be involved into the reform process should be considered in light of their credibility and adequacy to the role they are called to have.

The Bretton Woods organisations and the WTO are technically outside the formal UN IFSD. Yet their global reach across the globe, their mandate and the kind of support they offer their member countries do have bearing on their development paths. With regard to the Bretton Woods organisations, The World Bank has a strong focus on sustainable development in its lending and technical advisory programme, even if it is not explicit part of its mandate or charter. The World Bank's work on sustainable development is piloted by an internal grouping of departments, the Sustainable Development Network. The Network focuses on supporting clients via the regional units on the complex agenda of Sustainable Development. This means incorporating or integrating the concept of sustainability into all aspects of work carried out.

The International Monetary Fund (IMF) has a distinctly different mandate. Firstly, it operates as a forum for multilateral economic co-operation; secondly, it helps member countries to identify and adapt macro-economic policies that would help them achieve and maintain high levels of employment and real income; and thirdly, they would provide temporary financial support to help member countries address balance of payment difficulties. There is no reference to sustainable development in the way the concept is defined under UNCSO, even if it must be recognised that the technical and financial support provided to the member countries may be a condition for achieving long-term sustainable development. Sustainable development is not part of IMF's tool box.

Concerning this point, the G20 Meeting held in 2008 has brought into the discussion the position that the IMF could potentially occupy in relation to the IFSD. Besides lacking expertise on regulatory issues, the IMF legitimacy is not unanimously recognised by all countries (especially developing ones), because of the fact that it is conventionally related to European and American dominance (Helleiner and Pagliari 2008; IGP 2009). In the attempt of creating a representative and democratic framework, then, the IMF, as well as the World Bank Group and other multilateral development banks, should undergo some structural reforms in order to "more adequately reflect changing economic weights in the world economy in order to increase their legitimacy and effectiveness" (G20 2008).

The WTO provides a framework for facilitating global trade and negotiating further trade openness, but is also a forum for advancing sustainable development. Trade itself is one of the most effective tools to encourage Sustainable Consumption and Production (SCP), simply by applying discrimination in trade laws between products. The establishment of multilateral agreements would therefore prevent the adoption of protectionist measures (Biermann et al. 2012a). The importance of trade organisations and agreements for sustainable development is reflected in the Preamble of the Marrakesh Agreement in which there is a reference to using the world's resources in accordance with the objectives of sustainable development. The 2001 Doha Development Agenda reaffirmed this objective and mandated the WTO to identify and debate development and environmental aspects of the Doha Round negotiations in order to help achieve sustainable development.



If Bretton Wood institutions are to be involved and brought to closer relationship with the UN decision-making bodies, of no less importance is the role that the G20 might have in the overall financing system for sustainable development. Regarded as one of the actors, together with the IMF and the World Bank, that should be reinforced in order to overcome the global crisis,¹⁹ this group of finance ministers and central bank governors from 20 world major economies²⁰ might play a central role in the construction of a secure and predictable funding system for sustainable development.

Options for strengthening G20 relations with UN include the idea of transforming the Group into an integrated function body of the ECOSOC, in order to acquire legislative capacity and be given new powers by the UNGA with potential benefits in terms of transparency, accountability and legitimacy for their decisions (IGP 2009). It should however be explored how incorporating the G20 into one of the six main UN bodies may comply with the need of greater democracy and representation, and how developing countries might acknowledge the Group's authority to take globally impacting decisions.

D. Options: Reforming the IFSD for the Coming 20 Years

As mentioned above, there is a broad consensus on the need to reform the IFSD. It is not living up to expectations and is not delivering the required outcomes in global sustainable development. However, there is less agreement on what the new IFSD would look like.

The research and consultations undertaken found that the IFSD should be guided by basic principles and norms, which should include the following:

- Form should follow function or substance;
- Any reform should improve the integration of the three pillars of sustainable development, while strengthening the environmental pillar (UNEP 2011); and
- Other principles or norms pointed out in the Rio Declaration, including the polluter-pay-principle, the precautionary principle, common but differentiated responsibilities, and access to information, should be integrated into any institutional reform.

Reformation of the central (global) organisations of the IFSD would include and affect a number of international organisations and institutional structures. With more than 500 international conventions and treaties addressing different aspects of environmental sustainability and about 40 multilateral organisations engaged in different aspects in promoting environmental sustainability and sustainable development, any changes may have considerable implications on the sustainable development architecture.

This part of the report will focus on three different options:

- Reforming the ECOSOC and UNCSD by strengthening their mandates;
- merging the two, with ECOSOC taking over the tasks and functions of UNCSD; or
- creating a new organ, namely a SDC, replacing the UNCSD and directly reporting to the UNGA.

¹⁹ "Special Address by Angela Merkel, Federal Chancellor of Germany, World Economic Forum, 30 January 2009.

²⁰ G20 includes UK, Italy, France and Germany.



The adoption of one option or another will depend on different drivers and on the analysis of the different implications that each of them entails. However, all the proposals start from the assumption that there is general consensus upon the fact that a reform is needed, if we want to ensure better coherence, co-ordination and integration of the three pillars of sustainable development. If on a national and local level, in fact, this is ensured and enforced by national policies, at a global level, integration among the environmental, economic and social component has to represent the main task carried out by a body, entitled to watch over the co-ordination, coherence and implementation capability of the numerous conventions, treaties and agreements on sustainable development.

a. Option 1: Reforming the ECOSOC and the UNCSD

Though ECOSOC and UNCSD underwent a reform process in 2005, their structure and mandate need to be further strengthened in order to address and overcome the deficiencies and shortcomings of the current IFSD.

It must be said that the first hurdle to the reinforcement of the two bodies, and in particular of the ECOSOC is the lack of Member States' political will to do so (Bernstein and Brunnée 2011). Once parties agree to commit into a project of enhanced reform of the current situation, there are a number of actions/measures that could be taken in order to increment the potential of the existing bodies.

Structure

Proposals to enhance the role of the ECOSOC and the UNCSD vary according to the functional and structural implications. General options to increment the role of the two bodies might include:

- The UNCSD be granted more flexible mechanisms to respond to urgent and emerging issues (Bernstein and Brunnée 2011). At the same time, the UNCSD should be given further capacity of implementing its own decisions, that might happen through the creation of a “dialogue segment” with implementing development agencies (EU position; Bernstein and Brunnée 2011). The review dimensions of the UNCSD could also be enhanced by establishing and facilitating voluntary peer review mechanisms for monitoring implementation progress, also through establishing strengthened relations with regional and national peer review mechanisms. (EU position). It could also be mandated to focus more on system wide performance than on limited reviews of sectoral issues. The mandate could also be expanded to review the way sustainable development is applied in the UN-wide system.
- The ECOSOC co-ordination segment could be appointed to the function of monitoring and implementing Agenda 21, Rio Principles and Rio+20 outcomes, in order to encourage integration, co-ordination and coherence among the activities and measures adopted within the UN system, including those elaborated by its own functional and regional commissions. The ECOSOC could also mainstream the UNCSD decisions into UN agencies and funds its operational activities (Bernstein and Brunnée 2011). In any case, both the options need to consider a redistribution of the role and mandate of both the ECOSOC and UNCSD, in order to avoid overlaps and gaps in the sustainable development architecture.

Implications of the Options

On a strictly legal level, options for incrementing the power and the functions of the ECOSOC and UNCSD do not entail significant modifications of the founding documents, as the ECOSOC has the power and the authority to make these changes within its system. Reforming and strengthening the ECOSOC and the UNCSD, of course, precludes the necessity of creating a new body such as the SDC.



b. Option 2: Merging the ECOSOC and the UNCSD

A second option to reform the IFSD would be that of merging the ECOSOC and the UNCSD into one single organ, therefore shifting the focus of the ECOSOC towards broader functions, with stronger and more implications on legal terms (Bernstein and Brunnée 2011).

This proposal of merging the two bodies together would occur through an amendment of the UN Charter, which would require two-third of votes in the UNGA and the ratification from two-thirds of all Member States, including the support of the five permanent Security Council members (veto-countries), whose approving votes will be the least likely ones. A Charter amendment, in fact, would risk to jeopardise their authority and would risk to force them to share their exclusive veto power with additional members (Paul and Nahory 2005).

c. Option 3: Creation of a SDC

The creation of a new UN organ, having sustainable development as its main focus, is one of the options that might be considered in the context of fundamental progress in the overall scenario. So, if strengthening existing bodies like the ECOSOC and the UNCSD has to be considered in terms of incremental changes of the institutional setting, the establishment of a SDC requires structural changes in the global architecture.

Functions

The SDC should take up the mandate of the UNCSD, and therefore operate according to the main documents on sustainable development, such as Agenda 21 and Rio Principles, while enhancing “the involvement of all stakeholders, particular major groups, in the follow up of Rio+20” (UN 2012).

The new body would need to strengthen the integration among the economic, social and environmental pillars and co-ordinate the activities on green development, social ecology and social equity. In order to be fully accomplished, this general objective needs to be supported by the reinforcement of the international co-operation in the fields of finance, technology and capacity building (Strandaneas 2012; UN 2012). Therefore, the new body needs to be provided with a stronger mechanism to monitor progress in access to clean technologies (in terms of physical equipment, related know-how and management systems) on favourable terms, with specific attention to the promotion of technology transfer to developing countries.

There are many other functions that the SDC would need to cover. One of its most important tasks would be monitoring and reviewing a number of issues, which can in broad terms be summarised as follows:

- Monitor progress in the implementation of Agenda 21, the Johannes Plan of Implementation and the outcomes of the main sustainable development conferences;
- monitor progress in the achievement of the UN target of allocating 0.7 per cent of the Gross National Income (GNI) of developed countries for ODA;
- monitor progress in enhancing co-operation among countries and co-ordination among the specialised agencies of each of the three pillars. Inter-agency co-ordination might be strengthened through the creation of a Sustainable Development Sub-Committee of the Chief Executive Board of UN bodies to follow up and provide advice to the Secretary General on co-ordination (Stakeholder Forum 2012);
- monitor progress in the elaboration of policies aiming at favouring sustainable development both at the international and national levels. This might take place either in a direct way or through collaboration with other UN bodies relevant to the issue, and would require to clarify if the SDC is to be granted policing or advisory status;



- review and monitor new and emerging specific issues in all the three pillars of sustainable development, including cross-cutting issues. The SDC would therefore need to be provided with structural flexibility in order to be able to address emerging issues through the development of policy recommendations and through the creation of fora focusing the attention of the problems raised (Bernstein and Brunnée 2011); and
- review and monitor the achievement of Sustainable Development Goals (SDGs),²¹ including the implementation of related targets and objectives at the regional and national levels.

Besides these main areas, the SDC should give importance to the role of civil society as a tool to apply pressure on decision-makers, governments and the private sector. Dialogue and participation with NGOs, the business sector and other relevant stakeholders, including International Financing Institutions (IFIs) needs to therefore be adequately promoted and enhanced. By fostering multi-stakeholder engagement, the new body would also be in the position to receive and analyse relevant input from competent organisations and other relevant stakeholders (Stakeholder Forum 2012).

Another major issue to be tackled by the SDC shall be the promotion of a stronger science-policy interface, to be achieved by institutionalising a regular sustainable development assessment on a global scale. Another task of the SDC would be co-ordinating and facilitating the creation and the enforcement of capacity building mechanisms and activities, which are to be elaborated by the specialised agencies under the different pillars. Some workshop participants have also brought forward the idea that the SDC should be responsible for preparing – in collaboration with relevant UN agencies, IFIs, the private sector and civil society – a regular global sustainable development outlook report gathering information and assessments that are now spread and dispersed among the different institutions under the three different pillars (Liechtenstein).

Structure

Regarding the structure that the SDC should have, there seems to be wide agreement upon the necessity of establishing it as a subsidiary body of the UNGA, at the same level of the present ECOSOC, and of the recently founded UN Human Rights Council (Strandaneas 2012; Beisheim et al. 2012; Bernstein and Brunnée 2011).

The Human Rights Council itself is often regarded as a model for the potential creation of a SDC, with the introduction of a High Commissioner for Sustainable Development, in parallel with the existence of a High Commissioner for Human Rights. The SDC would therefore have the authority to make recommendations directly to the UNGA, which can be approved through formulated resolutions that gives it the mandate to implement and enforce.

As in the case of the Human Rights Council replacing the Commission on Human Rights, the existence of a SDC would make the UNCSD's work superfluous, and would substitute it, even though it could maintain its same distribution of representation (Bernstein and Brunnée 2011). In this way, once the SDC is established, the seats would be allocated in a way that it would result in a geographically balanced membership, with each of the members holding one vote.

Procedural and voting rules, however, need to be formulated in a way that reflects the significance of the decisions the members are called to vote for. The SDC should also elaborate models that take into

²¹ For further elaboration on the SDGs, see pp. 22-23.



account the position of those stakeholders which might be influenced or have a direct interest in the issue discussed. In other words, a chamber of stakeholders within the SDC should be created in order to grant the Nine Major Groups voting rights above the decisions (Beisheim et al., 2012).

Besides the adjunction of this third chamber for civil society, the SDC should be built on a bi-cameral structure, with one chamber consisting of UN Member States, and the other gathering UN organisations and programmes. The first assembly would discuss positions and develop recommendations that will be then reported to the UNGA, while the second chamber would work to provide internal co-ordination within UN, though without voting rights (Beisheim et al. 2012). The status of SDC would allow the new body to meet regularly throughout the year, like in the case of the Human Rights Council, which gathers three times per year.

Through the elaboration of appropriate mechanisms to address emerging challenges, giving them adequate space in the agenda, the new SDC would also have the opportunity to meet exceptionally in order to address and discuss urgent and emergent issues (Bernstein and Brunnée 2011).

As the current UNCSD receives national and regional reports both from governments and from agencies, the newly established SDC would need to play the same function. However, while reports currently submitted to the UNCSD are done on a voluntary basis, reporting to the new SDC would be a mandatory procedure for all the member governments. This would require the creation of specific and appropriate mechanisms enabling the enforcement of the procedure.

In planning and shaping the governing structure of the new institution, again, the Human Rights Council might provide a cue in its system of Universal Periodic Review (UPR) which involves a review of the human rights records of all 192 UN Member States once every four years.

Besides the UPR, the Human Rights Council also consists of a Complaint Procedure, which denounces attested violations of all human rights and all fundamental freedoms occurring in any part of the world and under any circumstances.

If the new SDC is assigned the function of receiving reports from countries and organisations on a mandatory basis, new monitoring and enforcement mechanisms shall be established. The new procedures might then be shaped after the example of the Human Rights Council, to be considered also in light of the success and drawbacks of the latter.

Finally, the SDC shall also bring together the activities of the different UN agencies, which deal with different issues in the three different components of sustainable development. Organisations such as the World Bank, WTO, IMF, the Food and Agriculture Organization (FAO), the WHO, the International Labor Organization (ILO) and UNEP will have to report back to the SDC, which shall co-ordinate their respective activities, therefore promoting the integration among the economic, social and environmental pillars. (Stakeholder Forum 2012)



Implications of the Option

In developing a scenario that entails the creation of a new body such as a SDC, there are a number of implications that should be taken into account. Such implications may regard both financial and legal aspects.

In order to be fully operational, a SDC should dispose of its own financial resources, above all in a context where insufficient funding still represents one of the major weaknesses in development co-operation. For this reason, new sources of revenue are to be identified in order to overcome constraints. Ambitious projects might imply the establishment of relations and agreements with major international financial institutions, from the Global Environment Facility (GEF) to the G20 states (Beisheim et al, 2012). Main costs would regard administrative aspects, such as the organisation of the meetings, and the establishment of an implementation review system, which requires more analytical staff and administrative support (Bernstein and Brunnée 2011).

Unlike the option of altering the structure and the mandate of the ECOSOC, the main advantage of the creation of a new SDC is that it would not require a Charter amendment, but a resolution of the UNGA, and it has a precedent in the creation of the Human Rights Council (Bernstein and Brunnée 2011). Considering the legal status and the functions that a SDC would acquire, it would make the creation of this new body the most desirable outcome of Rio+20 in terms of a global IFSD, even though it might not represent the most politically feasible choice.

E. Conclusion

The current IFSD presents weaknesses and deficiencies that hinder its capability to pursue the overall objective of promoting and facilitating the adoption of a system matching economic growth and social welfare within the criteria for environmental sustainability. In order to do this, a number of different options have been elaborated by the international community. This paper has focused mainly on one of these, e.g. the creation of a SDC, directly reporting to the UNGA, and therefore being granted equal status as ECOSOC.

As the SDC would substitute the UNCSD, it would therefore take over the Commission's functions, namely:

- Provide political guidance for enhanced integration of the three sustainable development pillars;
- monitor the progress in the implementation of Agenda 21 through analysis and evaluation of reports from all relevant UN organs and institutions;
- promote and share best practices related to the implementation of sustainable development activities;
- constantly monitor progress in relation to the UN target of allocating 0.7 per cent of each developed country's GDP to programmes for ODA;
- regularly review the adequacy of funding and mechanisms; and
- consider information provided by governments in the form of national reports. The SDC should also take into consideration all relevant inputs from NGOs, and the scientific and private sectors in the context of the implementation of Agenda 21.

This last point would need to be taken further. While national reports currently submitted to the UNCSD are on a voluntary basis, an effective functioning of the new SDC would require reporting activities to be



mandatory. Each country's report and the overall monitoring procedure should be based on the SDGs, which are to be articulated as *Targets* at a regional level and *Indicators* at a national level, therefore providing guidance to assess a country's performance

The SDC should also enhance the dialogue with NGOs and independent sectors outside the UN system, including those organisations related to Major Groups as well as to the industry and the scientific and business communities, enabling them to participate effectively in the SDC's work and contribute within their areas of competence to its deliberations.

The mandate of the SDC would also be framed in a manner that may attract government participation beyond ministries of environment.

Though the creation of an SDC with the above-described features is certainly the most desirable outcome of Rio+20, we must acknowledge that hopes are rather built on a incremental change scenario, which would therefore concern a revision and a reinforcement of the current institutions, namely the ECOSOC and the UNCSD, or the integration of the Commission's functions into the ECOSOC's mandate. Whatever the Rio outcome might be, we would like to stress the importance of introducing a mandatory reporting mechanism for both countries and UN agencies. Moreover, the new institutional setting needs to integrate SDGs which are more likely to be an outcome of Rio+20, at the global, regional and national levels.

III.3. IEG

A relatively strong consensus on the importance of ensuring a stronger IFSD at all levels already exists among Members States of the UN, which identified it as one of two themes of Rio+20.²² Strengthening the environmental dimension and reforming the IFSD are not mutually exclusive undertakings. On the contrary, they have the potential to become mutually reinforcing interventions. Inherent to the debate on the environmental institutional reform is the need to strengthen or reform UNEP, the UN entity designated for addressing environmental issues at the global and regional levels.²³ The following section will first provide an introduction and brief history of IEG that also serves as a clarification of the concept. It will then briefly sketch current shortcomings of UNEP in fulfilling its pivotal function in IEG and then provide an overview of a number of reform options and their implications, followed by some considerations on alternatives to strengthen UNEP in fulfilling its functions if no major reform will be decided at Rio+20.

A. The Concept of IEG

The concept of environmental governance (IEG) in general terms refers to the international (bilateral, regional, global) architecture and agency (Biermann et al. 2010) in place to govern environmental challenges including mechanisms institutions, decision making procedures, norms and principles as well as all governmental and non-governmental stakeholders. IEG is also concerned with how environmental issues reach the political agenda, how policies are formulated and how programmes are implemented (IGES 2006). Needless to say, there is a wide range of actors, programmes and institutions mandated to work on IEG.

²² See United Nations General Assembly (2010), Resolution 64/236: Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development, 31 March 2010. See also the Report of the UN Secretary-General, A/CONF.216/PC/2, Progress to date and remaining gaps in the implementation of the outcomes of the major summits in the area of sustainable development, as well as analysis of the themes of the Conference, 1 April 2010, Section V (Institutional framework for sustainable development).

²³ For a summary of the debate, see UNEP GC/GMEF (2011a) and Ivanova (2011).



The concept gained prominence and political momentum in a global policy context at the 2005 High-level Plenary Meeting of the 60th Session of the UNGA and the resulting Resolution 60/1, which stressed the need for more efficient environmental activities in the UN system and therefore agreed on exploring options for a more coherent institutional framework. A subsequent informal consultation process in the UNGA consolidated the consensus on the need for more effective IEG, but little progress was achieved. In February 2009, negotiations stopped due to continuous disagreement on the means to achieve the objective of improving IEG.

At the same time that the UNGA process came to a halt, the 25th session of the UNEP Governing Council/Global Ministerial Environmental Forum (GC/GMEF) established a Consultative Group of Ministers or High-Level Representatives on International Environmental Governance. In February 2010, at the 11th UNEP GC/GMEF Special Session, this group presented the “Belgrade Process: Moving Forward with Developing a Set of Options on International Environmental Governance” (UNEP 2009). This report identified a number of characteristics, objectives and corresponding functions for IEG:

- Creating a strong, credible and coherent science base;
- developing a global authoritative and responsive voice for environmental sustainability;
- achieving coherence within the UN system;
- securing sufficient, predictable and coherent funding;
- ensuring a responsive and cohesive approach to meeting country needs; and
- facilitating the transition towards a global green economy.

The report also proposed five options for institutional reform: 1) Enhancing UNEP; 2) creating a new umbrella organisation for sustainable development; 3) establishing a specialised agency such as a WEO; 4) reforming the ECOSOC and the UNCSD; and 5) enhancing institutional reforms and the streamlining of present structures.

The “Belgrade Process” was followed by a “Nairobi-Helsinki Outcome” (UNEP 2011) of a second consultative group of ministers or high-level representatives on IEG mandated by 11th UNEP GC/GMEF Special Session and presented to the 26th UNEP GC/GMEF in February 2011. The proposals on objectives and functions were similar to those of the “Belgrade Process” as were the recommended institutional reform options although they were reduced to those three that fall entirely under strengthening the environmental component of sustainable development governance, leaving out those that emphasise the integration of all three pillars of sustainable development in the UN System.²⁴ The narrower focus thus left two minimum options for enhancing UNEP, namely, 1) Establishing a specialised agency such as a WEO; and 2) enhancing institutional reforms and streamlining existing structures.

As evident from the above short recent history of IEG, UNEP has been heavily involved. Not just in the intergovernmental discussions about a reform of IEG, but also in actually implementing it, including in the preparation of the Global Environment Outlook (GEO) assessments, co-ordination of negotiations on new international legal instruments, and in the compilation of internationally agreed environmental goals. The programme has also been closely involved in creation of many regional and international conventions. The multitude of these MEAs has often been criticised for inefficiency, overlap and fragmentation, but it can

²⁴ The options concerning the wider institutional framework were 1) Establishing a new umbrella organisation for sustainable development; and 2) reforming the UN ECOSOC and the UNCSD. See Part 1 of this report for further details on these options.



be assumed that the environment is probably better off with those agreements, than without them (Kanie 2007). In addition, the global environment has changed over the last 40 years since the inception of UNEP, and more societal and political awareness as well as scientific knowledge, policy relevant assessments and synthesis of this knowledge on the interlinked social-economic and environmental domains is currently present. Globally, connection between the environment, society and economy is more evident than ever, but decision making on those interlinked issues remains ineffective, and implementation on ground level insufficient. Just having adequate and appropriate knowledge does not necessarily lead to requisite actions. Closing the gap between knowledge and action is pivotal.

The lack of ability of the international community to effectively address global environmental issues is a collective action problem, but the implementation of environmental measures at national and local levels is equally hampered by trade-offs between environment/economic/development priorities. In this sense, the lack of good environmental governance, both at national and international levels, is somewhat of a “chicken-and-egg” problem. Strengthening the international level of environmental governance would have cascading benefits downstream and vice-versa. In order for local and national governance to be effective, the global institutional framework must be supportive and well designed (Biermann et al. 2012b) and therefore implementing measures to strengthen environmental governance at all levels remains important.

At the national level, ministries of environment – if existing - often find themselves in a relatively weak position in the hierarchy of national decision-making. The simple conclusion to this is that there is a need for elevating the status of environmental agencies and ministries on the national as well as on international levels. Compared to the situation 40 years ago, however, this has happened somewhat on national levels, where environmental authorities have become full-fledged ministries in many countries. Transposing this development to the international level provides a good argument for reforming and strengthening the environmental pillar in the UN system – which first and foremost means UNEP.

Recognising that IEG involves and is carried out by a multitude of organisations, for the limited scope of this project, the analyses and recommendations on IEG will mainly concern governance in the context of the UN and UNEP reform.

B. UN Environment Programme (UNEP): Governance, Funding, and Management Shortcomings

UNEP was created in 1972 with a mandate focused on four core functions: 1) Monitoring, assessment and early warning of emerging environmental threats; 2) developing international norms, standards and policy; 3) co-ordinating environmental activities within the UN system; and 4) building national institutional capacity.²⁵ Although considered remarkable in developing international norms and standards (Haas 2004), the role of UNEP, over the years, has become progressively weaker, in particular, with regard to monitoring, implementing and sanctioning international agreements (Andresen and Rosendal 2009). This has been attributed to a number of factors, including its formal status, governance, financing structure, and management (see, among others, Ivanova 2009; Biermann 2005; Biermann et al. 2009).

²⁵ The mandate and objectives of UNEP emanates principally from the United Nations General Assembly (1972), Resolution 2997 (XXVII): Institutional and Financial Arrangements for International Environmental Cooperation, 15 December 1972; the Agenda 21, adopted at the UN Conference on Environment and Development (the Earth Summit) in 1992; the Nairobi Declaration on the Role and Mandate of UNEP, adopted by the UNEP Governing Council in 1997; the Malmö Ministerial Declaration and the UN Millennium Declaration, adopted in 2000; and recommendations related to international environmental governance approved by the 2002 WSSD and the 2005 World Summit.



UNEP's governance responsibilities are shared by three bodies: 1) The Governing Council, which comprises 58 Member States, elected by the UNGA for four-year terms, taking into account the principle of equitable regional representation; 2) the Secretariat, with at its head is an Executive Director; and 3) the Committee of Permanent Representatives (CPR), which consists of representatives from all UN Member States accredited to UNEP (as well as specialised agencies and the EU), and serves as a link between UNEP and Member States. The CPR, whose responsibilities include reviewing UNEP's draft programme of work and budget and monitoring the implementation of Governing Council decisions, has considerably limited the autonomy and power of the Secretariat and constrained the authority of the Governing Council. This has led to a lack of strategic vision and overly politicised institutional governance (Ivanova 2009).

The main problems with the current UNEP are not related to its mandate, which is very broad and theoretically should enable the programme to work on a wide range of issues at many levels of governance and agenda setting. The problem relates more to its legal status. Being a UN programme, rather than an international organisation or a UN specialised agency, UNEP is without legal personality, without the capacity to determine its own budget, and with only a small secretariat, headed by an Executive Director appointed by the UN Secretary-General. In the absence of a founding agreement establishing it as organisation with legal personality, UNEP derives its legal foundation from the UNGA Resolution 2997 (1972), which also specifies its relationship with the UNGA and the ECOSOC.²⁶

This formal status of UNEP has been deemed by many analysts of IEG one of the main reasons behind its "relative" ineffectiveness (Biermann 2000; Biermann and Bauer 2005; Ivanova 2005). Indeed, UNEP relies on the UNGA for: 1) Adopting effective decisions; 2) concluding and administering treaties; 3) entering into agreements with other international organisations; and 4) requesting advisory opinions from the International Court of Justice. In practical terms, this dependency has negatively impacted UNEP's authority and standing, and limited its capacity to produce concrete results.

The lack of universal membership of UNEP's Governing Council represents another shortcoming. The fact that there are only 58 Member States with voting rights makes it difficult for the programme to act as a "global authority" for the environment, and hampers with the legitimacy of the decisions made by the Governing Council. Another key reason used to explain UNEP's ineffectiveness is its financing structure (Najam 2003). Unlike UN specialised agencies, which enjoy budgetary autonomy (i.e. are not directly dependent on the UN budget, but rely on predictable and mandatory assessed contributions by Member States), UN programmes, included UNEP, are mainly funded by voluntary contributions. In the case of UNEP - whose budget mostly depends on voluntarily contributions by individual states,²⁷ this has allowed individual donors to earmark large proportions of their funding, thereby dictating UNEP's priorities, and compromising its autonomy and political authority (Von Moltke 1996; Biermann 2007, see also JIU 2008). However, although more funding is certainly needed for improving UNEP's performance, it cannot be said that transforming UNEP into a specialised agency or international organisation (see reform options below) within the UN system would automatically secure increased financial resources (Bernstein and Brunnée 2012). This means that the crucial issue of predictable and sufficient funding would have to be addressed

²⁶ In accordance with Article 3, Section I of Resolution 2997 (XXVII), the Governing Council of the UNEP "shall report annually to the General Assembly through the Economic and Social Council, which will transmit to the Assembly such comments on the report as it may deem necessary, particularly with regard to questions of coordination and to the relationship of environmental policy and programmes within the United Nations system to overall economic and social policies and priorities".

²⁷ Apart from a small contribution from the Environment Fund Regular Budget (less than 4 per cent of the UNEP's total budget), UNEP depends on voluntarily contributions to the Environment Fund, earmarked contributions to trust funds, and counterpart contributions.



no matter whether UNEP remains a programme or is elevated into a specialised agency.

A third reason for UNEP's sub-optimal performance, frequently mentioned yet hardly analysed in peer-reviewed research, is general sub-optimal management and co-ordination, (financial) planning and reporting in the UN IEG system in general and UNEP in particular (JIU 2008). A 2008 management review of environmental governance within the UN system undertaken by the UN Joint Inspection Unit (JIU 2008) reveals significant problems in this area. Many of them are caused by the complexity and fragmentation of IEG and by political decisions on IEG and MEAs. However, the report also lists shortcoming or even failures that may have to do with the limitations of UNEP's own internal administration and management affairs. An in-depth review of the report would go beyond the scope of this document. However a tentative conclusion could be that any upgrade or reform of UNEP would require reciprocal organisational changes and optimisation in budgeting, human resources, reporting etc. – a point which could very well be made for other parts of the UN.

Finally, the politically very sensitive argument of Nairobi as the seat of UNEP needs to be mentioned. While the political intentions and negotiation dynamics of locating UNEP headquarters in Nairobi have been and still are valid, "UNEP's location outside of the centers of political activity affected its capacity to co-ordinate the numerous agencies with environmental activities as well as, most importantly, its ability to attract top-tier policy staff" (Ivanova 2005, iii; on impact of location on fragmentation of IEG see Ivanova 2012). On the other hand, however, UNEP is the only UN body with a headquarter in the developing world and arguably closer to the needs of African countries, something that UNEP might be able to capitalise on. This could especially be the case, if the Rio+20 conference were to result in decisions to strengthen the operational functions of UNEP such as those related to early warning, technology transfer, and capacity building.

C. Current Structural Proposals for Strengthening UNEP

In recognition of these shortcomings, discussions on a reform, mostly in terms of an upgrade of UNEP have been ongoing for more than ten years. The Cartagena Process, and subsequent Belgrade Process (re)-determined the objectives and underlined the importance of the IEG system as well as adopted the well-seasoned phrase "Form Follows Function", to guide the choice of form for a reformed UNEP -- based on needed functions in the field of IEG.

As already mentioned, the Nairobi-Helsinki process left two main options on the table. The first option calls for establishing universal membership of the Governing Council and enhancing UNEP's funding both substantively and in terms of predictability. The second option calls for broader and more transformative change, by establishing a UN Specialized Agency (UNSA) with a strengthened mandate and stable, adequate and predictable financing (UNEP 2012).¹

According to Ivanova (2012) a significant shift in Member State preferences regarding the two options has gradually occurred in recent years. Where at the beginning of the process, most countries opposed an upgrade of UNEP,²⁸ in 2011 already 35 per cent of Member State contributions statements to the Rio+20 preparatory process supported the specialised agency option and another 30 per cent supported enhancing UNEP while remaining the status quo was no longer an openly supported option. In fact now more than 90 countries support an upgrade of UNEP into a specialised agency.

²⁸ Proposals for a strong global environmental programme or agency by individual policy makers, academics, and few countries can be traced back to the 1950s (an overview in Biermann 2011).



The following sections will provide a take on the implications of each of these options, as well as try to assess their political feasibility.

a. Option 1: Universal Membership of UNEP Governing Council

Expanding the Governing Council to universal membership is not a new suggestion either. In fact, proposals to this end were tabled in 1998, when a UN Task Force recommended it in a report on environment and human settlements (UN 1998). Member States were unable to agree on the issue, because its advantages were not clear (UNEP 2004). As such, universal membership relates to representativeness and legitimacy of the governance body. As expounded in an earlier report (Olsen and Elder 2011), universal membership of the Governing Council could help the programme better “...keep under review the *world* environmental situation in order to ensure that emerging environmental problems of wide *international* significance receive appropriate and adequate consideration by Governments” (GA 1972).²⁹ Additionally, universal membership could lend added legitimacy to UNEP’s decision-making body as being globally representative and therefore able to take the voices of all governments into account.

Universal Membership and Decision Making

While universal membership could potentially increase the representativeness and legitimacy of the Governing Council’s decision-making, it could also make it more cumbersome - as traditionally all decisions in the Governing Council are consensus-based. This concern could be partly addressed by establishing an executive board of Governing Council representatives that is empowered to make decisions when universality is not required. The remaining issues related environmental governance would be left to the Governing Council, which could adopt a number of new decision-making practices that could improve both participation by other stakeholders as well as enhance efficiency of decision-making on certain issues.

As elaborated (Olsen and Elder 2011), existing institutions can bring in the views of other groups either through an advisory role or by utilising multilevel co-decision-making systems. The former is already practiced as a way to involve civil society and academia into decision-making, but the modalities are not formalised, and the practice of doing so varies depending on governments. Co-decision has become central to the European Community’s decision-making. It is based on the principle of parity i.e. neither the European Parliament (EP) nor the Council of Ministers (CM) may adopt legislation without the other’s agreement (EU 2008). The co-decision process can necessitate repeated readings of drafts made by each group in order to arrive at an acceptable compromise between the EP and the CM. A similar decision making modality could be used for better representation of civil society and other stakeholders, when appropriate.

If agreements cannot be reached via consensus and co-decision mechanisms, qualified majority voting could be considered.³⁰ Also, because political systems that rely on majority-based rule arrive at far-reaching decisions more quickly (Biermann et al. 2012a). In the example from the EU’s qualified majority voting scenario, over 71 per cent of voting members have to agree before a decision can pass. Each member is assigned a weight (a number of votes); and in order for the CM to pass a proposal, the aggregate weight of those voting for it must equal or exceed a set quota of 71 per cent. Starting from 2014, the qualified majority condition specifies requirements not only in terms of a certain percentage of voting members but also with regards to the proportion of population represented – i.e. a double-weighted majority voting which is also in existence in treaties on stratospheric ozone depletion, granting equal veto power to the North and South. This is a new alteration to the existing system, undertaken to accommodate the recent increase of EU Member States. The system is designed to facilitate decision-making, while retaining maximum fairness.

²⁹ Emphasis added.

³⁰ This was also part of the Zero Draft Outcome document for the Rio+20 Conference. It was proposed by Switzerland (March version of Zero Draft, paragraph 50 ter).



For example, “... the large countries can benefit in terms of their share of population, while the one-country-one-vote part of the double weighted system in turn benefits smaller countries” (Olsen and Elder 2011).

Implementing such a system could require awareness-raising beforehand and/or a graduated introduction for less salient decisions. Weighted majority could apply for certain decisions, which may not achieve or require consensus. International law currently incorporates only few systems of qualified majority voting. Such systems weigh votes according to the size or relative importance of countries. Relative importance can refer to particular interests or resources, (e.g. shipping in the International Maritime Organization or finance in the World Bank or the IMF) (Biermann et al. 2012a; 2012b).

Universal Membership and MEA Clustering

One oft-mentioned criticism of IEG focuses on the problem of overall fragmentation, overlap and inefficiency of the existing MEAs. For instance, in 2011 there were more than 800 days of meetings for the 14 largest MEAs.³¹ These meetings, their procedures, and their painfully slow decision-making takes away capacity from implementation and over-stretches negotiation capacity of many countries – especially those that may already have limited capacity to take on the “negotiation burden” and to participate in the “diplomatic circus” (Muñoz et al. 2009). In response to this realisation, there have been ongoing mainstreaming efforts in the chemicals cluster and the biodiversity-related conventions. Earlier research has suggested that MEAs can be clustered according to issue-based, functional/organisational criteria, or they can have a particular regional scope by co-locating and merging secretariats (Najam 2006; Fauchald 2010). Clustering in the chemicals conventions was recently calculated to yield savings of US\$ 765,000 per year (ESCAP 2012).

In this regard, introducing universal membership can improve coherence and efficiency of the several hundred existing environmental agreements. If all Member States of any MEAs are present in such a forum, it would be relatively simple and legally possible to introduce centralised reporting (and decision-making in the longer term) on the MEAs. The close ties between UNEP and many MEAs are written in the text of the conventions,³² and could function as a foundation for such steps and toward improved effectiveness and efficiency. Such an umbrella forum could be used for back-to-back meetings and ex-COPs (which already have been held at times), and even for co-reporting and decision making, if UNEP’s decision-making forum is equipped with such capacity. Moreover, a universal forum with civil society participating could become a venue for co-reporting, sharing of best practices, and improve benefit implementation, accountability and legitimacy. Establishing such a forum might incur high upfront costs in the beginning but it could yield cost-benefits in the long term (Urho 2010).

On the other hand, universal membership could compromise the legal autonomy of MEAs or even overlap with some functions of the COPs. This may also explain why repeated proposals for universal membership have met with limited enthusiasm hitherto, despite arguments in its favour.³³ In any event, the decision on further clustering of existing (and new) MEAs is relegated to Member States, as they will have the final say on this matter. But the clustering of some MEAs under a UM GC/GMEF could result in effectiveness gains, as a consequence of better reasoning for national level policy and implementation committees that could better articulate policies and measures to respond to the needs of thematically-related MEAs on the ground.

³¹ This information came from an interview which a Brazilian newspaper conducted with UNEP Executive Director Achim Steiner. It was written by Claudio Ângelo Folha de S. Paulo and published on 17 April 2012.

³² See CBD decisions from 1994 <http://www.cbd.int/doc/handbook/cbd-hb-10-01-en.pdf> or 2010 www.cbd.int/doc/meetings/cop/cop-10/in-session/cop-10-L-13-en.doc for examples of the institutionalised relationship between UNEP and the convention secretariats.

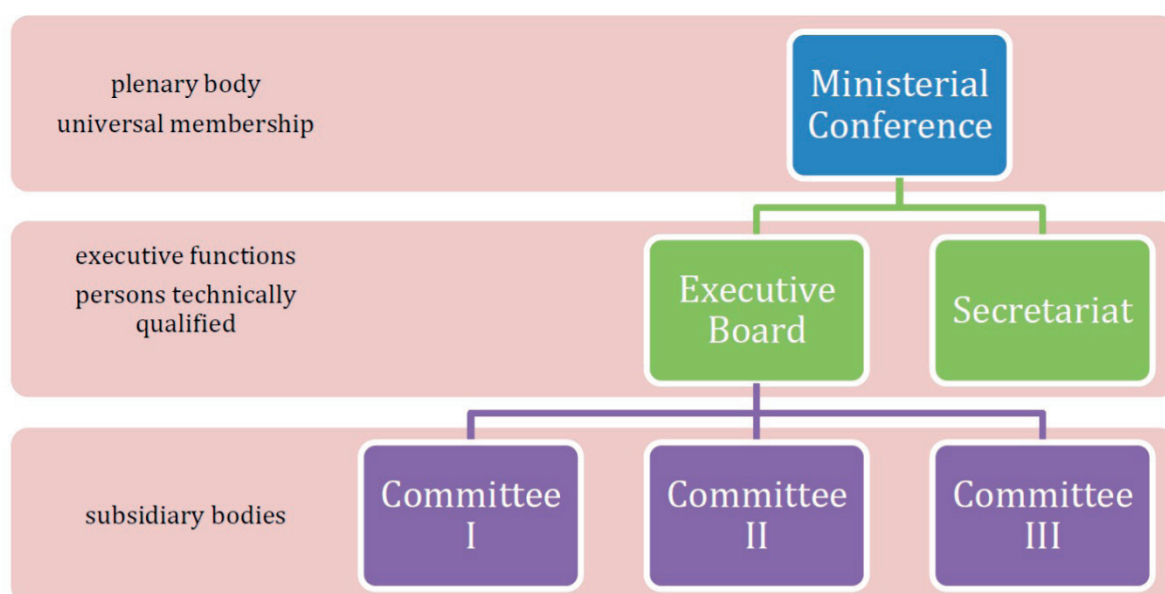
³³ See Fauchald, Ole 2010. *International Environmental Governance: A Legal Analysis of Selected Options*. Fridtjof Nansens Institut. <http://www.fni.no/doc/pdf/FNI-R1610.pdf> for a detailed analysis of the benefits of clustering MEAs under UNEP. Additionally, see <http://www.iisd.ca/vol16/enb1619e.html> for details on countries in favour of universal membership.



Legal Requirements and Governance Structure

The process of re-designing UNEP (or UNEO as it could be called then as well) with universal membership, which actually would equal establishing UNEP as a subsidiary organ of the UNGA would require a UNGA resolution (under Article 22 of the UN Charter). As with all subsidiary organs, members of the UN would be also members of the new organisation. As a subsidiary organ of the UNGA, the organisation would continue to derive its legal personality from the Assembly and would not be completely autonomous from its decision-making power. It would remain dependent on the UNGA and would be an internal organisation of the UN Secretariat. However, it would have the power to create subsidiary bodies and committees and enter into agreements with other intergovernmental bodies. Its relationship with other UN bodies and specialised agencies would be also made explicit. In terms of governance, the organs would be as described in the figure below.

Figure 7: Governance Structure of UNEP



b. Option 2: Upgrading UNEP into a Specialised Agency

The second and broader reform option is to upgrade UNEP into a specialised agency. Specialised agencies can be established by a UNGA resolution (UN Charter, Article 57), to which they are linked through the ECOSOC. In addition, the UN Charter (Article 63) determines the agency's relationship with the UNGA, and the extent of its subsidiarity to the ECOSOC. Establishing an agency depends on countries' willingness to strengthen the intergovernmental level of environmental governance, by creating an autonomous agency that would be able to make its own decisions, not having to refer them to the UNGA for approval, as is currently the case.

Decision Making

Removing environmental decision-making from the ECOSOC and UNGA can strengthen the environmental dimension of sustainable development governance, as it would allow the agency to make its own decisions without having to refer them to the ECOSOC and the UNGA for approval. Since it is assumed that the specialised agency would have universal membership, the same rules of decision-making, as those



proposed in the previous section would apply. Thus, civil society and business could be involved, either through advisory functions, or in decision-making, as appropriate – depending on whether an effective system for civil society involvement could be agreed upon. While involving other stakeholders in decision-making is a very fundamental change to the current state, it is worth considering a structured and meaningful involvement of non-state actors, potentially with a clear and overarching framework, where each group clearly knows how their particular mission contributes to sustainable development. Leaving them out would only remove the relevance and legitimacy of environmental decision-making from UNEP, given that these two strong interest groups would have to take their opinions and engagements elsewhere.

Legal Requirements for the Establishment of a Specialised Agency

To change the legal status of the UNEP and upgrade it into a UN specialised agency, an intergovernmental agreement is needed, as clearly established under Articles 57 of the UN Charter:

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.”

“2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Moreover, transforming UNEP into a UNSA would require: 1) The negotiation of a founding intergovernmental treaty (Art. 59 UN Charter); 2) the definition of the scope of activities; and 3) a relationship agreement linking the agency to the UN (Art. 63 UN Charter). The second point about defining its scope of activities have led many to oppose creation of a specialised agency, simply because UNEP’s current mandate is already very broad and encompasses most tasks related to IEG. If redefined in current times, it might be difficult to obtain such a broad mandate.

To legally base the new agency on UNEP, the founding agreement could include a clause giving the agency the power to subsume UNEP’s activities, resources and functions. A precedent already exists for this in the Constitution of the WHO whose article 72 states:

Subject to the approval by a two-thirds vote of the Health Assembly, the Organization may take over from any other international organization or agency whose purpose and activities lie within the field of competence of the Organization such functions, resources and obligations as may be conferred upon the Organization by international agreement or by mutually acceptable arrangements entered into between the competent authorities of the respective organizations.

Hypothetically, the process for establishing the new agency could start at the Rio+20 Conference, with a recommendation to the Secretary-General of the UN to submit to the General Assembly a draft statute negotiated in consultation with UNEP (UNEP 2011b). Similar steps were taken when the United Nations Industrial Development Organization (UNIDO) was changed from an organ of the UN General Assembly to a specialised agency³⁴.

³⁴ In 1975, the 2nd General Conference of the UNIDO called for the UNIDO to be transformed into a specialised agency (Declaration of Lima). To this end the Secretary General of the UN, in consultation with the Executive Director of UNIDO, was requested to submit draft statutes of a specialised agency for industrial development to the 7th special session of the General Assembly, which, then, endorsed the Lima Declaration in Resolution A/10301, Section IV, 1975.



As mentioned above, the negotiation of this statute would require an intergovernmental conference with the participation of the Member States. The latter would be invited by the UNGA to establish the agency through international negotiations. To become effective, the founding agreement (charter or convention) would require ratification of a certain number of states. It would provide for the basic provisions of the organisation and its legal foundation as an international body with a legal personality. For a country to become a member of the new agency it would sign (and approve/ratify in accordance to its own national law) the constitutive agreement. Finally, to formally abolish UNEP and transfer its staff and assets to the new UN agency, a decision of the UNGA would be needed.

Legal Implications of Converting UNEP into a Specialised Agency

As foreseen in Article 63 of the UN Charter, the specialised agency, although autonomous, will be brought into a relationship with the UNGA through agreements made with the ECOSOC, which may also take appropriate steps to obtain regular reports from the specialised agencies (Art. 64 UN Charter).

The degree of autonomy of the new agency will basically depend on the specific provisions of the founding agreement. Since states are free to negotiate the content of the constitutive instrument, the exact mandate and functions of the new agency can, in fact, vary widely. It is very likely, however, that the scope of the agency will contain the basic legal powers normally conferred upon UNSAs, including the power to: 1) Adopt decisions that would not be subject to review by other bodies; 2) Enter into agreements with governments and international organisations; 3) conclude and administer treaties negotiated under its auspices; 4) request advisory opinions from the International Court of Justice; 5) appoint its Executive Head; as well as 6) create subsidiary bodies and committees.

WEO or UNEO?

Recent debates and negotiations ahead of Rio+20 have identified a slight difference in proposals for creating a specialised agency or an organisation. Mainly there is a difference between the calls for a WEO and that for UNEO.³⁵ When compared to the status quo, the WEO option indicates a more independent status and less direct relation to the UN family of bodies. The UNEO option in comparison indicates less legal independence, and perhaps a closer link to the UN, in line with the above-described UNGA subsidiary body; as the name would indicate the UN's principal body for the environment. The slight difference may be noteworthy, because a WEO is based on a legal treaty - ratified at domestic policy levels. Such ratification may turn out to be lengthy and perhaps even impossible for some countries. Therefore the UNEO option may become a viable alternative as an interim option, until countries have ratified the founding treaty of the specialised agency. Thus the UNEO and WEO options do not have to be considered as mutually exclusive but as potentially successive steps for strengthening IEG (Olsen and Elder 2012).

Recent research (UNEP 2012)² has summarised that UNIDO came into being as a result of the wish of Member States to upgrade the UN Industrial Development Centre into a specialised agency in 1967. However, the upgrade initially could not be agreed upon, wherefore the next-best alternative was chosen, and UNIDO was created based on a UNGA Resolution. After twenty years of a stature as UN organisation, UNIDO was upgraded to a specialised agency, based on a treaty, which was ratified on national levels. In the context of reforming UNEP, the difference between UNEO and WEO would therefore denote whether the organisation is established by a UNGA Resolution (UNEO), or based on a ratified treaty (WEO) -- the former perhaps more politically less complicated to achieve consensus on, at least in the immediate time after the Rio+20 Conference.

³⁵ On the typology of various UNEP reform proposals, see Biermann 2011.



D. Regardless of Form: Improving the Functions

UNEP's broad mandate specifies a number of functions necessary for IEG. Basically they encompass three broad functional areas: information and analysis, policy development, and support. The functions related to these focus areas are important and could be carried out regardless of UNEP's future legal identity. "Granting UNEP specialized agency status is not a panacea for the difficulties besetting global environmental governance" (Ivanova 2012, p.566). Even well-designed programmes can fail if not properly co-ordinated. The section below will provide information on each of these functional areas, inform on some of their constraints and suggest ways to improve them considering that if a fundamental reform is not decided or initiated at Rio+20, incremental reforms of UNEP allowing for better delivering of the main functions of UNEP in IEG can better serve UNEP than at current status.³⁶

a. Monitoring, Assessment and Early Warning of Environmental Threats

UNEP has undertaken regular assessments of the global environmental situation and has developed and maintained a variety of information collection, monitoring and exchange networks. Since 1997, the GEO has been published regularly. The UNEP foresight process has informed stakeholders and decision makers on emerging issues to allow governments to make prioritised policy choices. The Global Environmental Monitoring System (GEMS) has provided information on water quality since 1977. Other functions under this umbrella include INFOTERRA, an information referral service system; the international Registry of Chemicals (UNEP Chemicals); the Global Resource Information Database (GRID) network; the Environmental Resource Information Network (ENRIN); and other tools to fulfill this function.

Limitations to data availability and responses, such as those identified in the current GEO-5 assessment (UNEP 2012:17) mostly originate from a lack of understanding of the exact causal relationship between impacts and responses, making the estimate of policy transferability problematic. Additionally, UNEP's chronic lack of financial resources is ameliorated by reliance on outside experts for the creation of these assessments. While using expert knowledge available is commendable, the very heavy reliance on outside experts risks remaining topic and assessment specific while improved in-house capacity could benefit utilising more integrated approaches and structured use of knowledge and data across assessments.

The contributions from such top-down assessments and bottom-up reporting on thematic and cross-cutting issues should continue and expand to include contributions from other organisations in the field, including the World Resources' Institute, World Watch, and others. Recently, the Global Panel on Sustainability (GSP) recommended that in the future, there a periodic global sustainable development outlook report should be established that collects information and assessments which are "... currently dispersed across institutions" (GSP 2012:75). UNEP could provide expert knowledge and utilise established networks as well as information from other organisations to bring together and co-ordinate the environmental dimension of such a global sustainable development outlook exercise.

A Sustainable Development Outlook is currently being actively discussed in the preparatory negotiations of the Rio+20 outcomes. It might be a valuable addition to the sustainable development institutional arrangements but in order to add value to an already crowded landscape, it should (Laguna-Celis, 2012):

- Avoid overlapping the existing assessment landscape;
- be built around a legitimate and policy-relevant process;

³⁶ UNCSD Informal Informal Consultations in New York on 31 May 2012 seem to indicate that strengthening of UNEP in its current form is still a likely outcome of the Rio+20 Conference while the discussions on an upgrade of UNEP to a specialised agency remain difficult and delegates explicitly refrained from discussing these issues as a package (Earth Negotiations Bulletin, UNCSD Informal Informal Consultations, Thursday, 31 May 2012, Volume 27 Number 38 - Friday, 1 June 2012).



- influence global, regional and national implementation;
- use existing structures; and
- include incentives and support mechanisms for data collection.

b. Developing International Norms, Standards and Policy

The normative work of UNEP should be based on the scientific findings from the information and analysis part summarised above. On these grounds, some of the functions UNEP has been carried out under its current mandate include initiating the creation of MEAs (e.g. ozone, biodiversity, desertification, POPs, etc.). UNEP has also used their convening power to allow governments to deliberate and suggest decisions on MEAs (e.g. chemicals MEAs), provide policy advice and guidance in their six priority areas of work, and use their outreach to raise awareness among governments and civil society stakeholders.

This part of the mandate, while very important for the environmental policy agenda setting has been constrained in for instance climate change and trade, which both have fallen largely outside of UNEP's purview. And while the reasons for that may vary, the environmental dimension of both these thematic areas is undeniable. In addition, UNEP with its current status and limited membership of the Governing Council has been unable to become the organisational "home" for the MEAs. Once created, they have spread across the globe and the sheer number of them has been difficult to co-ordinate given their decentralised and autonomous characteristics.

The shortcomings in this part of the mandate could be improved by strengthening UNEP's role in aiding capacity for the implementation of MEAs at local levels, as has been requested by many governments particularly in the African continent. On a UN system-wide level, it could be possible to provide better advice and capacity building if the "Delivering as One" programme were upscaled to cover more countries. This would provide a programmatic avenue for UNEP's increased involvement at implementation levels. To do so, UNEP, the United Nations Development Programme (UNDP), and other agencies should work more closely with one another, including at programming on regional levels through the existing UN Development Assistance Framework (UNDAF) and on planning levels through the UN Development Group (UNDG) in New York. For the latter, to ensure strong involvement from UNEP, strengthening the linkages between UNEP's Environment Management Group (EMG) and the UNDG would be paramount.

UN in-house co-ordination mechanisms have had many names over time and include initiatives such as the Environment Coordination Board (1972-78); Designated Official on Environmental Matters (1987-95); System-Wide Medium-Term Environment Programme (SWMTEP) (1990-99); the Inter-Agency Environment Management Group (1995-2001); and the currently active Environment Management Group (2001-present).

There may be other existing initiatives, as the overall challenges UNEP has experienced in carrying out this part of their mandate has caused other programmes and agencies to develop their own environmental divisions, task forces and other working groups on the environment. Additionally, if a periodic Global Sustainable Development Outlook were to become reality, then co-ordinating the environmental dimension of it would automatically amplify the role, which UNEP could play, especially within the UN system. The co-ordination role also relates to the UN's environment response at ground level - including policy advice, monitoring and capacity building.

In this regard, some countries favour a change of UNEP's current mandate to allow it to better integrate sustainable development aspects in addition to environmental ones. To this end, "... one option could



be to amend the current mandate of the UNEP GMEF so that it approaches the issues of sustainable development from a broader perspective...” (Cuba 2012). Such a proposal would have implications for the IFSD (Section III.2.). In addition to the broadening of UNEP’s mandate, the proposal also suggests to change the name of the current UNEP GMEF to the Global Ministerial for Sustainable Development Forum or the Global Ministerial Sustainability Forum. Finally, the suggestion encourages the annual meetings to take place in New York or Geneva so that better connections can be made between the IEG body and the other bodies responsible for sustainable development in the UN family.

The UNCSD was originally created to fulfill this role. Yet, its political relevance has remained limited, and has possibly diminished over time (Biermann et al. 2012a). In this context, the proposal recommends a merger between UNEP’s GMEF and the UNCSD, so that the latter would cease to exist in its current form. The aim with such a merger may be to respond to the criticism that the UNCSD has ended up attracting mostly ministries of environment and thereby has become a forum overlapping the functions of the GMEF - harming the political relevance of both.

The proposal further states that a combined UNDESA-UNEP team should support the annual forum, which would supersede the current UNCSD. The goal is meant to improve coherence, co-ordination and rationality of the main elements of the global institutional framework – realising the “Delivering as One” initiative at office level as well. It is imaginable that holding the GMEF in New York could strengthen the voice of the environmental ministers in the overall sustainable development forum – thereby representing the environmental dimension of sustainable development better at the UN system level in New York. Additionally, combining some elements of UNEP’s work with that of UNDP and other programmes down the line would allow for greater coherence of the UN’s work.

c. Building National Institutional Capacity

While technically part of its current mandate, UNEP has not harnessed capacity building to its full extent. Nevertheless, capacity building has been carried out under, for example, the Montevideo Programme (I-III), which is aimed at lawyers, judges, parliamentarians, regulators, and auditors - acquainting them with environmental law. Other initiatives include the Bali Strategic Plan for Technology Support and Capacity Building (2004), as well as assistance programmes for financial and thematic capacity in various regions (Montreal Protocol, Ramsar Convention etc.).

Limitations include lack of solid national level representation, as most of UNEP’s work has been restricted to inter-agency administrative level and provided only upon request (JIU 2008). UNEP’s mandate has also been mainly normative, and operational activities have thus not been included, largely due to budget constraints forcing a prioritisation towards normative work, thereby neglecting the operational dimension.

At the local level, environmental considerations and compliance with MEAs could be better integrated through the CCA/UNDAF processes into development strategies. It would also be possible to further develop co-operation and integration between UNEP/UNDP (and regional development banks) for delivery of assistance to countries’ implementation of MEAs and other international development goals. Finally, UNEP’s traditionally strong connections to civil society could be further developed by including CSOs in national level capacity building programmes in a meaningful, effective and accountable way.

d. Integrating Environment with Development at Global and National Level

Since UNDP and UNEP’s work overlap to some extent and in some areas, already Agenda 21 states



that “[t]here is a need for closer co-operation between UNEP and UNDP, together with other relevant institutions” (38.32). The UN has prepared proposals for better co-operation between the two programmes (UNEP 2011). Moreover, some governments in the Asian region are keen to see the programmes work towards better integrating and co-operating on the environment and development activities. A proposal has been prepared by UNEP and UNDP describing possible scenarios (ranging from co-ordination to joint offices) aiming for better integrating the offices and their work. The idea is that a joint UN Environment Office could provide stronger and more coherent services to Member States. While there may be some resistance at the office level, due to traditionally segregated areas of work, this proposal could be considered an investment with long-run benefits in terms of efficiency and effectiveness. A joint office could potentially help raise funds for UNEP if UNEP and UNDP’s fundraising efforts were combined. The biggest challenge is that UN headquarters level offices are not yet harmonised in terms of business cycles, planning, rules and programme cycle length (UNEP for instance has a two-year programme cycle, whereas other agencies have longer programme cycles). They often have different *prodoc* types, IT and reporting systems to name a few. These areas should ideally be harmonised so that every agency follows the same procedure, which would make it much easier to co-operate at agency and country levels and also create more coherence within their respective operations.

There are several critiques remaining with regards to the environmental work of the UN, and just changing the membership or the legal stature of the current UNEP would do little to change these flaws. Member States should be keen to support a harmonisation of work processes and administrative procedures and to see the UN consolidate its environment work. Overall enhancing efficiency in this way could generate more funding support for implementing environmental governance improvements on the ground. For instance, helping countries implement their commitments under the existing MEAs could be an obvious task for a consolidated UNEP/UNDP environmental operations. For this kind of work, the normative mandate of UNEP could be combined with UNDP’s operational mandate.

Business operations, especially in developing countries could be conducted in an environmentally sound manner, and civil society should receive training in how they could contribute with monitoring and evaluation of country and sector performances. Such kinds of efforts are already either existing or planned, for example under the Bali Strategic Plan for Technology Support and Capacity Building, which was approved at the UNEP Governing Council in 2005, showing the demand for increased capacity building at national levels. Additionally, the Bali Guidelines on access to information, participation and environmental justice (reflecting the Rio Principle 10) as adopted in 2010, while voluntary, should become embedded in such a joint normative and operational UN environment capacity building programme that aims to strengthen multi-stakeholder involvement on regional and national levels, utilising existing councils and strategies as already formulated in many countries.

E. Financing Future Environmental Governance

It is quite clear that the key actors of environmental governance will need more and predictable funding to better carry out their functions. This includes UNEP, regardless of which reform option is pursued. Unfortunately the current financial climate leaves little financial and political leeway for establishing additional mandatory contributions for countries. Traditionally, most specialised agencies rely on assessed contributions by Member States. It has to be emphasised that the funding structure is not predefined, but can be determined in a statute/treaty, which creates the basis for the agency.

It is entirely possible that funding of a specialised agency could to an extent remain based on voluntary scales, perhaps combined with a system of contributions that determines the amount according to



countries' GDP, with a maximum ceiling (UNEP 2012). This may be the fairest solution, as traditional economic activity is a contributing factor of environmental degradation. Other existing agencies' funding could be examined to determine the best option for an environmental organisation. Assessed contributions for instance, have minimum and maximum ceilings, ensuring that no one state pays more per capita than the per capita contribution of the highest contributor (WHO 2000). Other parts of the budget can derive from extra budgetary donations, trust funds and partnership agreements that can be earmarked for special co-operation programmes (Olsen and Elder 2011). Some agencies define different levels of memberships in their funding charters i.e. providing space for countries, territories, or other actors with lesser contributions to partake as observers, or with a limited voting capacity (WHO 2009). Following such an idea, it could even be envisioned that an environmental organisation could derive part of its budget from alternative sources including from private sector, or large CSOs – depending on the constituency and kinds of membership.

The World Tourism Organization (WTO), which became a specialised agency in 2003, has a variegated membership system. In addition to effective members it also accommodates associate members, affiliate members and observers (UNWTO 2011). The status is tailor-made to sovereign states, territories, associations, or private entities. While this example shows the option of differentiated membership status, it is not clear whether a similar differentiation would be possible as a factor of funding contributions. If that were the case it could potentially increase the political will for establishing an environmental organisation.

The ILO has a minimum and maximum contribution rate of 0.001 per cent and 22 per cent, respectively, as well as a maximum assessment rate of 0.01 per cent for least developed countries (ILO 2005).³ Moreover, the organisation utilises a “flexibility mechanism” created to give countries some leeway in the event of financial constraints inhibiting the full coverage of assessed contributions. Incorporating such flexibility may of course be risky in terms of obtaining the needed funding for an agency, but it could provide a positive incentive to bolster country buy-in when a resilience mechanism exists in times of financial and economic uncertainty. Often mentioned examples of innovatively funded organisations is also the World Intellectual Property Organization (WIPO), which derives around 90% of its funding from international filing and registration of patents (WIPO 2012).⁴ However, such an option would require that the main issues within the organisation's mandate are quantifiable. Many proposals for full-cost accounting and payment for ecosystem services exist, but until mainstreamed and accepted, it is unlikely that an environmental organisation could derive its funding that way.

F. ASEM Countries' IEG positions for Rio+20

Looking at the countries' support for the various options for enhancing UNEP, it becomes clear that the EU, representing 27 member countries and the accession candidate Bosnia-Herzegovina, is the only player that is pushing unconditionally for a substantive upgrading of UNEP. The Asian ASEM countries do support a strengthening of the programme to allow for a better environmental pillar, but they are more cautious, for instance, as seen in China's and also Japan's positions. Other Asian countries, while supporting a strengthening of the programme, do not support an upgrade, but like India - remain open to the discussion on universal membership. It has to be kept in mind that the negotiations are not yet concluded on the IEG and IFSD proposals. It seems that many countries are still reserving their positions or do not take a position.



Table 4: Overview of Positions of (Non-EU) ASEM Countries Related to IEG and UNEP Reform

Country	No Change	Strengthening	Universal Membership	Specialised Agency	Comment
Australia		Supports strengthening the environmental pillar of sustainable development.	Considers supporting this option.		Supports SDGs; supports transforming UNCSD into SDC http://www.uncsd2012.org/rio20/index.php?page=view&typ e=510&nr=692&menu=20
Cambodia				Supports SA (intergovernmental meeting notes, Solo 2011.	Source: intergovernmental meeting notes, Solo 2011.
China		Supports increasing financial and technical support to UNEP; stresses importance of discussions on new functions and mandate of UNEP.			Role of UNCSD (and ECOSOC) should be strengthened for the implementation of A21 http://www.uncsd2012.org/rio20/index.php?page=view&typ e=510&nr=16&menu=20

Country	No Change	Strengthening	Universal Membership	Specialised Agency	Comment
India					UNEP's role has to be strengthened in terms of capacity building, science-policy interface, technical support and knowledge management to facilitate country level initiatives. UNEP's role as an implementing agency may be strengthened with enhanced national level support India is open on the issue of universal membership of UNEP. Supports strengthening of UNEP, but no upgrade; SDC proposal needs to be examined further http://www.uncsd2012.org/rio20/index.php?page=view&typ e=510&nr=49&menu=20
Indonesia					Used outcome of Solo meeting as Zero Draft submission; http://www.uncsd2012.org/rio20/index.php?page=view&typ e=510&nr=358&menu=20
Japan		Supports step-wise approach; clustering of MEAs, focus on efficiency improvements.			Consider the possible creation of a SDC which would replace the UNCSD (informal source, unpublished)
Korea		Supports increased funding.	Supports UM.	Supports a SA.	From additions to Zero Draft (March 2012) http://www.uncsd2012.org/rio20/index.php?page=view&typ e=510&nr=643&menu=20





Country	No Change	Strengthening	Universal Membership	Specialised Agency	Comment
Lao PDR					N/A
Malaysia		Needs mandate for national level capacity building.	Supports a SA.	Supports a SA.	No submission for Zero Draft ³⁷
Mongolia					N/A
Myanmar					N/A
New Zealand					Form should follow function http://www.uncsd2012.org/rio20/index.php?page=view&type=510&nr=231&menu=20 Does not want to prejudice the final format of the institutional framework, particularly on the question of intergovernmental bodies.
					Is interested in the SDGs
Pakistan		Strengthen funding base; UNEP mandate to integrate environment and development;			Consolidate UNDP and UNEP's work programmes. Evolve a strong platform for engagement with the civil society http://www.uncsd2012.org/rio20/index.php?page=view&type=510&nr=684&menu=20
Russian Federation					Info gathered from observations at UNEP GC 2012 http://www.uncsd2012.org/rio20/index.php?page=view&type=510&nr=693&menu=20
					Not support stronger UNEP before thorough analysis of options can be agreed on internationally.
Singapore					Singapore's submission was Chair's summary of a 3R meeting, no particulars on IEG http://www.uncsd2012.org/rio20/index.php?page=view&type=510&nr=86&menu=20

³⁷ Earth Negotiations Bulletin, Volume 27 Number 35 - Monday, 7 May 2012, summary of the UNCSD Informal Informal Consultations, 23 April to 4 May 2012.

Country	No Change	Strengthening	Universal Membership	Specialised Agency	Comment
Thailand		Should be strengthened in order to provide concrete suggestions on global environmental issues, consolidate MEAs and support national implementation Focus on the inclusive decision-making process on environmental issues.			Open to consider SDC; (http://www.uncsd2012.org/rio20/index.php?page=view&ty pe=510&nr=461&menu=20)
Viet Nam					N/A





The position of all ASEM countries that are EU Member States has been developed in a Communication from the EU Commission to the EP, the European Council, the European Economic and Social Committee and the Committee of the Regions entitled “Rio+20: Towards the Green Economy and Better Governance” (EC 2011) that states that “(...) [T]ransforming UNEP into a UN Specialized Agency (such as the ILO) (...) which would entail the adoption of a legally binding treaty, would be the most promising way forward to improve international environmental governance and make progress towards global sustainable development” (EC 2011).

This position has been adopted as the EU negotiation position at the 3118th meeting of the Council of the European Union on 10 October 2011. The meeting’s conclusions: “[recognize] that the weakness of the current institutional framework for sustainable development (IFSD) hinders the effective implementation of the objectives agreed at previous international conferences and summits; [and consider] that strengthening the international environmental governance is central to the pursuance of sustainable development” (Council of the EU 2011, p. 2.).

The council underlines “that the main operational outcomes of the Rio+20 should include (...) a package of reforms, which includes the upgrading of UNEP, leading to a strengthened international environmental governance (IEG) as part of a more balanced and effective IFSD” (Council of the EU 2011, p. 3, para. 4.), and subsequently “[underlines] the need to strengthen IEG as a part of the broader IFSD reform; [and reiterates] in this context the EU’s proposal on the establishment of a UN agency for the environment, based on UNEP, with a revised and strengthened mandate, supported by stable, adequate and predictable financial contributions and operating on an equal footing with other UN specialised agencies, and that this agency should be based in Nairobi (...)” (Council of the EU 2011, p. 4, para. 13.).

Taking into account that this position reflects the views of 27 Member States, it can be considered rather bold – even for an opening position in a long negotiation process. Whether the EU delegations and negotiators “fight” for this position is another question. Especially because the paragraphs on this in the draft outcome document for Rio+20 are “particularly contentious paragraphs”.³⁸ At the UNCSD Informal Informal Consultations and Third Intersessional Meeting held from 19 to 27 March 2012, the EU in the discussion on the IFSD section also suggested having the UN Secretary-General submit proposals to the UNGA to give effect to proposed reforms (EU)³⁹ which indicates willingness to refrain from decision at Rio+20 and continue the discussions post Rio+20.

G. Analysis

During the Informal Informal Consultations on 23 April to 24 May however, the EU kept its position against a G77/China proposal which included: The establishment of a high-level political forum with an intergovernmental character, building on existing relevant structures or bodies, including the UNCSD; and strengthening UNEP’s capacities. A proposal that later was withdrawn because it caused a rift in the China / G77 negotiation block as many African states argued for strengthening and consolidating UNEP into a specialised agency based in Nairobi.⁴⁰

³⁸ Earth Negotiations Bulletin, Volume 27 Number 35 - Monday, 7 May 2012, summary of the UNCSD Informal Informal Consultations, 23 April to 4 May 2012.

³⁹ Earth Negotiations Bulletin, Volume 27 Number 24 - Friday, 30 March 2012, summary of the UNCSD Informal Informal Consultations and Third Intersessional Meeting, 19 to 27 March 2012.

⁴⁰ Earth Negotiation Bulletin, Volume 27 Number 35 - Monday, 7 May 2012, summary of the UNCSD Informal Informal Consultations, 23 April to 4 May 2012.



The ASEM country positions all favour strengthening UNEP, but apart from a few countries that have openly stated their support of an upgrade (Malaysia, Cambodia); the countries of the Asian region have not concluded their position on environmental governance issues. There can be two likely scenarios deducted from the current information. Firstly, the politically easiest option could be to support a strengthening of UNEP, providing it with universal membership and increased funding. And while this will improve the legitimacy of the programme, it may not significantly strengthen environmental decision-making, as decisions have to be approved by the UNGA, as per usual.

A stronger intervention, following the proposals of a few countries, as summarised above in the position of Cuba would entail steps to better integrate the environmental dimension of the institutional framework. Having the GMEF (or whatever its future name will be) meet in New York, or perhaps in Geneva at annual High Level Sustainability Forums (coinciding with the ECOSOC), could indeed strengthen the influence of the environmental decision makers vis-à-vis the other policy processes that may otherwise take higher priority at the UN Headquarters. This decision would not entail too many changes from the current status. Additionally, as summarised, universal membership of such a forum could adopt voting to remain efficient in terms of decision-making, and more importantly – strengthening the involvement of other stakeholders by allowing them to represent their respective constituencies in such a forum. Partaking in decision-making by using “co-decision” modalities would constitute a great step forward for IEG, in terms of representativeness and legitimacy.

The most ambitious option of upgrading UNEP into a specialised agency remains a contentious issue. Much research on the options for undertaking this upgrade has yielded little clarity. However, establishing an agency based on a treaty might be politically unrealistic at the given time, because some countries would be unlikely to ratify such a treaty at the national level. The option of creating a UNEO as inspired by the process which created the UNIDO might indeed be a feasible option for Rio+20 along with agreeing on a roadmap for further measures to strengthen effectiveness and coherence of environmental governance in the years post-Rio+20.

H. Conclusion

The options and implications for strengthening IEG, either by 1) Providing UNEP's Governing Council with universal membership; or option 2) establishing a specialised agency, have been briefly summarised with a focus on their political, financial and legal implications. The authors agree that, while strengthening UNEP is important, it will not be the only intervention that can strengthen environmental governance. The overview of UNEP's functions under its current mandate also showed that in fact, much work has already been done and could be capitalised on, if funding for the programme were the only substantive improvement gained from the Rio+20 Conference.

Common for both reform options is also that in order to effectuate solid changes to the status quo, more funding will be needed. Supplying a global environmental body with US\$ 200 million per year will not be enough to improve the global environment. A proposal for levying airline tickets is expected to generate substantial funding, which could be spent for capacity building programmes in developing countries, enhancing their capacity for implementation of MEAs. Other options, including those that were presented in the 2012 G20 meeting, on countries' intention to reform their fossil fuel subsidies would undoubtedly yield much more funding, as well as provide real financial incentives for eco-efficiency. However, unfortunately this issue has been tabled for some years without conclusion and it remains to be seen whether G20 countries will eventually act on this commitment.



As for the reform options, the research found that the stronger option of establishing a specialised agency for the environment based on UNEP, would enable it to adopt treaties and conventions and implement them. It would also provide administrative and operational autonomy, whilst maintaining a degree of independence from the UNGA and other UN organs and specialised agencies. Taken together with opening the membership to all UN Member States, it would do much to provide appropriate international standing to the environment. In comparison, the softer reform option would enhance legitimacy of the body by providing it with universal membership. It would also allow debate and deliberation on MEAs, but the real autonomous strengthening would be missing. This latter option, however, would not reduce the key factors that have constrained UNEP's authority in the global environmental domain, including the lack of legal personality and budgetary autonomy.

However, this needs not be a zero-sum game. For the purposes of Rio+20, it would be important to clearly communicate that the upgrade of UNEP would not necessarily entail creating a treaty-based agency from the outset. A model, such as the one which was used to create UNIDO could be followed. This would result in the creation of a UNEO based on a UNGA resolution, without the necessity to ratify a founding treaty at national levels – something that can be called a 1.5 option. While, environmentally speaking, this would certainly be the weaker option, the hope is that a modest strengthening would result in improvements to environmental governance, implementation and other issues such as public participation, which over time, could lead to increased support for maintaining the environment as an enabling factor for livelihoods and economy.

Any decision at the Rio+20 Conference on UNEP will likely come at costs of substantial political will and momentum. A lowest common denominator solution might even worsen IEG (for example, by settling on a mandate less broad than the current UNEP mandate). It would also effectively put the issue off the agenda for many years to come and create a path of dependency that would make the necessary bold reforms even harder. In this sense, non-decision in Rio might be preferable over a “face-saving” but inadequate decisions (where adequate would start at the UNIDO approach/1.5. option).

Together with universal membership and more willingness to also include other stakeholders in decision-making by means of co-decision procedures/advisory roles, UNEP would open up governance to those stakeholders that, in addition to elected governments, hold potential capacity to improve environmental governance. The stakeholders should be appointed as representatives for their constituencies at national levels, depending on their relevance for the issues to be decided on. In order to ensure decision-making ability in a universal Governing Council, the Council could consider introducing qualified majority-based voting as a way forward if consensus is not feasible. Such voting could be designed to ensure a voice for small states, as well as voting power being congruent with size and stake of larger states. While this will certainly be a contentious issue to hammer out, it would ensure that intergovernmental forums retain their relevance as platforms where countries' are willing to debate and decide on important issues.

IV. The IFSD in Asia and Europe

IV.1. Introduction

In line with Agenda 21 provisions, sustainable development institutional mechanisms were set up at the regional, sub-regional and national levels in Asia and Europe. These mechanisms, however, widely vary in many respects, particularly in form, role and capability. The variations largely reflect the differences in 1)



Sizes of area and population; and 2) levels of development of the two regions. For instance, the national mechanisms are given different names such as NCSDs or SD Councils/Commissions or Inter-Ministerial Committees. The creation of co-ordination mechanisms and/or NCSDs typically followed a decision to develop a NSDS, as called for in Agenda 21.

Both Asia and Europe have vertical co-ordination mechanisms among all levels although they widely differ in structure and characteristics. A key structure in Europe is the EU, with its institutions that undertake the co-ordination of Members States, and that orchestrate the decision-making of Members States in combination with the EP at the core. At the global UN level, the EU typically speaks with one agreed voice. The role of regional (UN) bodies, i.e. the UNECE, will be discussed below. Sub-regional bodies play a much lesser role in Europe than in Asia.

In Asia, the UN Economic and Social Commission for Asia and Pacific (UNESCAP) assumes the main responsibility for regional co-ordination. It brings the concerns and recommendations of Member States up to the UNGA through the ECOSOC. It then brings down global policies for implementation to sub-regional and national levels through relevant UN entities in co-ordination and co-operation with other relevant bodies.

Participation from non-state actors in the form of consultations is often undertaken, albeit in varying degrees. It remains wanting from the point of civil society, especially in Asia.

This chapter shall look closely on how these vertical and horizontal co-ordinations and integrations happen at sub-global levels. It analyses whether the current institutional mechanisms are working well and adequately responding to the demands of the times.

IV.2. The Regional Institutional Framework

The role of the regional institutional framework has become even more important, even crucial, in the recent past. Climate change impacts, trans-boundary issues and other global issues require collaborative efforts among countries, between countries and relevant bodies, at all levels, and between regions. Current adverse economic, social and environmental conditions in many parts of Asia seem to indicate that co-ordination initiatives and efforts, and perhaps the institutional mechanisms themselves that implement these, have not been working quite well. This section examines whether the current regional institutional mechanisms are delivering well in attaining sustainable development objectives and are adequately responding to the demands of the times.

A. The Asian Context

a. UN Regional Bodies

UN bodies govern the regional institutional framework for sustainable development in Asia. This is in line with Agenda 21 and the Johannesburg Plan of Implementation which state that the implementation of their provisions pertaining to the regional level must be undertaken by the UN regional commissions and other regional and sub-regional institutions and bodies⁴¹. Furthermore, Asia is generally composed of developing and poor countries, which are net recipients of assistance coursed through or implemented by UN funds and programmes (e.g. UNEP, UNDP, UNFPA, UN Women) and UN specialised organisations such as the WHO and the FAO.

⁴¹ Johannesburg Plan of Implementation, provision #158.



The leading UN bodies in the area of sustainable development in the region are the UNESCAP, the UNEconomic and Social Commission for West Asia (ESCWA), UNDP and UNEP. The profiles of these bodies (Table 5) show that they all deal with the promotion and strengthening of economic, social and environmental issues and sustainable development as a whole. UNESCAP, UNESCWA and UNDP, which are mandated to focus on economic and social dimensions, are also strongly working on environment and energy issues. UNEP is mandated to focus on the environment but has implemented projects pertaining to sustainable development governance (e.g. NSDS and NCSD)⁴² and conflicts and disasters, which are the usual areas of UNDP. It may be argued that such overlaps of focus and activities are inevitable given the inextricable links among the sustainable development dimensions. The issue is not so much the overlap but the co-ordination among the institutions themselves and other relevant regional bodies to achieve harmony and synergy in all their agenda and programmess, as well as in the integration of their inputs and outputs for a more holistic and comprehensive view of regional issues. Two other corollary and important issues are whether these bodies are able to co-ordinate and co-operate with those of other regions, and how well they have harnessed the potentials of non-state actors.

Table 5: Comparative Profiles of UN Regional Bodies and Programmes

	UNESCAP/UNESCWA	UNDP	UNEP
Mandate/ Function	Forum for governments to review and discuss economic and social issues; foster regional co-operation; promote sustainable economic and social development; and strengthen institutional capacities.	Advocates for change; connects countries to knowledge, experience and resources; leads programming of GEF and climate-related funds; and oftentimes leads UN country teams.	Helps governments translate environmental commitments into national action; develops/ implements cleaner and safer policies that catalyse efficient use of natural assets and reduces environmental degradation and risks to humans and environment.
Focus/ Priority Themes	Macroeconomic policy; social development; trade and investment; transport; environment and sustainable development; and disaster risk reduction.	Governance; Poverty Reduction and MDGs; Crisis Prevention/ Recovery; Environment & Energy; and HIV/AIDS.	Climate change, disasters & conflicts, ecosystem management, environmental governance, hazardous waste; resource efficiency, and SCP.
Focal Unit	Committee on Environment and Development (EDD).	Regional Center; Regional Team for Environment and Sustainable Development.	Division of Regional Co-operation/Regional Offices.

⁴² For instance, UNEP, through the Regional Resource Centre for Asia and Pacific (ROAP), implemented the "National Sustainable Development Strategy and Action Plans towards Mainstreaming Sustainable Development in Decision Making Process" in July 2003.



	UNESCAP/UNESCWA	UNDP	UNEP
Member States	ESCAP – 62; ECWA – 14	AP -62; -WA-14 (Covers 36 countries but only has offices in 24 countries).	ROAP - 47; ROWA - 12
Horizontal Integration	Regional Co-ordination Mechanism, ministerial meetings, e.g. MCED; consultation meetings.	UN Development Group; Regional Coordination Mechanism; and consultation meetings.	Regional ministerial meetings; HL Sub-regional Environmental Policy Dialogue; direct civil society participation.
Vertical Integration	<u>Upstream</u> : ECOSOC. <u>Downstream</u> : sub-regional offices; countries. <u>Form</u> : Consultation meetings; projects through UNDP.	<u>Upstream</u> : ECOSOC. <u>Downstream</u> : national/ local entities. <u>Form</u> : Consultation meetings; projects.	<u>Upstream</u> : Governing Council. <u>Downstream</u> : Environment Ministers. <u>Form</u> : GC/GMEF sessions; projects through UNDP at country level.
Stakeholder Participation	Consultative meetings e.g. Asia Pacific Business Forum.	Consultative meetings.	MG Stakeholder Branch; MG Annual Forum; Eco- Peace Leadership Center for civil society networking and capacity building.

Source: www.unescap.org; www.unscwa.org; www.undp.org; www.unep.org

It is in recognition of the inextricable links among the sustainable development dimensions that Johannesburg Plan of Implementation (#158) also highlights the need to improve intraregional co-ordination and co-operation among the UN regional commissions, programs and agencies; along with regional development banks and other regional and sub-regional institutions and bodies. UN regional bodies have indeed been trying hard to co-ordinate among themselves and with regional development banks (i.e. Asian Development Bank). Several co-ordinating arrangements were put in place such as the Regional Co-ordination Mechanism (RCM), the undg and the “Delivering as One” initiative (or One UN for Development).

b. Regional Co-ordination Mechanisms

UNESCAP (2012) states that the Asia-Pacific RCM was created by the ECOSOC in 1998 as the main intra-regional co-ordination arrangement for “strengthening policy coherence within the UN system and promoting co-operation and collaboration among UN entities and their development partners in addressing regional development issues” (p.7). It also stated that the RCM “provides an important means of articulating regional concerns and priorities at the global level and acting as a bridge between global, regional and national agendas” (p. 7). The RCM is chaired by UNESCAP and operates primarily through six subsidiary bodies, the Thematic Working Groups, each of which handle the region’s priority themes: Education for all; environment and disaster risk management; gender equality and empowerment of women; health; and international migration. It has 30 members consisting of all relevant bodies including development banks that are operating at the regional level.



UNESCAP's evaluation report for the biennium, 2010 to 2011, indicates that a number of reviews and assessments were undertaken precisely to improve co-ordination and coherence in Asia-Pacific, and the RCM has been found to be a valuable "vehicle through which United Nations entities can strengthen policy coherence, share information and analysis of regional issues and trends, and identify and implement joint activities" (p. 8). Notwithstanding this, the reviews identified a number of areas for improvement, which UNESCAP has immediately acted upon. These areas involve enhancing collaboration and co-operation within UNESCAP and among regional and sub-regional entities in the areas of planning of programmes and projects, monitoring and evaluation, strategic communication and advocacy strategy, and resource mobilisation. One important step in this regard is the signing of a Memorandum of Understanding⁴³ between UNESCAP and UNEP reaffirming their "commitment to utilize their respective comparative advantages in order to increase their collaboration and joint activities..."

The undg Asia-Pacific complements the RCM in improving co-ordination and co-operation in the region. It is UNDP's mechanism for supporting its country teams mainly through strategic guidance for country-level UNDAF processes, and performance management and oversight. Created in 2005, undg now has 18 members consisting primarily of UNDP Country Directors and including UNESCAP. In October 2007, the regional commissions and UNDP entered into an umbrella agreement that further strengthened their co-ordination and maximised complementarities between them through, among others, back-to-back sessions, participation in respective activities and effective communication and co-ordination between the RCM and the undg.

The "One UN for Development" builds on the UN development system reform agenda that aims to improve operational coherence and effectiveness particularly at the national level. This was based on the recommendation of the High-level Panel (HLP) on UN System-wide Coherence (UN 2006) for the establishment of One UN at country level, with one leader, one programme, one budget and, where appropriate, one office. The recommendation was intended to address the disturbing fact then a third of UN programmes involve more than ten UN agencies and each one was unable to fully undertake the programmes due to very limited funds of less than US\$ 2 million each. The "One UN" initiative could be a convenient vehicle for UNEP and UNCSD, which do not have national presence, to undertake their own programmes and activities at least cost. Unfortunately, the initiative remains as work-in-progress since actual implementation has just been on a pilot basis in only eight countries (Pakistan and Vietnam in Asia) worldwide. Pilot countries have reported successes but these have yet to be felt widely in the region.

All UN regional bodies cover or serve the same clients. UNEP has fewer Member States compared to UNESCAP and UNDP but since it operates at the regional level and the regional mechanisms for horizontal integration and co-ordination are in place, its programmes likely impact on or influence non-member countries in the region as well. The UN bodies ensure participation of non-state actors in their programmes and activities but being inter-governmental entities, they are at the behest of Member States. Non-state actors in Member States do not have the same level of influence and their contributions are provided only on demand basis, and in certain cases, a mere fulfillment of a procedural requirement.

In terms of vertical co-ordination and integration, only UNDP is able to directly reach the local level through its national presence and programmes. UNESCAP and UNEP deal with the countries through UNDP or directly through their selected programmes and co-ordination mechanisms discussed above. Nonetheless,

⁴³ http://www.unescap.org/pmd/documents/mou/MOU_UNEP_15Apr09.pdf



ESCAP calls upon social, economic and planning ministries for consultation meetings, and UNEP deals with environment ministries through the Governing Council and consultation meetings on MEAs. Upstream co-ordination is done through reporting by UNESCAP and UNDP to the ECOSOC, and UNEP to its Governing Council. Theoretically, UNCSD is able to co-ordinate downstream through any or all of these UN bodies using the RCM, UNDG and MEA bodies. This does not always happen that way since the UNCSD is also composed of governments, hence UNDESA deals directly with governments.

There have also been efforts to focus on common 1) Frameworks such as the “Green Growth”, which was launched at the Ministerial Conference on Environment and Development in Asia and the Pacific (MCED) in 2005 and which has since been developed and promoted through UNESCAP; 2) programmes such as the MDGs that are being spearheaded by UNDP; and 3) action plans on MEAs by UNEP. The MCED is a platform that brings together ministers of environment and of development every five years. It is also the occasion for non-state actors to interact with governments in formats that have evolved since the first meeting in 1985. The MCED generally discusses environment and sustainable development issues and imperatives, and develops an agenda to move forward. The sixth MCED, which was held from 27 September to 2 October 2010 in Astana, focused on promoting “Green Growth” as a sustainable development strategy through a sustainable use of resources, low carbon development and sustainable urban development.⁴⁴

B. The European Context

a. UNECE

The United Nations Economic Commission for Europe (UNECE) was set up in 1947 by the ECOSOC. It is one of five regional commissions of the United Nations. UNECE’s major aim is to promote pan-European economic integration. It should be noted that neither the environment nor sustainable development are mentioned in its mandate and its rules of procedures and main area of work is derived from Agenda 21 (chapter 38, para 29-35), the Johannesburg Plan of Implementation (para 158-161) and similar intergovernmental documents. The UNECE implements a number of activities related to sustainable development, namely, the development of standards and recommendations in transport; the development and implementation of the five ECE environmental conventions and related protocols; environmental performance reviews; activities relating to the “Environment for Europe” process; improvement of urban environmental performance; promotion of the use of energy efficient technology; market formation and investment activities on energy efficiency and renewable energies; promotion of clean coal technology and the role of coal in sustainable development; and the promotion of sustainable forest management. In addition, UNECE works on statistical indicators for assessing progress towards sustainable development; analytical studies covering progress made in achieving sustainable development in the region; and trade and environment.

Overall, the portfolio of is rather unstructured and most activities are about facilitation of meetings and processes rather than implementation as is very clear from its flagship activity, the “Environment for Europe” Process⁴⁵ which basically is just a set of meetings and conferences held in close collaboration with many relevant other organisations like UNEP, the European Environment Agency (EEA), and other regional commissions. Or, as UNECE states, they work to “(...) support its implementation by organising seminars, workshops and advisory missions and providing a forum for sharing experiences and good practices”.⁴⁶

⁴⁴ <http://mced6.org/en/objectives-and-focuses/>

⁴⁵ <http://www.unece.org/env/efe/welcome.html>

⁴⁶ <http://www.unece.org/env/welcome.html>



With this approach, UNECE has negotiated five environmental treaties, all of which are now in force and of which the secretariats are hosted with UNECE:

- Convention on Long-range Transboundary Air Pollution;
- Convention on Environmental Impact Assessment in a Transboundary Context;
- Convention on the Protection and Use of Transboundary Watercourses and International Lakes;
- Convention on the Transboundary Effects of Industrial Accidents; and
- Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

With its facilitating role, the UNECE like the other regional commissions had a role in preparation for global sustainable development conferences (for an overview, see Chasek 2012), and currently is participating in the Rio+20 process. For example, UNECE has organised regional preparatory meetings that provided one of the few opportunities for many governmental officials, local officials, Major Group representatives, and regional organisations other than the small number that joins the global “diplomatic circus” to engage in the preparatory process (Chasek 2012). According to Chasek (2012, 11), these meetings allow participants to exchange ideas and best practices at the regional and national levels within the context of global processes, and it enables channeling of regional and local ideas and knowledge to the global context.

The ability of the UNECE to convene meetings, facilitate processes of implementation and monitoring, and its collaboration with numerous actors in the region, makes it a potential nodal point for horizontal and vertical co-ordination within the UN system. But despite recognition of UNECE and other regional commissions in preparatory processes and outcome documents of the global sustainable development conferences, their role has not been adequately taken into account in the discussion on the IFSD. There has been little attention to the need for changing or enhancing regional structures for better vertical integration (Chasek 2012).

b. The EU

The EU is a unique supranational organisation, whose institutions are designed to provide for vertical integration with processes of shared decision-making between the EU level and its Member States. At its core are the 1) European Commission, which is the sole institution with the right for making policy proposals; 2) CM, consisting of the ministers of the Member States; and 3) the EP, whose influence in decision-making has increased in several stages of Treaty amendments. The European Council is the meeting of heads of states and governments, usually four times per year, to give policy directions at the highest level, and to endorse and review key strategies, such as the EU SDS and the Europe 2020 Strategy.

Within the European Commission, the key actors for sustainable development policies as such for and following-up the overarching strategies are the Secretariat General (SecGen) and Directorate General Environment (DG ENV) as the traditional driving force.⁴⁷ This is similar to the division of tasks at the national level, whereby if a prime minister’s office has the overall responsibility then the ministry for environment is the driver. Also similar to the national situation, other (sectoral) DGs deal, if they do, with sustainable development objectives within their remit. The same applies for DG Development Cooperation (DG DEVCO)

⁴⁷ With the last restructuring of the Commission, a separate Commissioner and DG for Climate Action was carved out of DG ENV, which can be considered as both a strengthening and weakening.



and national ministries for development cooperation, which are typically not involved very much in the sustainable development strategy processes, and/or drive their own agendas, as well as DG Trade, which has of course its own “sectoral” agenda of advancing the external trade interests of the EU. At least for the Rio+20 process, the Commissioners for Environment and Development have together proposed their respective policy papers (a “Communication”, which is one type of policy paper of the Commission).

As the European Commission is a collective decision-making body (the Commission adopts policy proposals as “collegium”), the internal horizontal co-ordination mechanisms are quite developed, with one DG or the Secretariat General, leading the policy preparation process and setting up inter-service steering groups. In the European Council, this is to a much lesser extent the case, as the Council formations more or less mirror the sectoral division of national governments. Similar as at national level, the Environmental Council typically deals with sustainable development strategies and the environmental perspective of sustainable development. It has been aimed since the adoption of the EU SDS in 2002 that the General Affairs Council (GAC) should deal with the SDS and the overarching perspective, but this has not materialised. The GAC is typically composed of the Ministers for Foreign Affairs, who in only few cases have SD in their remit (as e.g. in the Netherlands). Besides the intention to make SD “Chefsache” this is another reason, why the European Council deals with the SD strategy. However, this is not sufficient for the regular follow-up in between reviews every four or five years.

The EU SDS review of 2006 therefore foresaw the establishment of an “SD Coordinators Group”, which was however only once gathered by the European Commission. This again was one reason for the creation of the European Sustainable Development Network (ESDN) (see section below), as a “bottom-up” answer to the lack of activity of the European Commission for vertical co-ordination. The national sustainable development co-ordinators are often from the environment ministries, in few cases from the prime ministers’ offices (if so, there is typically also a co-ordinator in the ministries for environment), the ministries for finance (e.g. Norway, and since recently also Belgium), ministry for foreign affairs (e.g. the Netherlands, together with the Ministry for Environment) or the ministries of information that includes the environment portfolio (e.g. France with a Ministry for Ecology, Sustainable Development and Energy; UK with a Ministry for Environment, Food and Rural Affairs). In contrast to the rather weak governance of the EU SDS on the European Council side, the GAC deals with the “European Semester”, the key mechanism for implementation, i.e. vertical co-ordination, of the EU 2020 strategy (see Box 1).

While there is a tradition for occasional meetings of European Council formations with (environmental) integration needs, such as transport or energy with the Environment Council,⁴⁸ this has not been seen to synergise the environment and development agenda. One reason is probably that the above-mentioned GAC deals with development co-operation. When these issues are on the agenda, the national ministries for development co-operation typically attend in addition to the ministries for foreign affairs.⁴⁹

Another positive element for horizontal co-ordination within the European Commission has been the introduction of Impact Assessments (IA) for all its policy proposals. The system has two origins: 1) The EU SDS in 2001 with the call to introduce Sustainability Impact Assessments and 2) the Better Regulation Agenda, whose objectives are to reduce administrative burden, “cut red tape” and streamline policies.

⁴⁸ For example, the Informal Meeting of Ministers for Energy and Environment (TTE and ENVI) (18-20/4 2012, Horsens, Denmark).

⁴⁹ For example, the GAC meeting of 14 May 2012, with a very thin conclusion on Rio+20. http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/EN/foraff/130248.pdf



“Sustainability” was then omitted in the name of the system, but still, the assessments do cover the impacts of a policy proposal on the three dimensions of sustainable development (economic, social and environmental), and the European Commission has gained credibility through rather stringent internal quality control and efforts in subsequent improvement rounds. In comparison to IA systems of Member States, where the instrument was applied in rather limited cases, the European Commission’s IA is assessed positively (Jacob, Hertin et al. 2008).

Within the Environment Council, there is a group for international policies, called the Working Party for International Environmental Issues (WPIEI), which also prepares the input for the UNCSD and has prepared the EU input for the Rio+20 process. The weakness regarding vertical co-ordination however is that the civil servants from national environment ministries represented in the WPIEI are not the SD Co-ordinators who are responsible for national SDS and/or the EU SDS (who gather, for example, in the ESDN). It also seems that in many cases, or even typically, the co-ordination even within one ministry does not work well. For instance, the two directorates or units within one environment ministry do not link the two processes (national-EU and EU-global).⁵⁰

The EP does not have a special body for sustainable development, which also applies to most national parliaments (see section IV.4.). The EP committees follow the structure of the European Council as the committees in national parliaments follow the structure of the government departments. The additional institutional difficulty is that a parliament does not have a head comparable to a prime minister, and the presidents of parliaments, including the one of the EP, do not have co-ordination functions. The EU SDS has hence been dealt with in the Environment Committee of the EP (and others), and the EU 2020 strategy was discussed in several committees. In both cases, the EP as a whole adopted respective resolutions. One answer of the EP for dealing with overarching or specific issues is the creation of Intergroups, which are voluntary groups of parliamentarians from various political groups who are committed to the respective issues. As early as 1994, an Intergroup for Sustainable Development was formed but this was renamed into the Intergroup for Climate Change, Biodiversity and Sustainable Development⁵¹ in 2009. The Intergroups however are not Pparliamentary bodies and therefore may not express the EP’s opinion. The objectives are to hold informal exchanges of views on particular subjects and promote contact between MEPs and civil society.⁵² The EP is currently also introducing its own impact assessment, which is relevant, for example, if the EP’s amendments to a European Commission’s policy proposal are significant and the impacts therefore need to be assessed again. It remains to be seen, however, if such a system can work in a parliament (see also experience in Germany).

Generally speaking, for horizontal co-ordination, the European Commission has relatively well functioning internal processes. Besides the existence of formal mechanism, however, the success of internal co-ordination depends a lot on the interests of the Commissioner, as well as on the knowledge and commitment of the staff in place. Regarding the relationship between DG ENV and DG DEVCO, both aspects are seen as somewhat weak or unfortunate. Another variable is the lead of the Secretary General, which has been considered as a major bottleneck in advancing the EU SDS. The EP should strengthen its institutional capacity for overarching issues such as sustainable development. Moreover, the European Council could do more within the existing structures, such as through holding joint meetings with the respective formations/

⁵⁰ Anecdotal evidence from a number of Member States.

⁵¹ http://ebcd.org/en/EP_Intergroup_CCBSD/General_information.html

⁵² <http://www.europarl.europa.eu/aboutparliament/en/00c9d93c87/Intergroups.html>



national ministers, which has so far probably not been done because of the relatively low political attention and will. Vertical co-ordination at the working level, however, remains weak between the national ministries and their European Commission counterparts.

BOX 1: The EU SDS ⁵³

The EU responded to the Rio+5 call and developed its first SDS just in time for the WSSD, endorsed by the European Council of Gothenburg in June 2011. The achievements of this strategy were that it identified seven priority areas, later complemented by three for the global dimension and governance, and that it was an attempt to improve policy coherence. However, it was lacking governance for its implementation, which hence became the focus of the review in 2006 under the strong leadership of the Austrian EU Presidency. The new governance arrangements aimed at better linking the EU and national level, the EU SDS and national SDS, through reporting by the Member States, and regular meetings of national SD Co-ordinators to be convened by the European Commission.

A Task Force of the EU's and national statistical offices had proposed a set of 11 headline indicators ⁵⁴ out of 130 indicators (SDIs) suitable for the EU, but the European Presidency did not succeed in getting a political agreement on these indicators. They have since been used for the bi-annual monitoring reports of Eurostat (2007, 2009 and 2011). ⁵⁵

In 2007, the European Commission indeed collected national progress reports of the Member States, which fed in the EU SDS first progress report (2007). In the next review round, this was not repeated – an approach that was criticised by the more progressive Member States. The 2009 review was undertaken in a rather light form by the Swedish EU Presidency, while stakeholders had advocated for a revision of the EU SDS. One variable at the time was the future of the Lisbon Strategy: The relation of the “Lisbon Strategy” for “Growth and Jobs” (2000), and the EU SDS had been subject of discussion from the beginning. While the general language acknowledged that the EU SDS is the overarching strategy and the Lisbon Strategy a contribution to it, in reality this has hardly been the case. Under the leadership of EU President Barroso a new strategy “EU 2020” ⁵⁶ was developed and adopted in June 2010 ⁵⁷. Its key objective is to achieve “smart, inclusive and sustainable growth”, which is considered by many as reflecting the three dimensions of sustainable development (economically smart, socially inclusive and environmentally sustainable). It is detailed in seven Flagship Initiatives, for which Roadmaps with targets and timetables are developed. While the “resource efficiency” flagship has a direct relevance for sustainable development, the others remain more sectoral.

The European Council of December 2009, reacting to the EU SDS review and invited the European Commission to further explore and improve the links between the two strategies, to report back in conjunction with the next review in 2011, and, in view of the Rio+20 Conference, to explore how to better integrate the global perspective into all SDS areas within the context of future reviews. The EU SDS 2006 already stated that the latest “... by 2011, the European Council will decide when a comprehensive review of the EU SDS needs to be launched.” ⁵⁸

However, none of these intentions have materialised. A number of key actors have advocated for such a revision in the run up to the Rio+20 Conference ⁵⁹, but the European Commission preferred to stay with the EU 2020 strategy as a key strategy rather than starting a new and broader strategy process. The benefits for this approach have been seen in the comparably strong governance mechanisms of the EU 2020, both for its detailing (flagship initiatives and roadmaps) and for vertical co-ordination (the “European Semester”, with “National Reform Programs” of the Member States), with the danger that a more “loose” EU SDS would deviate from this. Denmark has explored this issue among Member States in the run up of its EU Presidency (first term in 2012), but has only received positive responses from very few Member States. It is now an aim of the stakeholders advocating for the EU SDS that a revision will be started after the Rio+20 Conference, to include the outcomes.

⁵³ <http://www.eesc.europa.eu/?i=portal.en.the-committee>

⁵⁴ <http://www.eesc.europa.eu/?i=portal.en.the-committee>

⁵⁵ <http://www.eesc.europa.eu/?i=portal.en.the-committee>

⁵⁶ <http://www.eesc.europa.eu/?i=portal.en.the-committee>

⁵⁷ <http://www.eesc.europa.eu/?i=portal.en.the-committee>

⁵⁸ <http://www.eesc.europa.eu/?i=portal.en.the-committee>

⁵⁹ <http://www.eesc.europa.eu/?i=portal.en.the-committee>



c. The EESC – Advisory Body to the EU, Stakeholder Composition

The European Economic and Social Committee (EESC) is one of the formal EU advisory institutions and has existed since the First Treaty in 1958.⁶⁰ Its creation is rooted in a neo-corporatist tradition of having formal institutions for negotiations between employers and employees (trade unions) on issues such as wage levels. The EESC had from the beginning, a wider remit and composition: employers, employees and “various interests”. With the Treaty of Nice in 2001, the EESC’s composition was made more pluralistic, and since then, it has been presenting itself as “the bridge between Europe and organised civil society”⁶¹.

The Treaty prescribes for which policies the EESC must be heard, and authorises the EESC to issue “own-initiative opinions”. Its members are nominated by the EU Member States with a proportionate representation of Member States. As an effort to tackle the overarching sustainable development challenge, and in reaction to the EU SDS, the EESC in 2006 established a Sustainable Development Observatory (SDO), which was also an answer to the already existing “Lisbon Observatory”. The SDO operates like other sub-committees of the EESC. In contrast to the examples from national parliaments (see Germany below) there is no difference in status and rights of the SDO in comparison to other sub-committees. There is a certain horizontal co-ordination effect achieved, as opinions are prepared in the SDO, whose members are also members of other, more sectoral committees, and the opinions are adopted by the EESC Plenary. Some cross-referencing to existing EESC opinions is done, but typically it is not addressed when contradictory opinions exist, e.g. on sectoral policies, which is partly due to the mandate that does not include “mainstreaming sustainable development in all EESC opinions”. This also applies to the “vertical” component: The sub-committee for external relations prepares opinions on international issues, including trade and development co-operation, which do not systematically cross-check with (existing) sustainable development opinions beyond the input of individual members, who are also member of the SDO. Here is clearly an internal improvement potential. Overall, it can be said that the work of the SDO has increased the awareness for and the profile of sustainable development within the Committee and among its members.

With regards to the (external) vertical component, the EESC facilitates an online network of national ESCs,⁶² but this is not further institutionalised.⁶³ It serves the purpose of informal information exchange, and does not issue, for example, joint pieces of advice (such as the EEAC, see section below). The EESC is also active at the global level, through organising meetings with ESCs from non-EU countries, including more or less permanent “roundtables” with ESCs (or comparable bodies) in Brazil, China, India and Russia.⁶⁴ For the UNCSD, it is aiming at adopting joint recommendations together with these bodies – a process that is in the maing at the time of writing.

There is also an International Association of Economic and Social Councils and Similar Institutions (AICESIS), which was founded in 1999, and is now composed of around sixty members from four regions (Africa, Latin America, Asia and Europe). There is some relation to the external activities of the EESC, but it seems to be still work in progress.

⁶⁰ <http://www.eesc.europa.eu/?i=portal.en.the-committee>

⁶¹ A reference used for the first time in the same amended Art. 257 of the Treaty of the European Communities.

⁶² <http://www.eesc.europa.eu/ceslink/>

⁶³ The website is somewhat outdated regarding the information about the national ESCs.

⁶⁴ <http://www.eesc.europa.eu/?i=portal.en.external-relations-other-continents>



d. Committee of the Regions (Advisory Body to the EU, Composed of Sub-National Representatives)

Besides the individual MEPs, who often have a local/sub-national election district (or a similar responsibility), the genuine link between the EU and the sub-national level is the Committee of the Regions - The EU's Assembly of Regional and Local Representatives (CoR) ⁶⁵. It was established in 1994 as an advisory body similar to the EESC and needs to be consulted in sustainable development relevant areas such as economic and social cohesion, health, education and culture, employment, social policy, environmental policy and climate change, transport and energy policy.⁶⁶ It is composed of 344 regional presidents, mayors or elected representatives of regions and cities. The Committee in its work follows the principles: subsidiarity, proximity and partnership. With a stronger role given by the Lisbon Treaty of 2009, the CoR may bring an action before the European Court of justice if the principle of subsidiarity is breached. The work is carried out in six committees, which is similar to the EESC and the work style has similar effects regarding horizontal co-ordination: Commission for Citizenship, Governance, Institutional & External Affairs (CIVEX); Commission for Economic and Social Policy (ECOS); Territorial Cohesion Policy (COTER); Education, Youth, Culture and Research (EDUC); Environment, Climate Change and Energy (ENVE); Natural Resources (NAT) – dealing with agriculture, health and maritime policies; Committee for Financial and Administrative Affairs (CFAA) – dealing with the EU budget.

Regarding external relations, the CoR focuses on EU neighboring countries ⁶⁷, but also issues opinions on EU policies for development co-operation, and has a portal for decentralised development co-operation. ⁶⁸ The CoR irregularly participates in UN processes and adopts related opinions, such as for UNFCCC, CBD, and on Rio+20. It participates in EU-India events, the EU-China new partnership on sustainable cities, and has developed closer co-operation with UNEP. The CoR gives political support to the Covenant of Mayors (signatories from 40 countries), and collaborates with local UN Major Group authorities (e.g. ICLEI, nrg4SD and UCLG).

e. Agencies: EEA

The EEA was established in 1990 by a regulation, and started its work in 1994, after the decision was taken to locate the agency in Copenhagen. Similar to other agencies of the EU that support the EU with information, its mandate is to “provide sound, independent information on the environment”, to help the EU institutions and the member countries of the EEA to make informed decisions about improving the environment, integrating environmental considerations into economic policies and moving towards sustainability. ⁶⁹ It issues reports on an array of environmental and sectoral policies, as well as a biennial flagship State of the Environment Report (SOER), which is underpinned by thematic assessments and background reports. The SOER usually includes a forward-looking perspective, including its most recent 2010 report that assessed “global megatrends”. This global-to-European perspective was considered “relevant for European environmental policy making because Europe’s environmental challenges and management options are being reshaped by global drivers such as demographics, technologies, trade patterns and consumption”. ⁷⁰ Another flagship report was the 2002 “Late Lessons from Early Warnings”, taking stock of the application of the precautionary principle. A Volume 2 is currently in the make and will look into “Science, Precaution, Innovation” for a number of key problem issues.

⁶⁵ “Regions” in the European context refer to the (first) sub-national level.

⁶⁶ <http://cor.europa.eu/en/about/Pages/key-facts.aspx>

⁶⁷ See in particular, Pan-European/Mediterranean/ENP: e.g. the Euro-Mediterranean Regional and Local Assembly (ARLEM) and the Conference of the Regional and Local Authorities for the Eastern Partnership (CORLEAP).

⁶⁸ CoR/EC portal <http://lra4dev.cor.europa.eu/portal/en/Pages/welcome.aspx>

⁶⁹ <http://www.eea.europa.eu/about-us>

⁷⁰ <http://www.eea.europa.eu/soer/europe-and-the-world/megatrends>



As a key mechanism for vertical co-ordination toward the national and sub-national level with respect to data gathering on the state of the environment and the like, the EEA co-ordinates the European environment information and observation network (Eionet). In this context, the Agency works closely together with the National Focal Points (NFPs), typically national environment agencies or environment ministries in the Member States. The NFPs are responsible for co-ordinating networks of the National Reference Centres (NRCs), bringing altogether around 1,000 experts from over 350 national institutions and other bodies dealing with environmental information. Apart from the NFPs and NRCs, Eionet currently covers six European Topic Centres (ETCs) in the areas of air and climate change, biological diversity, climate change impacts, vulnerability and adaptation, water, land use and spatial information and analysis and SCP.⁷¹

The 27 EU Member States and Iceland, Liechtenstein, Norway, Switzerland and Turkey are members of the EEA. In addition, seven West Balkan countries are co-operating countries, and the EEA also co-operates and fosters partnerships with its neighbours and other countries and regions in the context of the EU Neighbourhood Policy (see section below). It also co-operates with The United States Environment Protection Agency (EPA); the Canadian agency, Environment Canada; and the Chinese State Environmental Protection Administration (SEPA); as well as with the UN organisations UNEP, UNEP/MAP, UNECE, WHO, UNDP, UNSD, FAO, WMO, World Bank, and the secretariats of the global conventions CBD, UNFCCC and UNCCD, as well as with the (sub-)regional organisations OECD, OSCE, the Arctic Council and Nordic Council; the REC and CAREC; and ASEF's ENVforum. The EEA's priority issues with global relevance are climate change, air pollution, sustainable production and consumption, biodiversity, health and environment and the shared environmental information system.⁷²

For environmental policies and sector policies with respect to environmental integration and environmental sustainability, the EEA is an outstanding institution for independent analysis, systematic data collection as well as partnerships with other countries and global institutions, including capacity building. As an agency, its role in giving policy advice is somewhat questioned, as it also takes on some policy making roles apart from its core task of data provision. In any case, the EEA is a highly acknowledged institution that successfully puts urgent problems on the table.

f. Networks: ESDN, EEAC and National ESCs, REC

➤ European Sustainable Development Network (ESDN)⁷³

The ESDN is an informal network of sustainable administrators in the national (and sub-national) ministries in Europe (EU and beyond). It evolved in 2002 as an answer to the weak vertical governance mechanisms of the first EU SDS (see section 2.2 above), which were in particular deficient, because the European Commission did not enact or practice them. An improvement was achieved with the 2006 EU SDS revision, but the European Commission continued not to call the meeting of the SD Coordinators of the Member States. The ESDN was institutionalised and continues to be funded by individual Member States' contributions (in particular Austria, which also holds the Secretariat, Finland and Germany). It organises annual conferences on key topics of sustainable development, with a focus on governance aspects, conducts comparative studies and issues a quarterly newsletter on these topics, as well as policy recommendations. It also maintains structured country profiles on key aspects of sustainable development governance that are also covered in this research (SDS, horizontal and vertical co-ordination and stakeholder participation).

⁷¹ <http://www.eea.europa.eu/about-us/countries-and-eionet>

⁷² <http://www.eea.europa.eu/about-us/international-cooperation>

⁷³ www.sd-network.eu



➤ European Environment and Sustainable Development Advisory Councils (EEAC) ⁷⁴

EEAC is also a bottom-up initiative that started in 1993 as network of environmental advisory councils, which at that time were the only bodies of that kind and mainly existed in the founding countries: Belgium, Germany, the Netherlands, Sweden and the UK. This model was adopted in other countries and later evolved to a body composed of stakeholders rather than experts. Towards the end of the 1990s, several of these multi-stakeholder bodies or SD Councils had already been established. However, as there were no clear lines to distinguish the two types of councils, some having environmental policy and sustainable development in their remit, and some environmental councils had a stakeholder composition, it was decided in 2002 to join forces and to include SD Councils in the network. At the same time, the Working Group on Sustainable Development was formed, and this has since carried out activities in this field, and has co-operated with the ESDN, the EESC and other players at the EU and global levels. The EEAC also started as a loose network with annual conferences that have continued ever since. It later decided to institutionalise them by introducing a membership fee and creating a Steering Committee and a co-ordinating unit, which has grown and later established into a Secretariat in Brussels in 2005.⁷⁵ Besides the one for sustainable development, there are also Working Groups on Energy, Agriculture/Land Use, Biodiversity and other ad hoc formations, such as currently on transport policies. The EEAC's annual conference in 2011 was held during the Polish EU Presidency in Wroclaw and discussed policy recommendations for the Rio+20 process. The EEAC is also co-operating in the initiative to start a global network of SD Councils.

➤ Networking national Economic and Social Committees ⁷⁶

The co-operation between national ESCs is less structured than between sustainable development administrators and SD Councils (in the ESDN and the EEAC). The EESC (see section above) maintains a website with information of all ESCs and facilitates meetings between its members and national ESCs. In both cases, there is no particular focus on sustainable development, and there are no established links with the SDO of the EESC and similar sub-committees in national ESCs (one reason also is a lack of such groupings).

➤ Regional Environment Center for Central and Eastern Europe (REC) ⁷⁷

The Regional Environment Center for Central and Eastern Europe (REC) was established in 1990 by the US, the European Commission and Hungary. Today, the REC is legally based on a charter signed by the governments of 29 countries and the European Commission. It has its head office in Hungary, and country and field offices in 17 beneficiary countries ⁷⁸.

The REC's mission is to assist in solving environmental problems, by promoting co-operation among governments, non-state actors, businesses and other environmental stakeholders, and by supporting the free exchange of information and public participation in environmental decision-making. The REC has been a successful player for capacity building in the countries of the region, with its main topic areas

⁷⁴ www.eeac.eu

⁷⁵ Some of this will be brought back to a more decentralised governance in 2012, as the EEAC needs to adapt to a lower budget caused by a reduced number of members. This is mainly due to councils being terminated by national governments, but also due to requests for concentrating on networking on core policies and giving up the mission of being a player vis-à-vis the EU. There are different expectations within the membership, and an internal reform is currently being undertaken. For the time being the Brussels secretariat will be discontinued.

⁷⁶ www.eesc.europa.eu/ceslink/

⁷⁷ www.rec.org

⁷⁸ Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, the former Yugoslav Republic of Macedonia, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia and Turkey.



1) Strengthening institutions for sustainable development (local initiatives, law enforcement, finance); 2) capacity building of stakeholders and assisting partnerships (including the implementation of the Aarhus Convention) 3) sustainable management and use of natural resources (biodiversity, rural development, water, SCP); and 4) integration of environmental concerns into the relevant sectors (such as energy, transport, etc), including Environmental Impact Assessments.

It participates in key global, regional and local processes, contributes to environmental and sustainability solutions, also by transferring transitional knowledge and experience to countries and regions.

C. Comparison of Asian and European Regional IFSDs

The regional mechanisms in the two regions widely differ in influence, structure, functions and processes. UN entities and regional mechanisms lead and dominate in Asia, in effect indicating that Asia still does not have the capacity to establish self-governing mechanisms or ones that are autonomous to the UN system. After all, many Asian countries remain dependent on the assistance and services of UN bodies and other development and financial institutions, including those from Europe. In contrast, UN is not as dominant in Europe because of the strong role of the EU, which is represented at the global level by the European Commission. Unlike Asian regional mechanisms, the European Commission is neither directly nor indirectly part of the UN system, hence is not accountable to the UN. The EU has a very strong influence in global policy making since many of its Member States are big global players in all three sustainable development dimensions, and with the current power of 27 votes, they speak with one voice on many issues through the EC. The EU and many of its Member States are also providers of funds to the UN and recipient countries.

The other clear difference between the two regions is the absence of co-ordination and co-operation mechanisms for sustainable development administrators or councils such as the ESDN and the EEAC in Asia, due to the cessation of operations of the Asia-Pacific National Councils for Sustainable Development (APNCSD) about three or so years after its establishment in 1995. The APNCSD was created and operated through funds mobilised by the Japan NCSD but it soon became inactive due to organisational and funding problems. Through its three NCSDs (Japan, Mongolia, Philippines) and NGO members, APNCSD was able to hold a number of organisational meetings and exchange of experience forums.

Asia also does not have a body like the EEA although UN bodies undertake activities similar to what it does (e.g. formulation of SOER by UNEP).

IV.3. The Sub-Regional Institutional Framework

A. The Asian Context

Asia is a large region both in terms of area and population. It is highly diverse and faced with a wide variety of concerns and issues. It was thus necessary to divide it into sub-regions for more effective management of operations and services by global bodies and to facilitate co-operation and co-ordination on matters of mutual interest among nations. The sub-regions are Northeast Asia, Southeast Asia, South Asia, Central Asia and West Asia. UNESCAP oversees the first three sub-regions and the Pacific sub-region, which though not a focus of this study, would still be looked into in this particular section of the report. UNESCWA, which takes care of the West Asian sub-region, is considered a regional commission, hence discussed in the regional section. There are numerous sub-regional bodies in Asia but this study will focus on inter-governmental programmes/co-operations/bodies that deal with the environment and overall development as described below and in Table 6.



- The South Asian Association for Regional Cooperation (SAARC) is thought to be the biggest regional organisation in the world because it covers about 1.47 billion people (Hindustan Times 2007). It promotes peace, stability, amity and progress in South Asia through innovative co-operation approaches in its 16 priority areas of co-operation. It is guided by the Sub-Regional Strategy for the Sustainable Development of South Asia, which sets three main goals: eliminating poverty and creating national security, conserving natural resource endowments and securing an economic base, and strengthening institutional systems. As a regional co-operation body that covers all aspects of development, SAARC has multi-layered (i.e. heads of states, ministers, senior officials, etc.) and multi-sector (e.g., economic, social, environment) meetings to come up with a common strategies, agenda, etc.
- The South Asia Cooperative Environment Programme (SACEP) was established to promote international co-operation for the protection, management and enhancement of the environment for sustainable development in South Asia. The organisation has implemented a number of projects and programmes aimed at environmental education, environment legislation development, biodiversity and air pollution management, and the protection and management of the coastal environment. The SACEP South Asian Regional Seas Programme and the Malé Declaration on Control and Prevention of Air Pollution are examples of its initiatives.
- Northeast Asian Sub-Regional Program for Environmental Cooperation (NEASPEC) is an intergovernmental mechanism for policy dialogue and programme development that serves as a vehicle to attain the sub-region's aspiration "to redress the traditional dichotomy between environmental quality and economic growth; and to render ecological efficiency and environmental sustainability opportunities for economic development."⁷⁹ It expedites co-operative action in addressing trans-boundary environmental challenges as spelled out in the Framework for the North-East Asian Sub-Regional Programme of Environmental Cooperation, which was developed and adopted through a consultative process. It co-operates in resolving problems affecting member countries such as desertification, and in promoting sustainable development through partnership in, for instance, nature conservation and eco-efficiency.
- The Interstate Commission for Sustainable Development (ICSD) was established by the heads of states of the five countries in the Central Asia sub-region in 1993 through the Agreement on Joint Actions to Tackle Aral Sea and Prearalie Problems, Environmental Improvement and Ensure Socio-Economic Development in the Aral Region.⁸⁰ It operates under the International Fund for Aral Saving (IFAS) for the purpose of promoting co-operation to address the Aral Sea problems and promote collaboration in sustainable socio-economic development in parallel with the conservation and rational use of natural resources. A special feature of the ICSD is the membership of the ministers for the environment, finance and science from each member country, making co-ordination for sustainable development tighter and stronger. The long-term SDS for Central Asia that was formulated in 2008 guides the ICSD.

⁷⁹ <http://www.neaspec.org/envir-impera.asp>

⁸⁰ <http://uznature.uz/eng/newsmain/33.html>



- The Association of Southeast Asian Nations (ASEAN) is the oldest and perhaps the most matured sub-regional body in Asia. It promotes co-operation in all dimensions of development including economic, social, political, cultural and environmental. Its co-operation has gone beyond programmes and projects on to economic integration, hence free trade, industrial complementation, and common infrastructure, etc. Its co-operation in environment and sustainable development started as early as 1977 and now has the following priority areas: trans-boundary pollution, urban environmental issues, coastal and marine environment, biodiversity and freshwater resources. Many countries collaborate with ASEAN on various programmes and projects such that expanded meetings of (e.g. ASEAN +3 with China, Japan, South Korea) have become common and regular.
- Greater Mekong Sub-Region Program (GMS Program) is a long-term comprehensive programme that was initiated and continues to be funded by the ADB to develop the sub-region. It is not a body in itself but it has established institutional arrangements that, due to their many years of existence, have become key mechanisms for pursuing sector programmes. For instance, the Working Group on Environment was organised to handle the sub-region's Core Environment Program. The Sub-regional Strategy for Sustainable Development of the Greater Mekong Sub-Region spells out the goals and strategies to achieve the MDGs by 2015 and facilitate the path towards sustainable development. The permanent body that covers the GMS is the Mekong River Commission (MRC), which is an intergovernmental body consisting of Cambodia, Lao PDR, Thailand and Vietnam that seeks "to provide effective support for sustainable management and development of water and related resources."⁸¹ This research focused more on the GMS Program instead of the MRC because it covers more countries (plus Myanmar and Yunnan, China) and has wider scope (includes forestry management, infrastructure development, etc.).
- The Secretariat of the Pacific Regional Environment Program (SPREP) is different from UNESCAP's office in the Pacific, the South Pacific Commission. It is the one featured here because it largely handles environment and sustainable development matters in the Pacific region. It aims to promote regional co-operation to protect and improve the environment for the sustainable future of its peoples. The Strategic Action Plan for 2011 to 2015 sets the following as priorities: climate change, biodiversity and ecosystem management, waste management and pollution control; and environmental monitoring and governance⁸².

All the above mechanisms are collegial and generally decide by consensus since they were established in the spirit of co-operation. They do not have legislative roles, hence they are unable to make laws or regulations and strongly enforce agreements and decisions. Except for SAARC and ASEAN, they were established as programmes or developed from programmes on common or specific issues among neighbouring countries. All are inter-governmental and almost all are dependent on external assistance and national contributions. There are many more bodies beyond those listed here and in the previous section that bear financial burdens on limited budgets of governments, both in terms of contributions and participation in international meetings and activities. These are just some of the reasons that may be cited for the inability of these bodies to be autonomous, self-reliant, ensure compliance with decisions made at

⁸¹ <http://www.mrcmekong.org/about-the-mrc/vision-and-mission/>

⁸² <http://www.sprep.org/what-we-do>



regional and global levels, and exert strong influence in behalf of the region in global discourses. The sub-regional bodies are only as strong as the Member States, thus strengthening the capabilities of the states would facilitate the attainment of their respective objectives.

Horizontal co-ordination within the sub-region is achieved largely through periodic (usually annual) multi-level and thematic meetings, which are generally attended by foreign affairs ministers (for overall co-operation) or environment ministers (for environment programmes). There are limited occasions or vehicles for co-ordination and integration of development dimensions to facilitate the pursuit of sustainable development. An exception is the ICSD, which makes the three ministries (finance, environment and science) strongly concerned with sustainable matters, thereby ensuring co-ordination and coherence at all times. There surely are lessons to be learned from this model.

Actual and meaningful participation (e.g. in planning and policy making) of non-state actors is very limited. Participation by non-state actors was prescribed by Agenda 21 to ensure the promotion of horizontal co-ordination and coherence. However, such participation has largely been confined to the usual consultations on programmes and agenda of these bodies. ASEAN has established a mechanism for civil society accreditation and participation as early as 1986 when the original Guidelines on ASEAN's Relations with Civil Society Organizations⁸³ was issued. However, many CSOs claim that the procedures are complicated and accreditation is difficult to obtain. Accredited organisations on the other hand claim that accreditation is not a guarantee that an organisation would actually be consulted on issues or invited to meetings.

Similarly, there has been no deliberate mechanism for vertical co-ordination and exchanges of experiences among sub-regions. Exchanges of experience rarely happen and usually only as an incidental effect of region-wide consultation meetings that are convened on specific issues from time to time. Priorities and agenda of these sub-regional bodies usually get to the regional level through the sub-regional offices of UNESCAP and individual governments, i.e. not always through the respective representation and participation of the sub-regional mechanisms. It may be argued that the sub-regions have very different contexts and concerns that co-ordination at the regional level may be undertaken by UNESCAP or UNEP, and as such, a deliberate mechanism for co-ordination may have minimal impact. This argument had basis in the past but not so this time and in the foreseeable future as climate change impacts, the financial meltdown episode and the energy crisis have demonstrated. The need to prevent, mitigate or manage trans-regional issues such as those previously cited require close co-ordination and common foresight. Perhaps this is one reason the UN created the sub-regional offices of ESCAP. Such a creation may have some basis but there may also be value to building on existing institutions to minimise overlaps, improve efficiency and generate savings. This will also strengthen the capabilities of the sub-regional bodies.

SDS in various forms exist and are well developed in all sub-regions. South Asia, Central Asia and GMS formulated their respective SDS through the UNEP-RRCAP project that was earlier cited. Over the years, Southeast Asia has developed a number of strategies and action programmes to help realise their ASEAN vision. Northeast Asia does not have a sub-regional strategy but NEASPEC adopted a framework that largely respects the existing strategies of Member States. The Pacific developed a Strategic Action Plan that guides SPREP in its work. With all these strategies, there should be clear indications by now how sustainable development is progressing in the sub-regions and the region as a whole. As this has not been quite the case, various efforts have been undertaken to improve and simplify tools, approaches, systems

⁸³ <http://www.aseansec.org/18362.htm>



and institutions. Perhaps an additional effort – that of reviewing the consistency of these strategies across sub-regions and with national and regional strategies would help everybody go in one direction and use common paths.



Table 6: Sustainable Development Sub-Regional Mechanisms in Asia

	ASEAN	GMS	NEASPEC	SPREP	SACEP	SAARC	ICSD
Coverage	Southeast Asia (10 nations).	Southeast Asia (5 nations); Yunnan.	Northeast Asia (6 nations).	Pacific Region (25 nations).	South Asia (8 nations).	South Asia (8 nations).	Central Asia (5 nations).
Creator/ Year	Bangkok Declaration (1967).	ADB (1992)	ESCAP (1993).	ESCAP (1982).	Member governments (1982).	Member governments (1985).	Joint Action on Aral Sea Agreement (1993).
Objective/ Function	Promote economic growth, social progress, cultural development; and peace and stability.	Implement projects in transport, energy, environment, HRD, agriculture, etc.	Address environmental problems; promote common policy dialogue.	Promote ESD in the region; focus on CC, Biodiversity, Waste Management.	Promote ESD through projects in waste management; CC adaptation, data management; etc.	Co-operate on economic growth and social progress for collective self-reliance.	Regional co-operation in environmental protection and sustainable development; solve problems related to Aral crisis.
Vertical Integration	Representation in regional & global bodies; country membership	Feeds into ASEAN, UNESCAP and sub-regional bodies.	UNESCAP; Governing Body (Senior Environment Officials); National Focal Points.	Country participation; representation in regional and global bodies/ meetings.	Governing Council; Consultative Committee National Focal Points.	Country participation; representation in regional and global bodies.	Country participation; representation in regional and global bodies.
Horizontal Integration	Summits; meetings of ministers and senior officials, etc.	Sector working groups; ministerial meetings.	Meetings of ministers, officials; national focal points.	Annual meetings of ministers, officials; national focal points.	Meetings of ministers, officials; national focal points.	Summits; meetings of ministers, senior officials, committees.	Summits; ministerial meetings; membership of finance, science and environment ministers.
Participation mechanism	CS affiliation; consultation meetings.	Consultation meetings.	Consultation meetings.	Consultation meetings.	Consultation meetings.	Consultation meetings.	Consultation meetings.
SDS	ASEAN Socio-Cultural Community Blueprint	SDS Strategy for GMS	Framework for NEASPEC	Strategic Action Plan, 2011-2015	SDS for South Asia	SDS for South Asia	SDS for Central Asia

Source: <http://www.aseansec.org/>; <http://www.adb.org/countries/gms/main><http://www.neaspec.org/>; <http://www.sprep.org/>; <http://www.sacep.org/>; <http://www.saarc-sec.org/>; <http://www.escwa.un.org>



B. The European Context

Largely due to the dominance of the EU as the major supranational body in Europe, the need for sub-regional institutional mechanisms has not been strong. While a few sub-regional bodies were created in Europe, their roles have not been as significant as those in Asia. There might be new ones arising in neighboring regions, such as the Balkan, but it is likely that these will be subsumed under the EU Neighborhood Policies (ENP).⁸⁴ An example is the Euro-Mediterranean Partnership, which started in 1995 as the Barcelona Process and re-launched in 2008 as the Union for the Mediterranean (UfM). Members of the UfM are the 27 EU Member States and 16 Southern Mediterranean, African and Middle Eastern countries. Geographically and politically speaking, it is a cross-regional, not a European sub-regional mechanism, hence there is no policy co-ordination towards the global level. The UfM covers sustainable development relevant areas such as economy, environment, energy, health, migration and culture; and undertakes initiatives such as 1) De-pollution of Mediterranean Sea; 2) a joint civil protection programme on prevention, preparation and response to natural and man-made disasters; 3) a Mediterranean solar energy plan; and 4) a Mediterranean Business Development Initiative, among others.⁸⁵ Other similar ENP programmes include the Black Sea Synergy⁸⁶ and the Central Asia Strategy.⁸⁷

Another cross-regional co-operation is the Arctic Council, which was formally established in 1996 as a “high-level inter-governmental forum to provide a means for promoting cooperation, coordination and interaction among the Arctic States. It involves the Arctic Indigenous communities and other Arctic inhabitants, and deals with common Arctic issues; in particular, issues of sustainable development and environmental protection in the Arctic.”⁸⁸ The eight Member States are: Canada, the US, Finland, Iceland, Russia, Norway, Denmark and Sweden.

A unique form of sub-regional co-operation is the Nordic Council, with the Nordic Council of Ministers (NCM), which together with the Nordic Culture Fund, form the official Nordic co-operation that aims to create a Nordic synergy and promote Nordic values in the world at large. The NCM was established in 1971 as the official body that promotes co-operation among the five Nordic countries: Denmark, Finland, Iceland, Norway and Sweden, along with the three autonomous areas: Greenland, the Faroe Islands and the Aaland Islands. The Nordic Council, created in 1952 in the wake of WWII, is an official inter-parliamentary meeting that consists of MPs from the five national parliaments and the devolved parliaments in the three autonomous territories. It makes recommendations on how to further Nordic co-operation on a broad range of issues. Decisions taken by the Nordic Council are submitted to the NCM and the Nordic governments for approval and implementation. The issues of globalisation, climate and freedom of movement have been highest on its agenda over the last couple of years.⁸⁹ The NCM adopted the “first regional sustainable development strategy in the world in 2001.” According to its own profile, a sustainability approach has since then been incorporated into all the activities of the NCM.⁹⁰ The NCM is committed to the Rio+20 process and intends to “offer a perspective of the Nordic Way towards a green, inclusive economy, ... focus on concrete solutions from a holistic point of view, with a strong emphasis on equal rights and welfare.” It

⁸⁴ http://eeas.europa.eu/enp/index_en.htm

⁸⁵ http://eeas.europa.eu/euromed/index_en.htm

⁸⁶ http://eeas.europa.eu/blacksea/index_en.htm

⁸⁷ http://eeas.europa.eu/central_asia/index_en.htm

⁸⁸ <http://www.arctic-council.org/index.php/en/about-us/history>

⁸⁹ <http://www.norden.org/en/nordic-council/the-nordic-council/why-the-nordic-council>

⁹⁰ <http://www.norden.org/en/nordic-council-of-ministers/ministers-for-co-operation-mr-sam/sustainable-development/rio-20-1/who-are-we>



also refers to Gro Harlem Brundtland, having coined the term “sustainable development” and it “hopes to contribute to the Rio conference in her spirit”⁹¹. This means, it is contributing on its own i.e., independent of the EU.

A sub-regional formation with formal and legal relationships to the EU is the European Economic Area (EEA) through which the EFTA (European Free Trade Association) countries, namely, Norway, Iceland and Liechtenstein are allowed to participate in the EU’s internal market. The EEA agreements provide that EEA countries take up parts of the EU “acquis”, and they collaborate with EU in this respect. Another sustainable development relevant activity is the EEA and Norway Grants, which is a fund set up by the members of the EEA for supporting the EU’s cohesion policy. Fifteen EU Member States may apply for funding of projects, which in many cases advance the sustainable development agenda.

C. Comparison of Sub-Regional IFSDs in Asia and Europe

Comparing the sustainable development institutional frameworks in the two regions, it can be gleaned that:

- Asia needs to be subdivided and co-ordinated by sub-regional mechanisms to better manage its highly diverse and wide area as well as its big population. While Europe is also highly diverse, it is more compact and member countries are more accessible.
- Asia has a lot of bodies and mechanisms dealing with environment and sustainable development at the sub-regional level. In Europe, there is less need for these, largely due to the existence of the EU, which is a strong institutional mechanism. In view of these, horizontal and vertical co-ordination and integration in Europe have been somewhat easier than Asia, which needed to set up co-ordination and integrating mechanisms such as the RCM, UNDG and collaborative agreements such as that between UNESCAP and UNEP.
- The EU is a dominant mechanism in Europe because it has 1) The capability to create laws and enforce them among Member States; and 2) internally-generated financing for its own operations and for extending assistance to needy countries. In contrast, Asian sub-regional sustainable development mechanisms are mostly programme-oriented and do not have law-making and enforcement capabilities. They are also highly dependent on external assistance, including from the EU.
- Participation of non-state actors can stand improvement in both regions. There is a need to review participation mechanisms with the purpose of expanding and making them more responsive to the provisions of Agenda 21 and promote the spirit of Rio. In terms of integrating and co-ordinating sustainable development dimensions, the ICSD arrangement may be a model worth emulating.

IV.4 National Institutional SD Frameworks

Agenda 21 and the Johannesburg Plan of Implementation prescribe the establishment of a multi-stakeholder and multi-sectoral governance mechanism that would co-ordinate plans, policies and programmes of various sectors and stakeholders at the national level. This prescription manifests the importance of a

⁹¹ <http://www.norden.org/en/nordic-council-of-ministers/ministers-for-co-operation-mr-sam/sustainable-development/rio-20-1>



national mechanism that would ensure the participatory and integrative formulation and implementation of NSDS, policies and programmes. Unfortunately, not very many countries established such multi-stakeholder mechanisms. The majority of them are government bodies and they come in various formats. European NCSDs are predominantly a means for multi-stakeholder dialogue, either with government representatives included as members or as a less formalised dialogue between non-state actors and the government. In Europe, national mechanisms are distinguished in three types⁹²:

- Inter-ministerial bodies at the political level, which are chaired by politicians or high-level administrators;
- inter-ministerial bodies at the administrative level whose participants are mainly representatives of the national administration (ministries), typically under the lead of the ministries of environment; and
- Hybrid regimes, in which the processes of horizontal policy co-ordination (politicians and administrators) are enriched by the participation and consultation processes of societal stakeholders (business and civil society).

The same typologies generally exist in Asia with some nuances such as leadership of planning or development ministries, and designation of a specific unit within a ministry to serve as the focal point. As stated earlier, the mechanisms are called by various names in view of differing formats and levels. For this reason, these will generally be referred to in this report as national mechanisms or if the discussion calls for it, NCSD or SDC.

Following Agenda 21, an NCSD is primarily created to formulate and ensure the implementation of the NSDS. Its main function should be the integration and harmonisation of policies pertaining to the three dimensions of sustainable development and this is largely done through the NSDS. Exchanges of experience among NCSDs worldwide that were conducted by the Earth Council have indicated that many of them have assumed roles that are not in their terms of reference as these are called for by their respective country's context or because such roles are inherent in sustainable development processes. Among others, they have served as: 1) A facilitator for getting consensus or solving problems such as those posed by trade-offs between economic progress and environmental protection; 2) a vehicle for co-operative action and commitment forging among agencies or between government and non-state actors; and 3) a platform for raising awareness, disseminating information, and creating and propagating knowledge.

A.. The Asian Context

Vertical Co-ordination

The country is at the low end of the vertical co-ordination spectrum of the IFSD⁹³ but it is also what comprises the sub-regional, regional and global institutions. Because of this and since environment and sustainable development matters are largely localised, the national level is the most important component of the IFSD, especially as regards implementation of global agreements. The linkages and mechanisms for

⁹² Gjoksi, N., Sedlacko M. & Gerald Berger 2010. "NSDSs in Europe – Status Quo and Recent Developments. ESDN Quarterly Report September 2010. http://www.sd-network.eu/?k=quarterly%20reports&report_id=18#_ftn3, p.22, with some modifications. The country examples should be taken as indicative only, inter alia as the arrangements might change due to new elections and governmental changes.

⁹³ There is still the local (sub-national) level component, however, since the membership in UNCSD and the linkage between local and the UNCSD is at the national level, the study lumps the national and sub-national levels together.



vertical integration in Asia have been discussed previously in the regional and sub-regional sections of this chapter. In summary, they may be described as 1) Predominantly managed by UN entities and mechanisms, with UNDP leading the group at national level; and 2) improved coherence and co-ordination but still lacking in efficiency. National governments are directly involved as members in discourses, processes and reporting at all levels notwithstanding existence of UN mechanisms. These result in a lot of financial and operational inefficiencies and put a heavy toll especially on poor governments, leading to poor attendance and low responsiveness.

Within nations, vertical integration has also been difficult to achieve. For one, this involves political entities (local government units) and non-permanent political leaders, both of which bring co-ordination and management issues. Second, technical and financial capabilities of both national and local government entities as well as non-state actors in all aspects of integration, co-ordination and communication, including support infrastructure, are limited. There is also low public interest due to, among others, inadequate understanding of sustainable development and detachment from the outside world as they have other more mundane concerns.

Horizontal Co-ordination and Coherence

The establishment of a multi-stakeholder sustainable development mechanisms or NCSDs has been seen as an excellent way to achieve horizontal co-ordination and coherence. All countries in the region have set up respective mechanisms albeit in various forms, shapes and sizes. The following discusses these mechanisms particularly those in ASEM partner countries.

General Features of NCSDs

Among the 18 ASEM partner countries in Asia, only five (Japan, Korea, Mongolia, Philippines, Vietnam) actually set up a multi-stakeholder body (Table 7). Sadly, only three of these remain active since the Japan Council for Sustainable Development (JCSD) has hibernated and the Mongolia Council for Sustainable Development (MCSD) has been having difficulty operating due to lack of resources to run the secretariat. For both countries, the environment ministries or equivalent are currently the ones taking the lead in sustainable development and Rio+20 matters, making them de facto sustainable development co-ordinating mechanisms. Technically speaking, Korea's Presidential Commission for Sustainable Development (KPCSD) was already abolished when it was folded into the Presidential Committee for Green Growth (PCGG), along with the national bodies for climate change and energy, in 2009. It now seems that the PCGG, which this study considers Korea's NCSD, is the youngest in Asia while the Philippine NCSD is the oldest (1992) being the very first one organised in the world, three months after UNCED.



Table 7: Sustainable Development Co-ordinating Mechanisms in Asian ASEM Countries

	Country	Name and Year of Creation of Mechanism	Chairperson/Lead Person	Role/Function	Support Unit	Vertical Co-ordination	Horizontal Co-ordination
1	Australia	Department of Sustainability, Environment, Water, Population and Communities	Department Secretary	Implements government policies to protect the environment and heritage, and to promote a sustainable way of life.	Policy and Communication Division of DSEWPC	N/A	Policy/ decision making; incorporation of SD principles in government process; intra- & inter-government integration in policy/ decision-making.
2	Brunei	Ministry of Development 2002	Minister of Development	Environment protection/ conservation; planning/ management of parks, landscape, etc.	Department of Environment, Parks and Recreation	N/A	N/A
3	Cambodia	Ministry of Environment	Minister for Environment	Planning; development and management of landscape, parks and recreation areas.	Ministry of Environment	N/A	N/A
4	China	Leading Group for SD National Development and Reform Commission 1994	Minister, NDRC	Co-ordinates and reviews the progress of implementation of Agenda 21.	LGSD Office; Administrative Center for China's Agenda 21	Local Leading Groups; LGUs; incorporation of SD concept in local plans.	Consultations with relevant agencies.
5	India	Ministry of Environment and Forests	Minister, MEF	Plans, promotes, co-ordinates the implementation of environmental and forestry policies and programmes.	International Cooperation and SD Division	Recommend to Coordinating Minister, Head of Government.	Input from various parties through seminars, workshops, discussions.
6	Indonesia	Ministry of Environment (No SD Coordinating Body)	Asst. Min for Economy & SD	Advise Minister of Environment; consult other ministries.	Office of Asst. Min. for Economy & SD	Report to Minister of Environment.	Consult other ministries



	Country	Name and Year of Creation of Mechanism	Chairperson/Lead Person	Role/Function	Support Unit	Vertical Co-ordination	Horizontal Co-ordination
7	Japan	Japan Council for Sustainable Development*^ 1996	Co-chair: Govt, NGO, Business	Forum for discussing issues.	JCSD Staff	N/A	Co-chairmanship and Membership of stakeholders from various sectors.
8	Korea	Presidential Commission for Green Growth*+ Presidential Decree, 2009 (Pres'l Commi for SD; 2000)	Co-Chair: Prime Minister & Private Sector	Deliberates and monitors national performance on major policies and plans on low carbon green growth.	Office of Prime Minister	Local Committee on GG (LCGG); National Assembly. LGUs and PCGG monitor.	Membership and participation of private sector in LCGG and PCGG.
9	Lao PDR	Ministry of Planning and Investments	Minister of MPI	Undertake planning, promote investments; program ODA.	MPI with MoNRE	Report to MRC, GMS, ASEAN, etc.	Round Table process; sector discussions with stakeholders.
10	Malaysia	National Planning Council	Prime Minister	NPC is highest policy-making body for economic and social matters.	National Development Planning Committee Economic Planning Unit	Top-down bottom-up interactive planning; local plans; report to UNCSD, etc.	Inter-Agency Planning Mechanism; multi-level inputs from private sector; planning cells in ministries & agencies.
11	Mongolia	National Council for Sustainable Development*^ 1996	Prime Minister	Formulated and implemented Mongolia Action Plan 21; built capacity in SD planning.	Ministry of Nature, Environment and Tourism	National & provincial (Aimag) planning & implementation	Stakeholders' participation in NCSD (NGOs, Women, education, and business).
12	Pakistan	Ministry of Climate Change 2009	Minister of Climate Change	Provide advice to the Minister of Climate Change .	N/A	N/A	N/A
13	Philippines	Philippine Council for Sustainable Development* Executive Order /1992	Minister, Socio-Eco Planning	Ensure the implementation of the commitments made in UNCED e.g. promote SD in planning, policy-making and programming.	National Economic and Development Authority (Planning Ministry)	Local councils for SD; advise President; reports to UNCSD.	Membership/ participation of agencies & stakeholders in NCSD; regular conduct of consultations; decision by consensus.



	Country	Name and Year of Creation of Mechanism	Chairperson/Lead Person	Role/Function	Support Unit	Vertical Co-ordination	Horizontal Co-ordination
14	Singapore	Inter-Ministerial Committee on Sustainable Development 2008	Ministers of: National Dev't; Environment & Water Resources	Formulate a national strategy for Singapore's SD in the context of emerging domestic and global challenges.	Ministry of Development Ministry of Environment and Natural resources	Share knowledge & experience on SD initiatives at international levels/platforms.	Consult/gather ideas through online portal (REACH); public agencies, civil society, business, academia, media, etc.
15	Thailand	National Economic & Social Development Board	NESDB Head	Formulate/Implement the National Economic & Social Dev't Plan.	NESDB MONRE	Consultation with ministries and public.	Report to ASEAN or GMS program or UNCSD, etc.
16	Vietnam	National Council for Sustainable Development* PM Decision/2005	Deputy Prime Minister	Organise, instruct and steer the implementation of the Strategic Orientation for SD.	A21 Office, MPI	NCSD decision is recommended to the Prime Minister.	Membership of various sector ministries and leaders of major groups. Majority voting.
^Inactive *Bodies with members from government and other stakeholders. The rest are purely governmental bodies. +Consolidation of the Presidential Commission on Sustainable Development; National Committee for Combating Climate Change, National Energy Committee. Note: List excludes Myanmar and New Zealand due to unavailability of data.							

Source: Earth Council Asia-Pacific survey of sustainable development co-ordinating bodies at the national level for this research study

www.environment.gov.au; <http://moef.nic.in/index.php>; www.greengrowth.go.kr; <http://app.mewr.gov.sg>; <http://pcsd.neda.gov.ph/>

The mechanisms have high-level positions as may be gleaned from their chairpersons: Heads of state for Korea, Malaysia and Mongolia; deputy prime ministers for Vietnam; ministers of development (e.g. China, Singapore, Philippines) and ministers of environment (e.g., Cambodia, Pakistan). Others even have joint chairmanships such as Korea (prime minister and private sector) and Singapore (ministries of development and environment). The high position of the chairperson and the members is necessary to show the commitment of the government and the nation to sustainable development and to give the mechanism a high stature and authority to make it effective in its co-ordinating role. Korea made a very strong statement by making a representative of the business sector a co-chairperson of the PCGG. In doing so, the Korean government assures better co-ordination and stronger partnership with business in undertaking its Green Growth strategy. For this reason, the PCGG is worth watching out for because it is the only mechanism that has a non-state actor at the helm. This is not the first time this has happened for a Korean NGO president spearheaded the establishment and initial operations of the Korea Presidential Commission for Sustainable Development (predecessor of PCGG). The Korea PCSD was successful in pushing its agenda in many ways. Apart from the preparation of SDS and agenda, the President relied on the PCSD on settling many



environment and sustainable development issues. The trust and confidence accorded by the President raised the profile and stature of the PCSD, thus making it an effective mechanism. However, it meant more difficult responsibilities and exposure to risk of being politicised. It did find itself in the middle of many highly controversial projects such as the construction of 12 big dams and land reclamations.

Eight⁹⁴ of the co-ordinating mechanisms in Table 7 are led and supported by environment ministries, while six are by ministries of development or economy or planning. Singapore's ICMSD is counted in both since it is co-chaired by ministries responsible for development and environment. Albeit small, the increased participation of development ministries is an improvement from the past situation wherein almost all co-ordinating mechanisms were led by environment ministries. Such dominance by environment ministries has been determined as a factor of the sluggish pursuit of sustainable development. The leadership of environment ministries has perpetuated the wrong notion that sustainable development is equivalent to environmental protection and conservation thus limiting the interest and participation of the economic and social sectors. Environment ministries also do not have oversight and integrating functions and have the inherent weakness of having a more junior position in the cabinet compared to the ministries it needs to co-ordinate with, i.e. finance, the economy and foreign affairs. It is worth noting that the lead agency in Pakistan is the newly formed Ministry of Climate Change. While the ministry also handles environment matters, this may also be signaling the advent of a new trend: the shift of the sustainable development fulcrum from environment towards climate change, and from NCSD to climate change bodies that have already been established in many countries, sometimes with authority and power higher than those of NCSDs.

From the very beginning, China, Malaysia and Philippines have been using their planning bodies as the integrating and co-ordinating mechanisms, with the planning process as the platform. The Philippines created a separate body to provide meaningful participation from non-state actors. Malaysia did not find the need for a separate body and stuck to its planning structure for policy co-ordination and sector integration purposes. In fact, Malaysia did not formulate a separate NSDS since it considered its long-term plan (Vision 2020), which was newly formulated after UNCED, as the NSDS. China went through a similar route, i.e. used the NDRC but created an inter-agency, LGSD, to supervise the preparation and localisation of Agenda 21 with assistance from the Administrative Center for China's Agenda 21 (ACCA 21). There is still no concrete basis or set of indicators to assess a plan for its levels of integration and consistency with sustainable development principles. However, there is a strong likelihood that the plans of these three countries are more compliant than others because of their long planning experience and solid institutional mechanisms.

In some countries, sustainable development mechanisms are also established at the local, sector and ecosystem levels. For instance, China and the Philippines have active local sustainable development mechanisms and these have been the ones formulating and implementing Local Agendas 21. Institutional mechanisms for specific issues on environment (e.g. climate change and biodiversity); and economy and society (e.g., poverty reduction; Millennium Development Goals) have likewise been set up, also as requirements of MEAs or agreements at the UN, usually due to the dominance and urgency of said issues. Pakistan brought the institutional response to addressing an issue to a higher level by creating the Ministry of Climate Change. In essence, the PCGG was created for the same reason, i.e. to push forward strongly a strategy by backing it up with institutional support. Unfortunately, the proliferation of institutional responses at all levels have complicated national sustainable development co-ordination and created organisational issues for sustainable development mechanisms, which are supposed to lead in the co-ordination.

⁹⁴ Pakistan's Ministry of Climate Change is also responsible for the environment.



The technical and secretariat support to these mechanisms are usually designated units within the agencies of the chairpersons such as the International Cooperation and Sustainable Development Division of India's Ministry of Environment and Forests and the Economic Planning Unit of Malaysia's Prime Minister Office. China's NDRC created an office that supports the LGSD and promotes the implementation of the sustainable development strategies in addition to the long-established ACCA 21, which undertakes the operational requirements of implementing Agenda 21. Vietnam's Ministry of Planning and Investments created the Agenda 21 Office to support its NCSD in implementing and monitoring its Strategic Orientation for Sustainable Development. The Korea PCGG has a unique arrangement in that technical secretariat support comes from seconded personnel from ministries of finance and environment and the Korean International Cooperation Agency.

Participation of Non-State Actors

The three multi-stakeholder NCSDs of Korea, Philippines and Vietnam are among the few NCSDs that comply with Agenda 21 provision of representation from non-state actors. Strictly speaking, however, the stakeholder representations in Korea and Vietnam NCSDs seem deficient. The PCGG has no representation from civil society, perhaps because Green Growth basically involves production, which is the domain of business. Nonetheless, PCGG would have to consult with civil society on its programmes and projects. Meanwhile, Vietnam's NCSD has a number of members outside of government but some Vietnamese civil society organisations claim that even these members are not qualified non-state actors since their organisations are funded by government. All these imply that of all the national mechanisms in Asia,⁹⁵ only the Philippine NCSD may be considered as having genuine participation from business and civil society. It is able to ensure the meaningful engagement by non-state actors through their full membership in the council. Civil society and business are allowed to directly and individually debate with government on issues where they have conflicting positions (e.g. mining), and co-operate with government on matters important to NCSD activities. For instance, the Philippine government mobilised resources to enable civil society to undertake its own independent consultative Rio+20 process nationwide. The government used the results of said process as inputs to the national assessment and the drawing up of the Philippine positions on Rio+20 debated issues. Non-state actors are likewise accorded the privilege and opportunity to be full members of the official Philippine Delegation to Rio.

Preceding discussion illustrates the influence of history and culture in policies and approaches of nations. While the Korean government is open to participation of non-state actors, it had difficult experiences with some civil society organisations. History made it dead set on self-reliance and national security, thus keeping it focused on its objectives and taking the path it thinks best to attain them. This time, it is the attainment of Green Growth, which can be done best with the business sector. Vietnam has not had democratic processes and institutions for over a generation. However, it joined and had to adopt the practices of a community of democratic nations. Its NCSD has thus become a showcase of application of a democratic system in a socialist setting. Meanwhile, the Philippines has had a long history of democracy, albeit sidetracked for a while by a dictator, and people empowerment, which ousted said dictator. These showed clearly in the structure and practices of its NCSD.

⁹⁵ While the discussion only covers ASEM partner countries, a region-wide review of sustainable mechanisms still proves this point.



SD Mechanisms in Non-ASEM Nations

Table 8 lists non-ASEM nations along with the names of their sustainable development mechanisms and agenda. All Central Asian countries established their NCSDs and formulated their NSDS. Except for Turkmenistan, which has higher income than others, they all have PRSPs. Non-ASEM South Asian nations likewise established their sustainable development mechanisms and have both a PRSP and a NSDS. Whether the PRSP and NSDS are consistent with each other is something worth looking into. Nepal's NCSD was created in 2002 but got lost in the political turmoil and frequent changes in government.

All mechanisms have high-level positions, most of which are chaired by the heads of state. Iran, the only one from West Asia that is in the list, has one of the oldest NCSDs worldwide. It considers its five-year plan as the NSDS. Bhutan's mechanism, the Gross National Happiness Commission, is another example of an institutional back up to a strategy or philosophy. Almost all NCSDs do not have members from stakeholders except for a few countries in Central Asia that have representatives from the science community.

Table 8: Sustainable Development Co-ordinating Mechanisms in Non-ASEM Countries of Asia

Country	Name and Creation of SD Body/Mechanism	Chair or Lead person/ Support Unit	SD Strategies and other Plans
Bhutan	Gross National Happiness Commission; National Environmental Commission	Prime Minister/Planning Commission	Gross National Happiness principle; 5 year development plans; PRSP (2004)
Iran	National Committee for Sustainable Development Environmental High Council, 1993	Vice President and Head of Department of Environment	5-Year Plans; PRSP
Kazakhstan	Council for Sustainable Development of Kazakhstan Government Resolution (2004)	Prime Minister	Strategy on Sustainable Development up to 2030; Concept of Transition of the Republic of Kazakhstan to SD up to 2024; PRSP (2002)
Kyrgyzstan	National Council on Sustainable Human Development 1998	President Department of SD & Strategic Planning in MNE	Strategy on Sustainable Development up to 2030; Concept of Transition of the Republic of Kyrgyz Rep to SD up to 2024; PRSP (2007)
Nepal	National Council for Sustainable Development ^	Ministry of Planning	Sustainable Development Agenda for Nepal (2003) PRSP (2003)
Russia	Inter-Agency Working Group on Sustainable Development 1996	Minister, Economy	Strategy for the sustainable development of the Russian Federation (2003)
Sri Lanka	National Council for Sustainable Development 2009	President	Sri Lanka Strategy for Sustainable Development ; PRSP (2002)
Tajikistan	National Commission for Sustainable Development 1998	Prime Minister	PRSP (2002; 2007)



Country	Name and Creation of SD Body/Mechanism	Chair or Lead person/ Support Unit	SD Strategies and other Plans
Turkmenistan	National Commission for Sustainable Development	Prime Minister	Strategy on Sustainable Development up to 2030; no PRSP
Uzbekistan	National Commission for Sustainable Development 1997	Deputy Prime Minister	PRSP: 2008

^ *Inactive*

Source: Earth Council Asia-Pacific survey for this research study and other similar studies
www.rrcap.unep.org; <http://www.imf.org/external/np/prsp/prsp.aspx>

Challenges Faced by Countries and Sustainable Development Mechanisms

Countries trying to establish NCSDs encounter numerous challenges that range from philosophical (e.g. requiring a paradigm shift) to the usual organisational issues such as the following:

- The common notion that sustainable development is solely about environmental integrity or natural resource conservation leading to the designation of the ministry or body responsible for environment and natural resources alone. As earlier discussed, this notion and the fact that environment bodies are usually lower in the hierarchical totem pole, make close co-ordination with other sector bodies difficult. They also hinder the integration of environment plans and programmes into those of other sectors and vice-versa.
- Low government receptiveness or preparedness to allow non-state representation and participation in planning, policy-making and programme implementation and monitoring and evaluation. This is especially true in autocratic nations although there have been discernible shifts in paradigms for some of them.
- Difficulty in identifying the right mix and proper representation of non-state actors in the SD mechanism especially in countries where civil society organisations are numerous and active (e.g. the proposed Bangladesh NCSD was disapproved by the Prime Minister's Office because it had about 200 identified members).
- Less developed or vibrant civil society particularly in less democratic countries. Where civil society organisations exist, their capability to engage governments or independently undertake their own sustainable development initiatives have been lacking.

Existing sustainable development mechanisms also encounter challenges that stem from inability to properly address above-mentioned establishment issues and other organisational issues such as:

- Inability to clearly identify the niche, hence effective roles and functions, of the sustainable development mechanism vis-a vis other existing bodies such as the National Environment Commission and National Climate Change Commission. This results in conflict or duplication of functions with existing or new bodies that are oftentimes more powerful and influential



(e.g. Korea PCGG with Commissions on Sustainable Development, Climate Change and Energy; Philippine NCSD and the Climate Change Commission). The creation or existence of such parallel bodies has rendered some NCSDs inactive (e.g. Thailand's failure to convene its NCSD; JCSD's inability to closely work with MOEJ) or caused them to be subsumed in said bodies (e.g. Korea PCGG). Organisational conflicts between two or more agencies or mechanisms retard the sustainable development process, thus efforts to clearly identify areas of synergy and delineation of responsibilities must be stepped up.

- Weak leadership and lack of “sustainable development champions” make the mechanism ineffective. Related to this is inadequate capability to exercise roles and mandates of the NCSD. For instance, JCSD hibernated in 2006 after problems dealing with various stakeholders that had diverging views, leanings and agenda. Korea's PCSD had the same difficulties faced with so many controversial projects that were being pushed by the government but protested against by civil society and community.
- Inadequate funding not just for government but also for the other members and stakeholder organisations, which leads to low activity and productivity of the sustainable development mechanism. An example is the Mongolia NCSD which hibernated after project money ran out. The other is the Philippine NCSD, which has a very limited budget so it is unable to undertake activities such as research and monitoring and evaluation.
- Limited access to information that are critical to monitoring and evaluation and policy making; low technical and management skills, which are usually a function of available funds; absence of venue for exchange of know-how, knowledge and experiences among NCSDs in the region and between Asia and other regions of the world.

B. The European Context

Horizontal Co-ordination

In Europe, the commitment of a government for sustainable development has been typically reflected in a decision for an NSDS, and the establishment of institutional and procedural mechanisms for the development, follow up and implementation of the strategy. A key question has always been the lead responsibility for the strategy. This reflects the discussion about the relationship of environmental policy and sustainable development. It is already inherent to the former that environmental protection requirements need to be integrated in other (“sectoral”) policy areas. This provision was introduced in the EC Treaty in 1987 and since then it was legally strengthened a few times, and since 1997 typically called the “environmental integration requirement”. The institutional implementation has always been challenging. In a strong version, a minister for environment would, for example, get a similar veto right as the minister for finance – a provision that has never been introduced anywhere. Experiments have been undertaken with placing environmental staff in other ministries (mirroring units), but this has not been very effective or has led to negative internal side effects. Overall, the most typical approach is procedural, i.e. some kind of inter-ministerial group with the participation and/or co-decision rights of the ministry for environment.



As this remains an upstream battle, so does the demand for “mainstreaming”⁹⁶ sustainable development in all relevant policy areas, as an even broader and “overarching” policy objective. It brings with it the above-mentioned question about the lead responsibility. With the sustainable development concept being rooted in large parts in the environment agenda, it has been typically the ministries for environment taking or getting the lead for an SDS. While it has been acknowledged over time, and is typically recommended in sustainable development governance literature that the lead responsibility should be at the “top level” of government, this only succeeded in rather few countries in Europe, as Table 9 below shows. While Finland is one of the earliest that created an NCSD with the Prime Minister as a chairperson (see below), Germany was the committed front-runner for this approach since 2002. Sweden and Austria followed with mixed results; Portugal intended to introduce a prime ministerial lead but it never materialised; while in Estonia it did. Sweden took a smart line once by establishing a co-ordination unit in the Prime Minister’s Office composed of individuals from ministries that had cross-cutting functions but the succeeding government abolished it (in combination with other politically-motivated decisions). Austria introduced a shared responsibility between the Chancellery (i.e. Prime Minister’s Office) and the Ministry for Environment, but this seems to evoke its own challenges. Another approach is merging ministries in order to create a broader remit as done in France, in Sweden during one phase (but given up again) and in the Netherlands more recently (but for motives other than sustainable development).⁹⁷ Another option is to allocate sustainable development with a “strong” ministry, and here the ministry for finance is typically seen as a preferred one. This line was taken in Norway long time ago, as well as in Belgium recently with a new government in place ⁹⁸.

Besides the lead responsibility, there is the question of how to organise co-ordination between ministries. Front-running countries in this respect have been Belgium and Luxemburg, corresponding with the political-administrative structure in these countries, which created two types of co-ordination units – one for political co-ordination, i.e. at the level of the cabinets of the ministers, and one on the more administrative level. The Netherlands also used to have a cabinet formation for sustainable development, and a co-ordination group at working level, in some years led by the Prime Minister’s Office. The former, however, was a sub-committee under the one dealing with environment, and the latter has vanished. Similarly, the UK used to have a cabinet sub-committee, but only for environment and energy. For the working level, the UK has taken the approach that each ministry is (or: was, under the previous government) required to produce its own SDS, for which each ministry concerned had established a Sustainable Development Task Force. This mission was supported by the UK Sustainable Development Commission.

As an early mover in Europe for sustainable development governance, Finland has combined the co-ordination need with the request of Agenda 21 for better stakeholder involvement, by establishing a SD Council, composed of key ministers and stakeholders (non-state actors), with the Prime Minister as chair. ⁹⁹ This multi-stakeholder model for an SD Council will be discussed further below. The inter-ministerial co-ordination has

⁹⁶ A new term for “integrating”.

⁹⁷ After a government change, the number of Ministries was reduced from 14 to 7, and this included a merge of the Ministry for Environment, Housing and Spatial Planning with the Ministry for Transport. Nature protection had already resided with the Ministry for Agriculture, which was then merged with the Ministry for Economic Affairs (that includes the energy portfolio). The Ministry for Foreign Affairs, which includes development co-operation, has maintained its special responsibility for sustainable development (for the global component).

⁹⁸ After it broke the world record in for the longest wait for a government (more than 249 days): <http://www.time.com/time/world/article/0,8599,2052843,00.html#ixzz1vc9PUGS8>

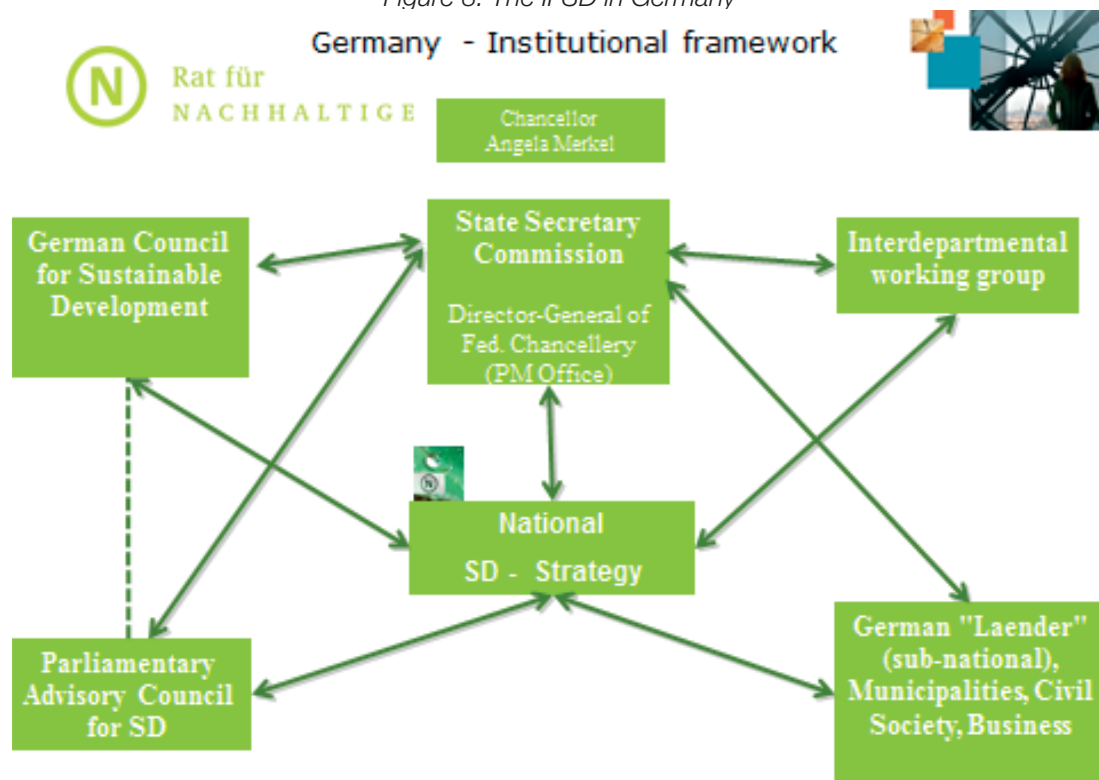
⁹⁹ This applied during most of the time of the FNCSD’s existence, namely from 1993 to 2007, with four different Prime Ministers. Since 2007, the Minister for Labour became the chair, with the Environment Minister as vice-chair. <http://www.ymparisto.fi/default.asp?contentid=366323&lan=fi&clan=en>



worked quite successfully, with a Network Secretariat composed of sustainable development administrators from several ministries, which also supports the work of the NCSD. The lead for this, however, has remained with the Environment Ministry. The Finnish NCSD is mainly a platform for exchange of views between the government and non-state actors, without the latter issuing joint policy recommendations for the government.

The most “structured” approach was taken by Germany, with the establishment of a State Secretary Commission for sustainable development (political level),¹⁰⁰ chaired by the Head of the Chancellery (minister level), supported by an inter-ministerial working group (administrative level),¹⁰¹ an SD Council as advisory body composed of stakeholders from organised civil society, business and the local level,¹⁰² all of which came into being in 2001/2002, and – in 2004 – also a Parliamentary Advisory Committee for Sustainable Development in the German Parliament (see Figure 8).¹⁰³ A starting point for forming these institutions was the decision in 1998 to develop an SDS, which was then adopted in 2002. The German government has updated it with progress reports in 2004, 2008 and 2012, each time with extensive consultation processes, cabinet decisions and information to the German Parliament. As one basis for these reviews, the Federal Statistical Office monitors the indicators of the SDS¹⁰⁴ and published indicator reports in 2006, 2008, 2010 and 2011.

Figure 8: The IFSD in Germany



¹⁰⁰ http://www.bundesregierung.de/Webs/Breg/DE/Themen/Nachhaltigkeitsstrategie/2-der-Staatssekretarsausschuss/_node.html

¹⁰¹ <http://www.bundesregierung.de/Content/DE/StatischeSeiten/Breg/Nachhaltigkeit/1-Nationale-N-Strategie/2012-03-07-ansprechpartner-in-den-bundesministerien.html>

¹⁰² <http://www.nachhaltigkeitsrat.de/>; in English: <http://www.nachhaltigkeitsrat.de/en/home/>

¹⁰³ <http://www.bundestag.de/bundestag/ausschuesse17/gremien/nachhaltigkeit/index.jsp>

¹⁰⁴ 21 targets, mostly quantitative, and indicators, were adopted in 2002.



It goes beyond the scope of this paper to address lessons learned,¹⁰⁵ also regarding detailed arrangements in these co-ordination activities, but one example may illustrate how important such details might be: In the State Secretary Commission, there is the rule that members, in cases they are unavailable for a meeting, may only appoint an alternate among themselves, and not delegate attendance to a civil servant. This has been one factor for continued participation at the desired high-level.

The 14 to 18 countries covered in the following Tables 9 and 10 can be seen roughly as those in Europe with the most “active” SDS, i.e. there is a more or less an ongoing commitment to follow up the strategy with reviews and revisions, while this is not, or to a lesser extent, the case in other countries (see examples in Table 11).

¹⁰⁵ For an overview of 10 years of SDS in Germany, see Bachmann 2012.



Table 9: Horizontal Co-ordination Mechanisms for Sustainable Development in 14 EU Member States That Have Been Leading Efforts in Sustainable Development Governance

Country	Lead Institution	Political Co-ordination	Administrative Co-ordination	Parliament
Austria	Ministry of Environment and Chancellery	(-)	Committee for a Sustainable Austria (Min., social partners + regions).	-
Belgium	Was: Ministry for Sustainable Development New: Ministry for Finance and Sustainable Development	Interdepartmental Commission of SD (ICDO)	Programmatic Federal Service for Sustainable Development (PODDO); Bureau du Plan (for monitoring)	-
Denmark	Ministry of Environment	<i>no information available</i>	<i>no information available</i>	
Czech Rep.	Ministry of Environment	<i>(Government Council for Sustainable Development)</i>	<i>(Government Council for Sustainable Development)</i>	-
Estonia	Was: Ministry of Environment New: Chancellery	<i>no information available</i>	<i>no information available</i>	-
Finland	Ministry of Environment /Prime Minister	<i>(National Commission on SD)</i>	Network Secretariat	Committee for the Future
France	Ministries of Environment, Ecology, Transport, Spatial Planning	-	Was: Inter-Ministerial Committee for SD	-
Germany	Chancellery	State Secretary Committee	Working Group for SD (preparing the State Secretary Committee)	Parliamentary (Advisory) Committee on SD
Hungary	National Development Agency, Ministry of Environment	-	-	<i>(SD Council)</i>
Ireland	Ministry of Environment	Was: High-Level Inter-Dep. Steering Group / New Cabinet Committee planned		Was: Sub-committee: Joint Oricheastas Committee on SD
Luxemburg	Ministry of Environment	Interdepartmental Commission of SD (ICDD)	<i>no information available</i>	<i>no information available</i>
Netherlands	Min. Infrastructure and Environment	<i>(Cabinet sub-committee?)</i>	Was: Contact Persons Group (CPO)/Prime Minister Office lead	-
Portugal	Ministry of Environment (Prime Minister Office was planned)	-	(Responsibilities for each measure)	-



Country	Lead Institution	Political Co-ordination	Administrative Co-ordination	Parliament
Spain	Ministry of Environment	Was: Inter-Ministerial Committee for the SDS co-ordination	-	-
Sweden	Ministry of Environment (Was: Prime Minister's Office)	<i>no information available</i>	Was: Co-ordination Unit in Prime Minister's Office; (SD Commission – mixed).	<i>Many special Committees, involving academe and other stakeholders</i>
UK	Ministry of Environment	Was: Sub-Comm. Env+ Energy of the Econ. Dev. Comm.	Was: SD Task Forces	Environment Audit Committee

Table 10: SDS Adoption, Review(s) and Participation/SDC Establishment

Country	SDS Begun	SDS Reviews, Revisions and Other Activities	Participation/SDC Established
Austria	2002	2010 national SDS agreed (joint federal and regional)	2002 *
Belgium	2000	2003/04 review 2004-08 revised SDS (+ 1 region) 2009-13 draft for revised SDS	1993 (reinforced legal basis in 1997)
Czech Republic	2004	2006 Progress report 2007 2 nd Progress report 2010 revised SDS	2003 [mixed body, "Government Council for SD"] *
Denmark	2002	2009 Revised SD Plan	[Danish Nature Council dissolved in 2002]
Estonia	2005	N/A	1996 [mixed body, not operational] 2009 new composition, independent chair
Finland	(1990 report, 1995 report) 1998 SDS	2003 Progress report 2006 revised SDS, SD Indicators 2011 planned new SDS	1993 [mixed body]
France	2003	2005 Peer Review 2006 revised SDS 2008 Progress report 2010 new SDS adopted	1993-2003 CFDD 2003-2008 CNDD from 2010: CNDDGE
Germany	2002	2004 Progress report 2006 SD Indicator Report 2008 2 nd Progress and Indicator report, Reports from Ministries 2009 Peer Review 2012 next Progress Rep. planned	2001
Hungary	(NEP 1997, NEP-2 2003) Nat.Env.Program 2003-08 2007 SDS	[Biennial SD Action Plans]	- Environment Council OKT (stakeholders) since 1995 - SDC established by Parliament in 2008
Ireland	1997	2002 since 2003: reporting on indicators for all sectors 2010/11 review under way	1999 (terminated end of 2011, SD tasks moved to National ESC)



Country	SDS Begun	SDS Reviews, Revisions and Other Activities	Participation/SDC Established
Luxemburg	(1999)	2004 SD law 2008/09 review 2010 adoption of a revised SD law	2005 (reinforced legal basis in 2010)
Netherlands	(NEPPs: 1989, 1993, 1997, 2001) 2002/03 SD Action Programs	<u>2007 Peer Review</u>	<i>no SDC, other councils engaged in SD (RMNO – <u>terminated 2009</u>, RLG / VROM-raad à merged to RLI 2011), the Dutch ESC; **</i>
Portugal	(NEP 1995) (SDS drafts 2002, 2004) 2007 SDS	2009 first biennial progress report	1998
Spain	2007	-	- Environment Council CAMA (stakeholder type) since 2004
Sweden	1994-98 “green Sweden” 1999: Env. Quality Objectives 2002 SDS	2004 revised SDS, SD Headline Indicators 2006 revised SDS, SD Indicators 2008 update	- Environment Council from 1968 (remit changed to research in 2011) - SD Commission [mixed] from 2007; not working anymore?
Slovenia	2005 National Development Strategy	2012 new Development Strategy (2013 – 2020) planned	- Environment Council from 1993 - SD Council planned in 2011 (not in place)
UK	1994 SDS 1999 2 nd SDS	2004/05 review 2005/06: SDSs in regions 2007: SD Indicators, Action plan	2000 (succeeding a Roundtable for SD, 1994), <u>terminated in 2011</u>
Red: strong connection (adoption of an SDS and establishment of a council) Blue: weak connection All Member States listed here reported in 2007 to the European Commission on progress with their SDS as requested by the renewed EU SDS from 2006 (NB: most other MSs also reported). * restructuring or currently no activities. ** in 2011, a multi-stakeholder platform for Rio+20 is established.			

Sources: Own surveys; Gjoksi et al. (2010).



Table 11: SDS Adoption, Review(s) and Participation/SDC Establishment – Questionable Status of All

Country	SDS Begun	SDS Reviews, Revisions and other Activities	Participation/SDC Established
Bulgaria	2007/08 Drafting, no adoption	-	(broad consultation in 2007/08)
Cyprus	2007 SDS	-	Env. Council, was turned into an SD Council, which did not come in being
Greece	2002 SDS	<i>2007 Revision: new SD agenda, not adopted</i>	-
Italy	2002 SDS	<i>2007 Revision started / stopped</i>	-
Latvia	2002 SDS	2010 Revision: adopted by Gov. and Parl.	Gov. Council for SD, low/no civil society
Lithuania	2003 SDS	<i>2010 Revision started</i>	Gov. Council for SD, low/no civil society
Malta	2007 SDS	<i>- (but recently creating a coordination unit in the PM Office)</i>	SD council operating for some years
Norway	2007 SDS (new) in nat. budget	2009 Report on SD (in the national budget for 2009)	?
Poland	2000 SDS (with a number of sectoral strategies)	2008 Revisions, new long-term development strategy (no implementation mechanisms?)	(Env. council: mainly academic, technical)
Romania	2008 SDS	-	Independent Centre for SD (UNDP support) with civil society participation
Slovakia	2001 SDS	2005 Action Plan <i>2010 New Action Plan and indicators planned</i>	(Government Council for SD, no civil society)

Vertical Co-ordination

The starting point for SDS typically is the national level, where then also the focus of capacity, attention and activities lies. Only in Scandinavian countries has there been from the beginning already a strong emphasis on the local/sub-national levels, with various “bottom-up” approaches during the development of a strategy. In other countries there were Local Agenda 21 processes already prior to work on an SDS at the national level, and/or in parallel, but with no connection. The same applies to the sub-national level, which has typically not been ahead of the national level.¹⁰⁶ In general, the connection of the national and sub-national levels is strongest in federal countries such as Austria, Belgium and Germany, due to constitutionally determined distribution of competences, but still – regarding sustainable development strategies – the focus at least for for a number of years lies at the federal level. Both Austria and Belgium have worked on a national SDS, i.e. combining the existing federal SDS with the sub-regional level, but only Austria succeeded in the adoption of such a “joint” strategy in 2010.¹⁰⁷ In Germany, this has not been aimed at, and is not seen as desirable, but there are regular co-ordination meetings of federal and sub-national ministers, as well as at the working

¹⁰⁶ Exceptions include: a few regions in Spain (predominantly Catalonia); a number of front-running regions in Italy traditionally committed in environmental policy and subsequently in the sustainable development agenda (while the national level was rather inert); in Germany a few Laender (sub national level) had started with strategies beyond an environmental plan prior to the SDS of the Federal Government, but none has advanced at the same pace, so that a stock-taking in 2009 concluded that most Laender were lagging behind.

¹⁰⁷ Even more fundamental issues regarding the functioning or even existence of the country needed to be dealt with.



level. There used to be such a working group for sustainable development since around 2000, which was in 2008 merged under the title “climate, energy, mobility and sustainability.”¹⁰⁸ This is considered by some as a weakening of the capacity to systematically follow up the objectives of SDS.¹⁰⁹ Some initiatives to better connect with the local level have been launched by the German SD Council, including a “Sustainable City Dialogue” by the mayors of some 20 front-running cities.¹¹⁰ Another initiative was launched by the heads of the sub-national chancelleries to collaborate on indicators for example, on sustainable public procurement. However, no joint “national” SDS is aimed at. In the UK there have been quite some efforts to better link “Whitehall” policies and the national SDS with those of the “devolved administrations”. This was strongly fostered by the UK Sustainable Development Commission, which also had as members, commissioners from the three devolved regions (Wales, Scotland and Northern Ireland). Overall, and in most European countries, there is clear room for improvement regarding vertical co-ordination between the national and sub-national levels.

Also, the link between the national strategies and the EU SDS used to be rather weak, - partly due to the same reason that for a number of years, the focus lied on the national level, including the identification of priority areas and objectives. Some countries, such as Belgium, traditionally rather strongly linked to the EU as a reference point, including for the Belgian SDS.¹¹¹ This is, however, rather the exception than the rule. In 2004, the EEAC, relatively front-running, conducted a study on governance for sustainable development in nine EU Member States, where one key research question was the link of the EU and the national SDSs, with the aim to identify improvement potentials.¹¹² Over the years, connections and cross-referencing have advanced, while at the same time, at least since around 2010, the relevance of the EU SDS has faded (see section 2.2 above). It is difficult to improve vertical co-ordination if the frameworks are too different, and the EU 2020 does not serve as an overarching framework as national SDSs are. This is one reason why national SD Councils, and national governments committed to SDS, have repeatedly called for a pending revision of the EU SDS.¹¹³ The European Commission has so far been reluctant in this matter, and the current Danish EU Presidency has not succeeded in putting it on the agenda. However, a new impetus might derive from Rio+20, especially in light of the SDGs under discussion (see Section V.).

Parliamentary Committees for Sustainable Development

For parliaments, it is also a challenge to organise for a cross-cutting sustainable development approach. In Germany, the establishment of a Parliamentary Committee for sustainable development (see above) was the answer to this, realising that sustainable development policies cannot be monitored by the standing committees that focus on departmental tasks. The Parliamentary Committee for Sustainable Development submits recommendations to the standing committees, comments on reports to the German government, and contributes with own expert reports to the discussion. It is also responsible for conducting a light sustainability impact assessment of laws in preparation.¹¹⁴ Other countries build on existing traditions in

¹⁰⁸ <http://www.blag-klina.de/willkommen.html>

¹⁰⁹ http://www.sh.gruene.de/cms/default/dok/379/379897.verankerung_der_nachhaltigkeitsstrategie.htm

¹¹⁰ <http://www.nachhaltigkeitsrat.de/en/projects/projects-of-the-council/nachhaltige-stadt?blstr=0>

¹¹¹ This is again rooted in the challenges of the country.

¹¹² Niestroy 2005.

¹¹³ EEAC, last in 2011, p. 2; Bundesregierung, last in 2012, p.236; See also opinion of the State Secretary Committee from 27 April 2012, http://www.bundesregierung.de/Content/DE/Anlagen/Nachhaltigkeit-wiederhergestellt/2012-04-27-beschluss-sts-ausschuss-nachhaltigkeit-englisch.pdf?__blob=publicationFile; ESDN several times.

¹¹⁴ This SIA system is not yet as sophisticated as that of the European Commission (or the one planned in the European Parliament), see section *IV.2.



their parliaments, for example, for Audit Committees such as in the UK¹¹⁵ and might widen their remit. A few of the multi-stakeholder SD/Environmental Councils presented above were established by their respective parliament (e.g. the Slovenian Environmental Council, CEPRS) and/or have members of parliament from all parties as members next to civil society members (e.g. the Hungarian SD Council, NFFT).

Varieties of Councils for Sustainable Development

Sustainable Development and Environmental Councils ¹¹⁶

As outlined above, the establishment of SD Councils in Europe in most cases followed the concept of bodies for deliberations of organised civil society and business, to develop policy recommendations and with this to advise the government. As Bachmann (2012) puts it: “The [German SD] Council advises the Federal Chancellery on all aspects of the national Strategy on Sustainable Development. It shapes the national SDS in critical dialogue with the Federal Government and leading political, economic and social stakeholders.”¹¹⁷

Some countries, such as Finland, have taken a “multi-stakeholder” approach in the sense that government and non-state actors are joining in one formation. The former type of “independent” SD Councils typically organises dialogue with the government in addition to their regular deliberations within the council -- both at the high political level and at the working level. Like Finland, the UK started early, right after the Rio Conference, with a Roundtable for Sustainable Development with government and non-state actors and in 2000 established the independent UK Sustainable Development Commission. It “held government to account to ensure the needs of society, the economy and the environment were properly balanced in the decisions it made and the way it ran itself.”¹¹⁸ For a decade, it had been one of Europe’s most active and successful SD Councils, tackling contentious issues and wicked problems that drew a lot of attention,¹¹⁹ organising wide outreach, e.g. with a “stakeholder platform” where several thousand citizens were engaged, and supporting government departments in developing their individual sustainable development strategies. However, a new government in 2010 decided to abolish what it called “quangos”, and with this also the Sustainable Development Commission.

The concept of such “independent” councils is illustrated in Figure 9 below. Such an SD Council is composed of non-state actors (right side of the graph), typically including representatives from the sub-national level, and holds dialogues (dotted lines) with all relevant departments of the national government and other levels (left side of the graph).

¹¹⁵ Environmental Audit Committee <http://www.parliament.uk/eacom>

¹¹⁶ For a full overview of the history and recent status of councils in Europe see Niestroy 2011.

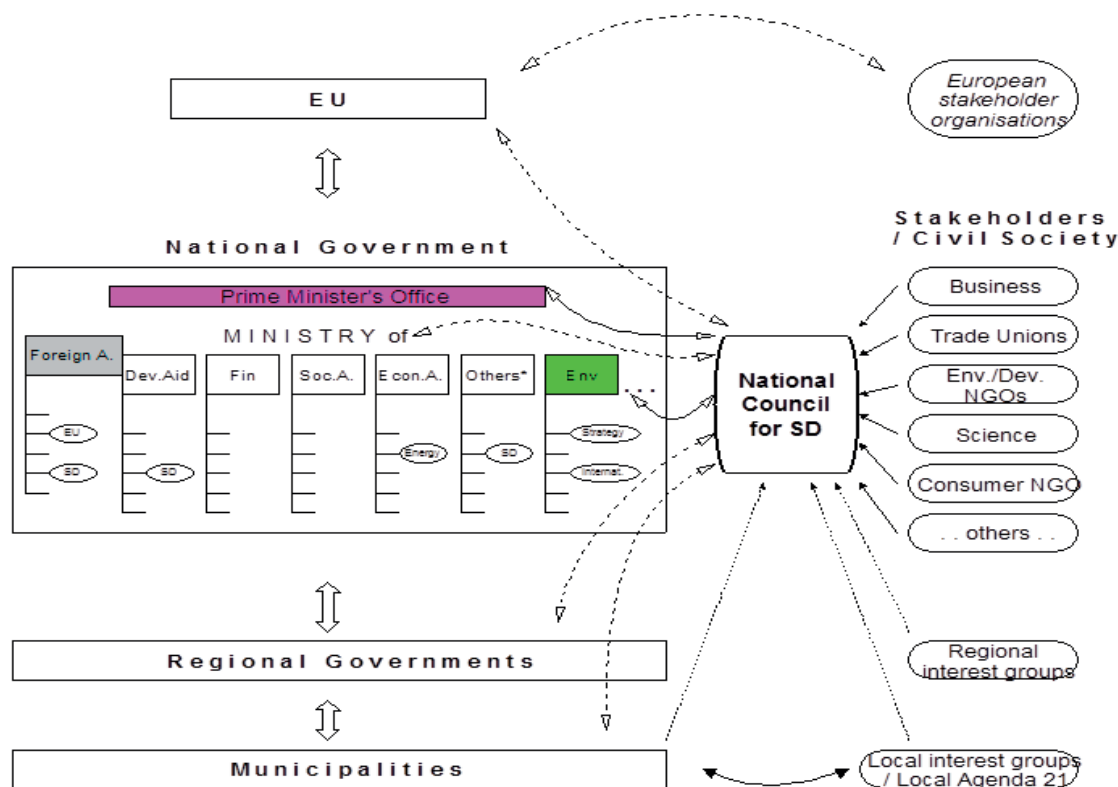
¹¹⁷ Bachmann 2012, p. 3.

¹¹⁸ <http://www.sd-commission.org.uk/pages/our-role.html>

¹¹⁹ E.g. nuclear power, renewable energy conflicting with nature protection, sustainable consumption, governance (“I will if you will”), as well as the flagship work “Prosperity without growth”.



Figure 9: The Concept of “Independent” SDCs



Whatever internal governance and composition of councils is chosen, such institutional arrangements are rooted in the politico-administrative system and the respective traditions of a country. Scandinavian countries, for example, have a tradition for close links between the government and citizens, for deliberative and advisory groups and committees with government and non-state actors at the table, and/or with parliamentarians. Similarly in the Netherlands, there is a long-standing tradition for such bi-, tri-, multi-partite groups of deliberation and negotiations (the Polder Model). Reform in the 1990s altered the composition of membership in the councils to include more experts (with more diverse backgrounds) with advisory functions, and governmental members are typically members of the councils as observers.

Germany, and also the UK (and other countries with a more mixed picture) have a tradition for expert advisory bodies, which is, also in other countries an influencing factor for the council landscape. The early 1970s already saw the establishment of environmental advisory councils, with Sweden, UK and Germany as first movers,¹²⁰ and the Netherlands with partly even longer traditions (1920s, 1960s).¹²¹ Following the political culture mentioned above, it is not surprising that the Swedish Environmental Advisory Council (MVB) has been of the “independent” type, or chaired by the Minister for Environment. In the latter case, there used to be an independent (non-governmental) vice-chair, and working groups of the council endorsed pieces

¹²⁰ Sweden: Environmental Advisory Council (MVB); UK: Royal Commission for Environmental Pollution (RCEP); Germany: Advisory Council on the Environment (SRU).

¹²¹ Other countries with environmental advisory councils/bodies, partly with research and/or executive functions, include Austria, Denmark (terminated), Finland (terminated), Poland, Slovenia, Ireland, Cyprus, Croatia.



of advice independent of the government position and discussed them in the Council Plenary Meeting with the Minister. In central-eastern countries there is a strong emphasis on academia, which goes partly back to the role of the academies of science during communist times, which have maintained good reputations and credibility regarding information, knowledge and evidence. Advisory councils are hence often composed of academics (e.g. in Poland) or have become more diversified over time (e.g. Slovenia). Hungary in 1996 established an interesting tri-partite environmental council composed of environmental NGOs, business representatives and academia.

Other early movers in Europe were Belgium and France, which established SD Councils in 1993 ¹²², more or less modeled after the already existing Economic and Social Committees (see below) and adding more groups of members, from NGOs, local governments and the academic world, to the representatives of social partners (business and trade unions). Similar approaches were taken at the end of the 1990s in Ireland and Portugal, and in 2005 by Luxembourg.

In countries where a multi-stakeholder council is formed in the sense that both government and non-state actors are members of the council, it is considered as important that the two sides come together. From the civil society point of view, this gives access to politicians at the highest level enabling them to present their opinions and to receive up-to-date information from the government. This applies to the Finnish NCSD, the current French SD Council (CNDD-GE, which was in previous phases also of the independent type), the Czech Government Council for Sustainable Development (RVUR) and the Spanish Environment Council (CAMA, non-state representatives with the Environment Minister chairing). The other side of the same coin, however, is the this type of composition that may also reflect a certain reluctance of governments to create a body that forms critical opinions regarding government policies. As Brizga (2011) puts it for the case of Latvia:

This Council is attached to the Cabinet and it serves as a co-operation and opinion exchange platform. The Council is chaired by the Prime Minister and it is composed of members of the Parliament, the Cabinet, planning regions, local governments, social partners and non-governmental organisations. The Council is dominated by development planning representatives, but other groups are under-represented and the Council lacks consultative character.

There is anecdotal evidence that this has occurred in many SD Councils established outside of Europe that have led to standstills or terminations. The attitude of governments regarding the involvement of non-state actors is a key variable for the functioning of SD Councils.

Agenda 21 and any other global outcomes do not differentiate between government and non-governmental actors in the “multi-stakeholder” approach. However, it seems to be an important element of sustainable development governance that government co-ordination for sustainable development is on the one side a medal and stakeholder dialogue the other, with the two sides understanding that it is the same medal and therefore co-operate accordingly. The government co-ordination function should hence not be called the “SD Council”, as this term should be reserved for stakeholder dialogue between non-state actors or with the government.

¹²² Both only became operational after a reinforcement by law (in Belgium) and a re-modelling (in France).



Another important element is how to create stability for SD Councils. In light of the global economic crisis, many governments are making budget cuts. As a result many SD Councils are vulnerable to terminations by changing governments. The future of many SD Councils also depends on countries' political tradition. In some countries, a "sustainable development law" with provisions for governance is considered best (e.g. Belgium, Luxembourg). Others do not find this effective and build more on dialogue with all political parties, (e.g. Germany, France, Netherlands and Portugal).

The government attitude regarding stakeholder involvement might also be reflected in the resources provided for an SD Council. While conducting wider stakeholder dialogue requires significant funding, an SD Council with core functions works with moderate means. The consultation process in France called "Grenelle de l'Environnement" was an impressive example of how energetic and concerted wider stakeholder involvement can be organised. Although it was expensive, it was regarded as credible and legitimate (with some disappointment in the follow up, to be noted). However, it is an example for a "one-off" (with some positive spin-off effects). If set up properly, an SD Council can help keep sustainable development on the political agenda. Both governments and civil society agree that there is a need to communicate across the gaps, and pitfalls to develop progressive sustainable development policies. However there is room to increase awareness, willingness and capability for building bridges between different backgrounds, fields, organisations, levels, etc. This is where some kind of capacity building would be beneficial. An SD Council can do a lot in these respects, bringing together stakeholders (representatives) from different backgrounds and working actively on bridging gaps between different arenas.

The vertical co-ordination efforts of SD Councils follow what is addressed for the governments and the national SDS (see section above), with some front-running initiatives for improvements. At the global level, only a few SD Councils in Europe have participated, for example, in the UNCSD (e.g. Belgium, Finland and Ireland). One good case study is the the German Advisory Council for Global Change, established in 1992 as the answer to the Rio Conference. It was an expert council and focused on critical changes in the earth system, identifying the causes of, and interactions between global problems in the field of environment and development, identifying ways to mitigate or avoid these problems, and predicting future trends.

National SDS refer to global commitments in the same way as to EU objectives, either as a binding framework and/or as a challenge whose relevance and feasibility is then reflected at the national level. In this respect, and in light of their functions and capacities (see below), national and sub-national SD Councils should be given a role if there will indeed be SDGs agreed in Rio+20 (already reflected in the new co-chair draft of 22 May 2012).¹²³

- Economic and Social Committees (ESCs)

There is another type of councils that have become relevant for sustainable development policies: the ESCs. Such bodies have been established in many European countries, some already in the 1950s (e.g. Belgium, France, Italy and the Netherlands, partly rooting back to the late 19th century) and also outside of Europe (notably in Latin-America, Asia and Africa). Their mission is to give advice in all areas of social and economic policy, as well as negotiating agreements between employers' associations and trade unions, which typically make up large parts of their membership (also called "social partners"). This model for dialogue between civil society organisations (and with government) is more common in countries with a

¹²³ Co-chair draft of 22 May 2012: "SDG4: Implementation Should Be Government-Driven with Involvement of All Relevant Stakeholders".



more (neo-) corporatist traditions. In the EU there are 20 Member States with an ESC, and there are various reasons in countries for not having established such a body.¹²⁴ These traditions for a more pluralist or more corporatist style of civil society involvement also have an influence on the composition and work style of SD Councils, as well as for the relationship between the SDC and the ESC where both types exist. ESCs are typically much larger and more representative in a formal sense than SD Councils, which leads to different work styles, for example, in negotiations rather than dialogue and where quest for innovative solutions and outreach prevail. In legal terms, they often have a stronger position, as they are often enshrined in their respective constitutions. Beyond the general areas of social and economic policies, only few ESCs are dealing explicitly with sustainable development matters, for example the Dutch ESC (“SER”). The Dutch ESC has issued a number of advice pieces on sustainable development policies over the years, and on such occasions, established working groups with a wider spectrum of stakeholders, in particular environmental NGOs, which are not members of the ESC.¹²⁵

An interesting development in this respect took place in France in 2008, where the ESC was transformed into an *Economic, Social and Environmental Committee* by widening its remit and adding environmental NGOs to its membership.¹²⁶ Ireland also recently moved into this direction: The SD Council (“Comhar”) was abolished (not so, in France), and the environmental “pillar” was added to the membership of the existing ESC. In both cases it remains to be seen how much focus on sustainable development will be given.

Overview of Existing Sustainable Development Bodies, Capacities and Functions

While we see a variety of council types and internal governance, they have in principle, three functions in common, with different emphasis depending on the mission and set up, in a common slogan summarised to be “stimulate informed debate”:¹²⁷

1. Giving policy advice:
 - Advice of CSOs/stakeholders/experts to government; and
 - comment on government proposals/SDS.
2. Acting as an “agent”/intermediary/facilitator between and amongst stakeholders (governments, business and civil society):
 - Agenda setting;
 - joint advice/think-tank;
 - mutual learning/capacity building; and
 - dialogue with government.
3. Communicating with multipliers and into a wider civil society for:
 - Raise awareness;
 - broaden the knowledge base; and
 - stimulate involvement via council members, by conferences/media and by stimulating/fostering projects.

¹²⁴ EESC 2010.

¹²⁵ The last in 2010, <http://www.ser.nl/nl/publicaties/adviezen/2010-2019/2010/b28646.aspx>. Summary in English: http://www.ser.nl/~media/Files/Internet/Talen/Engels/2010/2010_03_en.ashx

¹²⁶ EESC 2010, p.24; <http://www.lecese.fr/index.php/les-groupes>

¹²⁷ See Niestroy 2007.



This applies to the above introduced SD and Environmental Councils composed of non-state actors (the latter typically without the functions regarding outreach, capacity building and stimulating involvement) and ESCs (also typically with a lesser function to engage civil society other than via their membership). A multi-stakeholder SDC with government as member includes elements of the “agent” function, and might also be active in communication and outreach (in the same way government departments organise consultations and other forms of dialogue). Unless it is organised in sub-groups such as in the Swedish case introduced above, such a council cannot give “independent” policy advice to the government, as the government is member of the council, and government representatives predominantly, or ultimately, need to represent the government’s policies. However, there might be room for inspiration in policy areas where there is no government policy yet.

Besides the general notion of improving the involvement of civil society in policy making, as enshrined in Agenda 21, the conceptual ideas behind SD Councils are typically:

1. Bridging the gaps:
 - Between science and policy making;
 - between government and civil society
 - bringing different types of knowledge together (transdisciplinary); and
 - Their connecting capacity as the “spider in the web” give impulses and fosters horizontal and vertical co-ordination/integration.
2. “Keeper of the long-term view”:
 - Keep the overview (seeing the wood for the trees);
 - make links between initiatives; and
 - organise regular reflecting, stock-taking, bringing actors together again on a neutral platform.
3. Contribute to good governance and strengthen IFSD at national level.

Table 12 provides an overview of the various types of SD bodies in EU Member States,¹²⁸ including indications of recent terminations of such bodies.

¹²⁸

Croatia (which now has the status of an EU accession country), has also established a SDC.



Table 12: SDCs and Comparable Bodies in EU Member States

SD Councils / (“independent”)	7 (8)	AT, BE, DE, EE, FR, HU, IE, LU, NL, PT, UK [+ some regional ones]
Stakeholder Environment Councils (-> expert councils)	4 (7)	ES, HU, NL, SI (DE, PL, SE) [+ some regional ones]
SD Centres / Agencies	2	HE, RO
Economic-Social Committees with SD tasks	3	FR, IE, NL
“Multi-stakeholder” SD councils	1 (4)	CZ, FI , MT, SE
Government bodies with low or no civil society involvement / not working	3	LT, LV, SK
No SD/Environment Council	5	BU, <u>CY</u> , <u>DK</u> , IT, <u>UK</u>
Legend: bold: fully functional not bold: status unclear / restructuring / not working (brackets): expert councils <u>underlined:</u> council was in place crossed-out: council terminated		

C. Comparison of National IFSDs in Asia and Europe

Asia and Europe have similar experiences in establishing and keeping a sustainable development mechanisms operational and effective, to name a few: 1) Structural changes, sometimes abolition, of the mechanism as a result of change in national leadership; 2) issues on participation (or the lack of it) of non-state actors; and 3) influence of the politico-administrative system, history and culture on the structure and practices of the mechanism.

The regions differ especially in the levels of maturity of the institutions. Europe has more organised mechanisms largely due to 1) More adequate financial and technical capabilities; 2) availability of “models” that may be emulated around the neighborhood, and of support mechanisms (e.g., EEAC and ESDN) that create venues for co-ordination, learning and exchange of experiences; and 3) tacit pressures from peers and guidance from the regional mechanism (e.g. EU). Europe also has a lot more experience in the development of NSDS as almost all EU countries have it and many have already updated it two to three times. Notwithstanding these, Asia could offer its unique experiences that may provide lessons and knowledge that may enrich the strategies and approaches in Europe. The following are some examples:

- Context-sensitive technology for participation and engagement for the formulation and implementation of NSDS. The unique participatory processes undertaken in both democratic and autocratic systems could provide others in comparable situations a useful menu of participatory methods and practices.
- Approaches for engagement and trust building with non-state actors especially those that were developed from or applied to conflicted or widely varied systems. The two regions may draw parallels and contrasts that may refine and improve their respective approaches.
- Empowerment of local governments and communities resulting from participatory approaches used in NSDS formulation and NCSD processes.



V. Recommendations for the Future We Want: The Way Forward

V.1. General Recommendations

There is an urgent need to update the existing system of the IFSD to enable it to deal with current and emerging challenges. However, doing so will not solve the sustainability challenges of the global society. There are a host of large systemic problems that need to be dealt with to effectuate behavioural change and change the course of global development.

Strengthening the environmental dimension and reforming the IFSD are not mutually exclusive undertakings. On the contrary, they have the potential to become mutually reinforcing interventions and should therefore be pursued to the highest level of political feasibility at Rio+20 and thereafter.

Integrating the dimensions of sustainable development requires prolonged attention and effort from highest-level line ministries of all sectors on national, regional and global levels. National planning can create positive incentives for a wider involvement from the bottom-up by including SDGs throughout line ministries' portfolios, that will also ensure their participation at the intergovernmental level.

V.2. SDGs: Yardsticks beyond GDP¹²⁹

The whole discussion on IFSD reform cannot leave out a consideration on the importance of SDGs as a tool to focus the attention of the international community on a limited number of topics. Regarded as one of the most desirable Rio+20 outcomes, SDGs would be conceived as complementary to the already-established MDGs, and would need to be incorporated into the development plans for post-2015, the last year for MDGs.

The elaboration and establishment of SDGs would allow a more practical approach to several sustainable development issues and they would be of extreme importance in the identification of countries' gaps and needs, in terms of means of implementation, institutional strengthening, and capacity building. At an international level, they would serve as aspirational objectives and they would provide measuring standards of success beyond the mere concept of GDP.

SDGs should be guided by the following principles and characteristics:

- SDGs should reflect an integrated and balanced treatment of the three pillars.
- SDGs should be concise, action-oriented, limited in number and focused on priority areas such as SCP patterns; oceans; food security and sustainable agriculture; sustainable energy for all; water access and efficiency; sustainable cities; green jobs; decent work and social inclusion; disaster risk reduction; and resilience. In particular, issues already broadly discussed should be clustered into the goals: poverty eradication-jobs-gender; food security-land degradation-ecosystems; nexus of food-water-energy; SCP-green economy-green procurement; water and sanitation; waste and resource efficiency; sustainable energy; oceans; cities and transport; and health and education.

¹²⁹ This section has been compiled mainly on the basis of the outcomes of the Asia-Europe Strategies for the Earth Summit 2012 workshop.



- They would need to complement MDGs, but unlike MDGs, which address developing countries, SDGs would have a universal coverage.
- They should respect the sovereignty of states over their natural resources in accordance with the UN Charter and principles of international law.
- SDGs should be consistent with Rio pPrinciples (and in particular with the concept of common but differentiated responsibilities, taking therefore into account different national realities, capacities and development priorities, and they should ensure the implementation of Agenda 21 and the Johannesburg Plain of Implementation.
- They would need to rely on government driven implementation with involvement of all relevant stakeholders; SDGs should also include means of implementation for developing countries.
- SDGs should be strategic, transformational and verifiable with time-bound targets.
- SDGs would contribute to the monitoring of fulfilment of developed countries' international commitments, especially those related to financial resources, technology transfer and capacity building.
- No additional restrictions or burdens should be placed on developing countries or dilute responsibilities of developed countries.
- SDGs shall be voluntary in nature.
- The progress towards these goals should be measured by appropriate indicators and evaluated by possible specific targets.
- SDGs should be developed through an intergovernmental process under the UNGA that is inclusive, transparent and open to the participation of all stakeholders.
- SDGs should also give due consideration to cross-cutting issues including social equity and gender equality as well as the means of implementation.

Once SDGs are established, and to do this, Member States will need to ensure the inclusion of SDGs as a core component of the Rio+20 Outcome Document, the goals will need to converge with current MDGs and they will need to be articulated into targets at a regional level and indicators at a national one which will need to be included into national and regional development plans. The national and regional implementation of SDGs would then need to be reviewed and monitored at a global level. As previously stated, this should be one of the main tasks and functions to be assigned to a SDC or a renewed ECOSOC with, also through the establishment of mechanisms for periodic follow up and reporting on progress made toward their achievement.

V.3. Civil Society Participation

Civil society participation is a crucial part of governance and is happening at varying degrees of success already. To enhance the potential for meaningful participation, a guiding framework should be established and this must include, among others, mandatory participation of non-state actors in planning and policy-making at all levels; guidelines for representation; accountability systems and procedures, and maintenance of independence.

It requires adequate and sustained resources including establishing deliberate financing scheme to sustain capacity building for non-state actors, particularly those represented in NCSDs. Moreover, it should be based on a simple and clear overarching framework, which can provide the space for each sector's contribution to the larger sustainable development picture. This can allow for more coherent and integrated contributions to intergovernmental decision making processes.



The modalities certainly needs to be rethought and revamped to attain better transparency, accountability, relevance and representativeness in the time after Rio+20. Adequate institutional framework needs to be designed to allow this from the outset. It should includes the involvement of business and other stakeholders, whose roles can range from advisory roles in the short- to medium-term to voting and co-decision in the longer term. To this end, SD Councils should always be multi-stakeholder in nature and include non-state actors as members. The variety of stakeholders involved may vary from country to country. Doing so can unleash the potential for a new Earth System Governance architecture.

V.4. The IFSD

The IFSD hould have a high-level political body with certain functions and composition. The determination and establishment of the IFSD with such functions should be a part of a longer-term change agenda beyond Rio+20. Though our findings show that this would be best embodied in a SDC, we note that a functioning IFSD is not as dependent on form as on functions. A reform of ECOSOC could be a politically feasible approach.

The new body could be headed by a High Level Representative for Sustainable Development to help bring intergenerational equity to policy making and act as the UN's principal advocate for the interests and needs of future. It should ensure meaningful participation of the World Trade Organization, and International Financial Institutions. It must have a rigorous monitoring and evaluation mechanism to assess progress towards sustainable development at all levels. It should approach issues in a balanced manner with both sectoral as well as systemic analysis in order to retain necessary issue as well as integrative focus. And lastly, it should be reformed as a system, i.e. including national, sub-regional and regional levels, taking into account the needed reforms at the sub-global levels. The co-ordination and coherence mechanisms currently in place may no longer work or create problems if the global reforms are decided upon and implemented in isolation without adequate measures downstream.

V.5. IEG

IEG should consist of a longer-term vision of upgrading UNEP into a specialised agency along the lines of the ILO or the WHO. Alternatively, it can use a so-called "1.5 Option" in the short term, if broader reform is politically impossible at Rio+20. Given lack of progress in current Rio+20 negotiations and the contagious character of the paragraphs on IFSD, Rio+20 should at least decide on strengthening UNEP and set the stage for a strengthening process beyond Rio+20. Ultimately, however, a reformed UNEP needs legitimate and representative bodies, and should therefore preferably be equipped with universal membership. It should accommodate for Qualified Majority Voting in order to achieve efficient and strong decision making.

V.6. Regional and National Level Measures

The regional and sub-regional mechanisms in both Asia and Europe have continually established mechanisms and created innovations to improve vertical and horizontal co-ordination and coherence. These have attained some degree of success and shown a good level of improvement in the current global set up. There remains some areas of weaknesses and the following recommendations are proposed:



- Set up a platform for co-ordination and knowledge sharing among sub-regions or across regions since current mechanisms are confined within regions and within sub-regions. ASEM, which was created to expand co-operation and has already been substantially involved in knowledge sharing, may be studied as a possible mechanism for sustainable development coordination in Asia and Europe.
- Establish systems and procedures that would improve enforcement and compliance of global agreements, as well as, monitoring and evaluation of performance of nations and sub-global bodies in complying with said agreements. Related to this, consider providing legislative powers to strategic bodies in either or both levels.
- Strengthen national sustainable development mechanisms by addressing issues and challenges that beset them foremost of which are inadequate participation of non-state actors, lack of financing and low capability). The IFSD includes nations and serves the nations. Its strength, therefore, is dependent on the collective strengths of nations and their institutional mechanisms.
- Clarify functions and focus areas of co-ordinating mechanisms at each level. Promote the subsidiarity principle (e.g. program implementation and resolution of localised issues for national level; facilitation and monitoring for regional level).
- Strengthen the political and administrative mechanisms for vertical and horizontal co-ordination that are already in place. Make adjustments on these mechanisms should there be institutional reforms at the global level.
- Provide access to adequate and sustained financing for NCSDs including for its non-state members.
- Build capacity especially of national sustainable development bodies, by strengthening technical and substantive inputs, providing venue for exchange of knowledge and experiences, holding regular meetings and undertaking joint projects.
- Establish an Asia-Pacific Principle 10 Convention to ensure stakeholders' access to information and allow them to contribute substantively to policy and decision making.

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UN Economic and Social Commission for West Asia
<http://www.unscwa.org>;

United Nations Development Program
<http://www.undp.org>

UNEP(2009). Memorandum of Understanding between ESCAP and UNEP http://www.unescap.org/pmd/documents/mou/MOU_UNEP_15Apr09.pdf

Links to Regional Bodies

Asian Development Bank Greater Mekong Sub-Region Program
<http://www.adb.org/countries/gms/main>

Association of Southeast Asian Nations
<http://www.aseansec.org/18362.htm>

Mekong River Commission
<http://www.mrcmekong.org/about-the-mrc/vision-and-mission/>

Northeast Asia Sub-Regional Program for Environmental Cooperation
<http://www.neaspec.org/envir-impera.asp>

Secretariat to the Pacific Regional Environmental Program
<http://www.sprep.org/what-we-do>

South Asia Cooperative Environmental program
<http://www.sacep.org/>

South Asian Association for Regional Cooperation
<http://www.saarc-sec.org/>

Links to National Mechanisms

Australia Department of Sustainability, Environment, Water, Population and Communities
<http://www.environment.gov.au>

Bhutan Planning Commission
<http://www.gnhc.gov.bt/>

Cambodia Ministry of Environment
<http://www.moe.gov.kh/eia/index.php>

National Development and Reform Commission
en.ndrc.gov.cn/

India Ministry of Environment and Forest
<http://moef.nic.in/index.php>;

[Korea Presidential Commission on Green Growth](http://www.greengrowth.go.kr)
www.greengrowth.go.kr

Singapore Ministry of Environment and Water Resources
<http://app.mewr.gov.sg>;

Philippine Council for Sustainable Development
<http://pcsd.neda.gov.ph/>

Vietnam National Council for Sustainable Development
www.mpi.gov.vn/portal/page/portal/mpi_en

International Monetary Fund – Poverty Reduction Strategy Paper
<http://www.imf.org/external/np/prsp/prsp.aspx>

**Links to SD councils in European countries:**

<http://www.eeac.eu/councils>

Links to individual SD and environmental councils in Europe (in english if available)

Belgium

<http://www.frdo-cfdd.be/EN/welcome.html>

Czech Republic

http://www.mzp.cz/en/sustainable_development_at_the_national_level

Finland

<http://www.ymparisto.fi/default.asp?contentid=366323&lan=fi&clan=en>

France

<http://www.lecese.fr/>

Germany

<http://www.nachhaltigkeitsrat.de/en/home/>

<http://www.wbgu.de/en/home/>

http://www.umweltrat.de/EN/TheGermanAdvisoryCouncilOnTheEnvironment/thegermanadvisorycouncilontheenvironment_node.html;jsessionid=9237CD6D5DE848CE464A5B0796A0AD94.1_cid137

Hungary

http://www.nfft.hu/main_page/

Ireland

<http://www.comharsdc.ie/> [archive page]

<http://www.nesc.ie/>

Luxembourg

<http://www.csdd.public.lu/fr/index.html>

Netherlands

<http://www.rli.nl/eeac/intro>

Portugal

<http://www.cnads.pt/en/>

Slovenia

<http://www.svo-rs.si/>

Sweden [outdated page]

<http://www.sou.gov.se/mvb/english/>

UK [archive pages]

<http://www.sd-commission.org.uk>

http://webarchive.nationalarchives.gov.uk/*/http://www.rcep.org.uk

Links to SDSs in European countries:

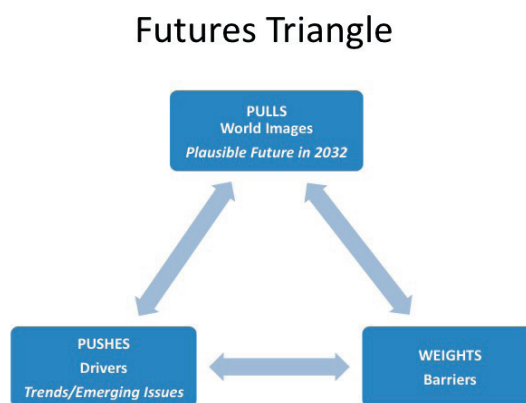
http://www.sd-network.eu/?k=country_profiles

Annexe 1 – Foresight Techniques



Futures Triangle

The Future Triangle presents a way to map the competing dimensions of the future. The future is not seen as fixed but as being created by various processes, namely ‘pushes’ of the future (e.g. new technologies, globalisation, demographic shifts); ‘pulls’ of the future (competing images of the future); and ‘weights’ of the future (structural challenges).



Megatrends: A Component of Europe's *State of Environment Report 2010*

Megatrends are major trends of global proportions visible today that are expected to extend over decades, changing slowly and exerting considerable force that will influence a wide array of areas, including social, technological, economic, environmental and political dimensions. Eleven major megatrends were identified along the STEEP (Social, Technological, Economic, Environment, and Political) lenses as part of Europe's State of Environment Report 2010 and have been integrated in the scenario planning process.

Social

- Increasing global divergence in population trends
- Living in an urban world
- Disease and the risk of new pandemics

Technological

- Accelerating technological change: racing into the unknown

Economic

- Continued economic growth?
- From a unipolar to a multipolar world
- Intensified global competition for resources

Environment

- Decreasing stocks of natural resources
- Increasingly severe consequences of climate change
- Increasing environmental pollution load

Political

- Environmental regulation and governance: increasing fragmentation and convergence



Annexe 2 - Workshop Programmes

**Asia Europe Strategies for the Earth Summit 2012:
1st scenario planning workshop
17-18 July 2011| Yogyakarta, Indonesia**

17 July 2011 – Sunday Day 1

08:45 – 09:00 Registration (for late arrivals only)

09:00 – 10:00

Opening Session

Mr. Ulrich Klingshirn, Director, Hanns Seidel Foundation Indonesia

Mr. Hideyuki Mori, President, Institute for Global Environmental Strategies

Ms. Sol Iglesias, Director of Intellectual Exchange & Coordinator of Asia-Europe Environment Forum, Asia-Europe Foundation

Introductory Session: Scenario-building Process

Ms. Grazyna Pulawska, Project Executive, Asia-Europe Foundation

10:00 – 10:30

Remembering the past while heading towards Rio+20. International Environmental Governance as Part of the International Framework for Sustainable Development

H.E. Ambassador Jean-Pierre Thébault, French Ambassador for the Environment

Mr. Surendra Shrestha, Team Leader, Institutional Framework for Sustainable Development, Secretariat for United Nations Conference on Sustainable Development (Rio+20)

10:30 – 11:00 Coffee break

11:00 – 12:30

Strengthening the International Environmental Governance: Challenges and Opportunities - Panel Discussion

Moderator:

Mr. Surendra Shrestha, Team Leader, Institutional Framework for Sustainable Development, Secretariat for United Nations Conference on Sustainable Development (Rio+20)

Panellists:

Mr. Bradnee Chambers, Chief of Environmental Law and Governance Branch, UNEP

Dr. Robert Mather, Head of Southeast Asia Group, IUCN Asia Regional Office

Mr. Masanori Kobayashi, Coordinator, Institute for Global Environmental Strategies

Mr. Lloyd Russell-Moyle, Board Member, European Youth Forum (TBC)

12:30 – 13:30 Lunch

13:30 – 15:00



The Environmental State of Play: Mapping Asia and Europe

Mr. Mark Kunzer, Senior Environment Specialist, Asian Development Bank

Mr. Jakub Wejchert, Desk Officer DG Environment, European Commission

Global Megatrends Overview

Ms. Ella Antonio, President, Earth Council

15:00 – 15:30 Coffee break

15:30 – 17:30

Mapping the Future of International Environmental Governance – moderated group work

<Participants will have an opportunity to discuss the relevance of Megatrends for different stakeholders with regard to the environment.>

17:30 – 18:00 Reflections and Closing of the Day

20:00 – 21:00 Dinner

18 July 2011 – Monday Day 2

09:00 – 09:30

Financial Implications of the International Environmental Governance Reforms.

Mr. Takejiro SUEYOSHI. Special Adviser of UNEP Finance Initiative (UNEP-FI), and Counsellor of the Institute for Global Environmental Strategies (IGES)

9:30 – 13:00

Creating Alternative Futures: Predefined Scenario Building (Futures Triangle). Facilitated group work

<The Future Triangle presents a way to map the competing dimensions of the future. This is useful in that with a simple diagram the dialectics of the future can be understood. The future is not seen as fixed, but as the result of various processes being created because of historical patterns or weights).>

13:00 – 14:00 Lunch

14:00 – 16:00

Presentation of the Workshop Outcomes.

Vision for the Earth Summit Rio +20. Lessons learnt from Johannesburg

Expert Commentator: Prof. Dr Emil Salim, Chairman of the Advisory Council to the President Republic of Indonesia on Economics and Environmental Affairs

16:00 – 16:30

Closing Remarks



**Asia Europe Strategies for the Earth Summit 2012:
2st scenario planning workshop
10-12 October 2011| Uppsala, Sweden**

10th October – Monday
Day 0

Arrival of participants

19: 00 – 19:30 Registration

19:30 – 21:00 Welcome Reception

11th October 2011 – Tuesday
Day 1

08:45 – 09:00 Registration (for late arrivals only)

09:00 – 09:30 Introduction

Opening Session: Representative of SENSEA (TBC)

Asia Europe Environmental Forum: Ms. Sol Iglesias, Director of Intellectual Exchange, Asia-Europe Foundation

9:30 – 10:00 Introductory Session - Logic of the Workshop design: Ms. Grazyna Pulawska, Project Executive, Asia-Europe Foundation

10:00 – 10:30 State of play for Rio+20 preparations: Mr. Surendra Shrestha, Team Leader, Institutional Framework for Sustainable Development, Secretariat for United Nations Conference on Sustainable Development (Rio+20)

10:30 – 11:00 Drivers of change: factors shaping the future

11:00 – 11:30 Break

11:30 – 13:00 Presentation of the 1st workshop in Yogyakarta outcomes. Narrowing trajectories that may shape the future: finalisation of scenarios

- Incremental change scenario
- Fundamental change scenario

13:00 – 14:00 Lunch

14:00 – 15:00 Finalising the scenarios.

15:00 – 17:00 Backcasting: identifying the future framework for the IFSD and IEG. Mapping necessary policy changes.

<Facilitated Group Work including coffee break>

17:00 – 18:00 Presentations of the group work

Reflections and Closing of the Day

20:00 – 21:00 Dinner



12th October 2011 – Wednesday
Day 2

09:00 – 09:30 Summary of Day 1

9:30 – 11:00 Backcasting: focus on immediate actions with regard to policies, research and technologies.

Proposing necessary policy recommendations required to materialise preferred futures.

<Facilitated Group Work>

11:00 – 11:30 Break

11:30 – 13:00 Assessment of policy recommendations across Helsinki-Nairobi options. Part I. Mapping the relations between alternatives.

13:00 – 14:00 Lunch

14:00 – 16:00 Assessment of policy recommendations across Helsinki-Nairobi options. Part II. Identifying financial implications.

16:00 – 16:30 Break

16:30 – 17:00 Follow up and planning for the 3rd workshop.

17:30 – 18:00 Closing Remarks



Workshop Programme

Asia-Europe Strategies for the Earth Summit 2012: 3rd scenario planning workshop 17-19 April 2012

Venue: Amari Watergate Bangkok
847 Petchburi Road
Bangkok 10400, Thailand

17 April – Tuesday
Day 0

Arrival at Amari Watergate Bangkok hotel

19:00 – 19:30 Registration

19:30 – 21:00 Welcome Reception

18 April 2012 – Wednesday
Day 1

08:45 – 09:00 Registration (for late arrivals only)

09:00 – 09:30

Opening Session

Ms. Sol Iglesias, Director of Intellectual Exchange, Asia-Europe Foundation

Ms. AnnaMaria Oltrop, Head of Development Cooperation Section at the Embassy of Sweden in Bangkok

Mr. Ulrich Klingshirn, Director, Hanns Seidel Foundation Indonesia

Mr. Masaya Fujiwara, Principal Fellow, Institute for Global Environmental Strategies

9:30 – 10:00

Introductory Session: Scenario-building Process

Ms. Grazyna Pulawska, Project Executive, Asia-Europe Foundation

10:00 – 10:30

State of play for Rio+20 preparations

Mr. Surendra Shrestha,

Mr. Surendra SHRESTHA, Director, Focal Point for SDGs, Office of the Executive Coordinators for UNCSD (Rio+20)

10:30 – 11:00 *Coffee break*

11:00 – 13:00

Research outcomes – presentation and peer review



Part A: Creation Sustainable Development Council (SDC):

Mr. Christer Holtsberg, Chief Technical Advisor, UNEP ROAP and AIT-UNEP RRC.AP

13:00 – 14:00 Lunch

14:00 – 14:30

Building a Global Network of Sustainable Development Councils (NSDCs)

Mr. Farooq Ullah, Head of Policy and Advocacy, Stakeholder Forum

14:30 – 16:00

Research outcomes – presentation and peer review

Part B: Implications of the regional and national SD mechanisms for Vertical Integration

Ms. Ella Antonio, President, Earth Council

Ms. Ingeborg Niestroy, Secretary General, the European Environmental and Sustainable Development Advisory Councils (EEAC)

16:00 – 16:30 Coffee break

16:30 – 17:30

Presentations of the conclusions

17:30 – 18:00 Reflections and Closing of the Day

19:30 – 21:00 Dinner

19 April 2012 – Thursday Day 2

09:00 – 09:30

Wrapping up the discussion from Day 1

09:30 – 11:30

Research outcomes – presentation and peer review

C. Analysis of Asian and European positions on strengthening International Environmental Governance

Mr. Simon Olsen, Policy Researcher, Institute for Global Environmental Strategies (IGES)

11:30 – 12:00 Coffee break

12:00 – 13:00

Presentations of the conclusions

13:00 – 14:00 Lunch

14:00 – 15:00



Asia-Europe Strategies for the Earth Summit

Discussion moderated by Ms. Grazyna Pulawska, Project Executive, Intellectual Exchange, Asia-Europe Foundation

14:30 – 15:00

Summary of the workshop

Closing Remarks

Ms. Sol Iglesias, Director, Intellectual Exchange, Asia-Europe Foundation



**Briefing-discussion
on the Institutional Framework for Sustainable Development**

**Asia Europe Strategies for the Earth Summit 2012:
26th March 2012| New York, U.S.
at the Permanent Mission of France
to the United Nations**

18:15 Opening

Chair:

H.E. Jean-Pierre Thebault, France Ambassador for Environment

Briefing

**Ambassador Mr. Brice Lalonde, Executive Coordinator, Secretariat for the United Nations
Conference on Sustainable Development (Rio+20)**

Professor Dr. Zakri Abdul Hamid, Science Advisor to the Prime Minister of Malaysia

Discussion

Moderator: Ms. Sol Iglesias, Director, Intellectual Exchange, Asia-Europe Foundation

19:45 Cocktail Reception



Annexe 3 - Consolidated List of Workshop Participants

1st Workshop, Yogyakarta, Indonesia, from 16th to 18th July 2011

Asia

Prof. Emil Salim (Chairman of the Advisory Council to the President Republic of Indonesia on Economics and Environmental Affairs)

Liana Bratasida (Ministry of Environment, Republic of Indonesia)

Ismid Hadad (KEHATI-Indonesia Biodiversity Foundation)

James Tee (Rio+20 Secretariat, UN DESA)

Takejiro Sueyoshi (Institute for Global Environmental Strategies)

Ada Wong (Hong Kong Institute of Contemporary Culture)

Wongruang Piyaporn (Bangkok Post)

Ella Antonio (Earth Council)

Yang Wanhua (United Nations Environment Programme)

Yan Peng (Clean Air Initiative)

Arabinda Mishra (The Energy and Resources Institute)

Darwina Widjajanti (Yayasan Pembangunan Berkelanjutan – LEAD Indonesia)

Dechen Tsering (United Nations Environment Programme)

Europe

Jean-Pierre Thebault (Ambassador for Environment and Head of French Delegation)

Lloyd Russell-Moyle (European Youth Forum)

Jakub Wejchert (European Commission)

Valentin Mihai Crisan (OMV Petrom)

Clara Nobbe (United Nations Environment Programme)

Robert Mather (International Union for Conservation of Nature)

Berthold Paul Seibert (The Deutsche Gesellschaft für Internationale Zusammenarbeit)

Zhang Xiaoying (Deutsche Welle)

John Soussan (Stockholm Environment Institute)

Mark Halle (International Institute for Sustainable Development)

Mark Kunzer (Asian Development Bank)

Jordi Pascual (United Cities and Local Governments)

Bradnee Chambers (United Nations Environment Programme)

Rapporteur

Ira Martina Drupady (Centre on Asia and Globalisation)

Technical Advisor

Prabu Naidu (Facilitators' Network in Singapore)

Partners

Sol Iglesias (Asia-Europe Foundation)

Grazyna Pulawska (Asia-Europe Foundation)

Grace Foo (Asia-Europe Foundation)



Ulrich Klingshirn (Hanns Seidel Foundation, Jakarta)
Hideyuki Mori (Institute for Global Environmental Strategies)
Masanori Kobayashi (Institute for Global Environmental Strategies)
Surendra Shrestha (Rio +20 Secretariat)



2nd Workshop, Uppsala, Sweden, 10th to 12th October 2011

Asia

Ritu Mathur (The Energy and Resources Institute)
Raman Letchumanan (ASEAN secretariat)
Bulganmurun Tsevegjav (UNFCCC Secretariat)
Ella Antonio (Earth Council Asia-Pacific, Philippines)
Wongruang Piyaporn (The Bangkok Post)

Europe

Marta Szigeti Bonifert (The Regional Environmental Center)
Irina Lazzerini (European Commission, DG Environment)
Eva Lindskog (Stockholm Environment Institute)
David Banisar (Article 19)
Farooq Ullah (Stakeholder Forum)
Lloyd Russell-Moyle (European Youth Forum)

Rapporteur

Ira Martina Drupady (Centre on Asia and Globalisation)

Technical Advisor

Noel Tan (Trailblazer Associates International)

Partners

Sol Iglesias (Asia-Europe Foundation)
Grazyna Pulawska (Asia-Europe Foundation)
Grace Foo (Asia-Europe Foundation)
Karin Isaksson (Sida)
Ulrich Klingshirn (Hanns Seidel Foundation, Jakarta)
Jun Ichihara (Institute for Global Environmental Strategies)
Masanori Kobayashi (Institute for Global Environmental Strategies)
Surendra Shrestha (Rio +20 Secretariat)



3rd Workshop, Bangkok, Thailand, 17th to 19th April 2012

Asia

Ella Antonio (Earth Council Asia-Pacific, Philippines)
Wongruang Piyaporn (The Bangkok Post)
Kelly Hayden (United Nations Economic and Social Commission for Asia and the Pacific)
Ligia Noronha (The Energy and Resources Institute)
Ismid Hadad (KEHATI - The Indonesian Biodiversity Foundation)
Liana Bratasida Ministry of Environment
Bulganmurun Tsevegjav (People Centered Conservation)
Albert Salamanca (Stockholm Environment Institute)
Elenita Dano (Action Group on Erosion, Technology and Concentration (ETC group) and Third World Network)
Wongruang Piyaporn (The Bangkok Post)
Somrudee Nicrowattanayingyong (Thailand Environment Institute)
Sean Kim (ASEM SMEs Eco-Innovation Center (ASEIC))
Yang Wanhua (United Nations Environment Programme ROAP)
Hotomi Rankine (United Nations Economic and Social Commission for Asia and the Pacific (ESCAP))

Europe

David Banisar (Article 19)
Farooq Ullah (Stakeholder Forum)
Felix Beck (German Federal Youth Council/European Youth Forum)
Ingeborg Niestroy (EEAC - European Environment and Sustainable Development Advisory Councils)
Zsolt Bauer (The Regional Environmental Center for Central and Eastern Europe)
Mark Halle (IISD - Europe)
Sandro Calvani (ASEAN Center for Excellence on UN Millennium Development Goals)
Christer Holtsberg (UNEP - AIT Regional Resource Center for Asia and Pacific (RRC.AP))
Giorgia Noaro (UNEP - AIT Regional Resource Center for Asia and Pacific (RRC.AP))

International

Aida N. Karazhanova (United Nations Economic and Social Commission for Asia and the Pacific (ESCAP))
Batyr Hadjiyev (UNEP - AIT Regional Resource Center for Asia and Pacific (RRC.AP))

Rapporteur: Leong Wen Shan

Partners

Sol Iglesias (Asia-Europe Foundation)
Grazyna Pulawska (Asia-Europe Foundation)
Grace Foo (Asia-Europe Foundation)
AnnaMaria Oltrop (Sida/Swedish Embassy in Bangkok)
Ulrika Åkesson (Sida/Swedish Embassy in Bangkok)
Ulrich Klingshirn (Hanns Seidel Foundation, Jakarta)
Masaya Fujiwara (Institute for Global Environmental Strategies)
Simon Olsen (Institute for Global Environmental Strategies)
Surendra Shrestha (Office of the Executive Coordinators for UNCSD (Rio+20))



Briefing-discussion, New York, United States, 26th March 2012

Asia

Ms. Kirsty McNeil, Director, Marine Environment Section, Department of Foreign Affairs and Trade (Australia)
Ms. Katrine Noerlyng, Head of Section, International Co-ordination, Danish Ministry of Environment (Denmark)

Mr. Katsuhiko Takahashi, Minister, Permanent Mission of Japan to the United Nations (Japan)

Mr. Zakri Abdul Hamid,

Dr. Raslan Ahmad, Senior VP, Malaysian Industry – Government Group for High Technology. Prime Minister Department (Malaysia)

Tengku Mr. Rahim Saifullizan, Malaysian Industry – Government Group for High Technology, Prime Minister Department (Malaysia)

Mr. Mohd Zakwan Zabidi, Special Officer to the Science Advisor, Prime Minister Office (Malaysia)

Prof. Dr. Bakar Jaafar, Senior Adjunct Fellow Maritime Institute of Malaysia (Malaysia)

Mr. Mani Prasad Bhattarai, Counsellor, Permanent Mission of Nepal to the United Nations (Nepal)

Mr. Eduardo José A. De Vega, Minister, Philippine Permanent Mission to the United Nations (Philippines)

Ms. Dong Zhihua, Counsellor, Permanent Mission of People's Republic of China to the United Nations (China)

Europe

Amb. Tarja Reponen, Ambassador for Sustainable Development (Finland)

Mr. Phillipe Ramet, Head of Unit, Global Affairs, Ministry of Ecology, Sustainable Development, Transport and Housing (France)

Ms. Sandrine Menard, Deputy Head Global Affairs, Unit European and International Affairs Environment Ministry (France)

Mr. Julien Richard, Direction générale de la mondialisation, du développement et des partenariats, Ministère des Affaires Étrangères et Européennes (France)

Amb. Jean-Pierre Thébault, France Ambassador for the Environment (France)

Ms. Sigrun Meyer, Desk Officer, International Climate and Environment Policy, Sustainable Economy, Federal Foreign Office (Germany)

Ms. Alena White, United Nations and Cooperation with Developing and Newly Industrialised Countries, Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (Germany)

Expert, Italy Permanent Mission to the United Nations

Amb. Josefina De Carvalho, Ambassador for Rio+20 (Portugal)

Mr. João Bezerra Da Silva, Expert, Permanent Mission of Portugal to the United Nations (Portugal)

Mr. Anders Wallberg, Ministry of Foreign Affairs (Sweden)

Rio+20

Amb. Brice Lalonde, Executive Coordinator for Rio+20, Office of the Executive Coordinators for UNCSD (Rio+20)

Mr. Surendra Shrestha, Director, Focal Point for SDGs, Office of the Executive Coordinators for UNCSD (Rio+20)

Partners

Ms. Sol Iglesias, Director, Intellectual Exchange, ASEF

Ms. Grazyna Pulawska, Project Executive, Intellectual Exchange, ASEF

Mr. Simon Olsen, Policy Researcher, IGES



ABOUT THE CO-ORGANISERS

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The Asia-Europe Environment Forum (ENVforum) is a platform for dialogue and debate on sustainable development and environment issues in Asia and Europe.

It serves as:

- the only multi-stakeholder forum on the environment between the two regions;
- a recognised reference point for Asia and Europe consensus on sustainable development;
- an interface between government and civil society for policy recommendations;
- an Asia-Europe network on sustainable development; and,
- a contributor to the agenda of the ASEM Environment Ministerial and other Asia-Europe Meeting (ASEM) fora.

The Asia-Europe Strategies for the Earth Summit 2012 is a flagship project of the Asia-Europe Environment Forum – a strategic partnership of the Asia-Europe Foundation (ASEF), the Institute for Global Environmental Strategies (IGES) of Japan, the Hanns Seidel Foundation (HSF), and the Swedish International Development Cooperation Agency (Sida).

Within the ASEM process, environment and sustainable development issues rank highly on the agenda and have been dealt with on a regular basis. This has resulted in high-level declarations like the ASEM 6 Statement on Climate Change in 2006 and the Beijing Declaration on Sustainable Development in 2008.

For more information, please visit <http://env.asef.org>



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