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2009

UNEP as Anchor Organization for the Global Environment

Maria Ivanova, *University of Massachusetts Boston*



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International Organizations in Global Environmental Governance

**Edited by Frank Biermann,
Bernd Siebenhüner and Anna Schreyögg**

 **Routledge**
Taylor & Francis Group
LONDON AND NEW YORK

First published 2009
by Routledge
2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN
Simultaneously published in the USA and Canada
by Routledge
270 Madison Avenue, New York, NY 10016

Routledge is an imprint of the Taylor & Francis Group, an informa business

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selection and editorial matter; individual contributors, their
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Typeset in Times New Roman by
Swales & Willis Ltd, Exeter, Devon
Printed in the UK by the
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British Library Cataloguing in Publication Data
A catalogue record for this book is available from the British Library

Library of Congress Cataloging in Publication Data
International organizations in global environmental governance /
edited by Frank Biermann, Bernd Siebenhüner and Anna Schreyögg.
p. cm. – (Routledge research in environmental politics ; 17)
Includes bibliographical references and index.
1. International agencies – Environmental aspects. 2. Environmental
policy – International cooperation. 3. Environmental protection –
International cooperation. I. Biermann, Frank, 1967– II. Siebenhüner,
Bernd. III. Schreyögg, Anna.
JZ1324.I58 2008
333.7 – dc22
2008032291

ISBN 10: 0-415-46925-2 (hbk)
ISBN 10: 0-203-88315-2 (ebk)

ISBN 13: 978-0-415-46925-8 (hbk)
ISBN 13: 978-0-203-88315-0 (ebk)

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8 UNEP as anchor organization for the global environment

Maria Ivanova¹

Introduction

In the context of increasing ecological, economic and political interdependence, international organizations have evolved from simple mechanisms for state cooperation to central actors in world politics and active agents of global change. However, while the number of institutions, policies and programmes charged with stewardship of the global commons has risen dramatically over the last thirty years, the state of the global environment continues to show negative trends and increasing risks (Speth 2004; Berruga and Maurer 2006). As a result, scholars and politicians alike have called for measures to strengthen the global environmental governance system (Esty and Ivanova 2002b; Speth 2003, 2004; Desai 2004; Kanie and Haas 2004) and, in turn, transform the United Nations Environment Programme (UNEP) into a more powerful global environmental organization.²

Contemporary reform initiatives for environmental governance have focused on UNEP to a great extent – some suggesting fairly modest changes such as the proposal by the French and German governments to establish a UN Environment Organization (UNEO) and others offering a more comprehensive reform agenda like the proposals for a WEO (World Environment Organization), GEO (Global Environmental Organization) and GEM (Global Environmental Mechanism).³ Institutional reform, however, must ultimately be rooted in an understanding of where and why UNEP has succeeded and failed in order to identify leverage points for improved effectiveness, efficiency and equity.

Currently, the debate on global environmental governance reform has artificially divided the environmental governance academic community into 'friends' and 'foes' of UNEP, rather than opening analytical avenues for constructive critique and refinement of theoretical assumptions. Analysts of UNEP offer a wide range of opinions regarding the effectiveness of the organization. It is considered by some as 'one of the most impressive UN organizations in terms of its actual achievements' (Najam 2001), 'relatively effective' (Conca 1995 cited in Najam 2003) and 'given its mandate, its resources and its authority . . . a remarkable success' (von Moltke 1996). It is

also characterized as 'relatively obsolete, eclipsed in resources and prestige' (Haas 2004), 'under-funded, over-loaded and remote' (ibid.), a 'peanut-sized' (Speth 2002) 'weak agency' (von Moltke 1996) with 'wasted scarce resources [and] a credibility gap' (United Nations 1997). Yet, as Bauer and Biermann have found, few of the normative statements are grounded in systematic evidence and '[b]oth proponents and opponents of a world environment organization [have] had to build their arguments in most cases on the basis of personal experiences, theoretical deliberation and normative visions, rather than on the findings of empirically-based research' (Biermann and Bauer 2005).

In this chapter, I evaluate UNEP's performance more systematically by examining the core functions UNEP performs as an anchor organization. Anchor organizations are the primary, though not the only, international organizations in a global issue area. They typically perform three main functions: (1) overseeing the monitoring, assessment and reporting on the state of the issue in their purview; (2) setting an agenda for action and managing the process of determining standards, policies and guidelines; and (3) developing institutional capacity to address existing and emerging problems (Figure 8.1). Anchor organizations define the problems, develop new policy ideas and programmes, manage crises and set priorities for shared activities that would not exist otherwise (Barnett and Finnemore 2004: 156).

The analysis thus focuses on UNEP's performance in monitoring and assessment, agenda-setting and policy processes, and capacity development,

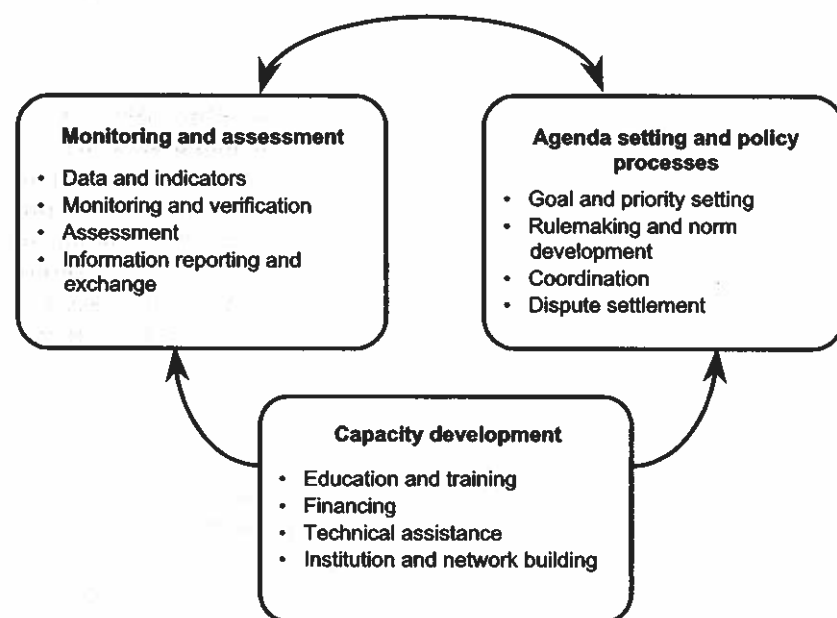


Figure 8.1 Main functions for an anchor organization.

and concludes that UNEP's performance is mixed. While the organization was set up as the anchor in global environmental governance, it has not been able to meet all such expectations for a number of reasons. I identify four key factors that have limited UNEP's ability to fulfil its mandate: formal status, governance, financing structure, and location. In the context of current political processes for UN reform in the international environmental governance arena, this analysis seeks to glean lessons for the architects of the environmental governance system for the twenty-first century.

UNEP's performance as an anchor organization

UNEP was created in 1972 as the core – or anchor organization – for the global environment to gather and transmit information, catalyse action and coordinate environmental activities within the UN system. UNEP was established in response to a common understanding that 'the work in the field of environment needed a common outlook and direction' (Rydbeck 1972) and that it was necessary to create

a central coordinating mechanism in the United Nations to provide political and conceptual leadership, to contemplate methods of avoiding or reducing global environmental risks, of working out joint norms and of avoiding or settling conflicts between states on environmental matters. This coordinating mechanism needed to be given enough authority and resources to ensure effective co-ordination of ongoing and planned activities.

(Rydbeck 1972)

Over the years, however, international environmental responsibilities have spread across multiple organizations, including UNEP and close to a dozen other UN bodies (such as the Commission for Sustainable Development, the World Meteorological Organization, the Food and Agriculture Organization, the UN Educational, Scientific and Cultural Organization, and others). Adding to this fragmentation are the independent secretariats and governing bodies of the numerous environmental conventions. The practical result has been a series of jurisdictional overlaps, gaps and 'treaty congestion' (Brown Weiss 1995) leading to unproductive duplication, competition and waste of scarce resources.

By contrast, other international collective action issues such as trade, health or labour concerns have fairly well-developed and coherent organizational structure anchored in an international organization (WTO, WHO and ILO respectively). In the global environmental domain, no one organization is perceived to be 'the authority' in environmental matters and no one organization is considered to be 'in authority' to ensure coherence and effectiveness in the system. Barnett and Finnemore (2004) distinguish between being 'an authority' and 'in authority' as the two key aspects of power for

international organizations. An organization is 'an authority' when it is perceived as an expert in its particular domain (for example, the WHO is an authority on global public health). An organization is 'in authority' when its rational-legal status has empowered it to perform certain functions (for example, UNHCR is in authority to protect refugees within certain legal parameters).

UNEP's mandate, defined as too broad by some and too narrow by others (von Moltke 2001b; Iwama 2004; Bauer and Biermann 2005),⁴ has stayed clear and relatively focused on four core functions over the last three decades: (1) monitoring, assessment and early warning; (2) developing international norms, standards and policies; (3) coordinating the environmental activities of the UN system; and (4) building national institutional capacity. These functions clearly fall within the three categories of anchor organization responsibilities as illustrated in Figure 8.2.

In this chapter, I assess UNEP's existing role and future potential as an anchor organization for the global environment by examining the organization's performance in the three core roles of an anchor organization: (1) monitoring and assessment, (2) agenda-setting and managing policy processes, and (3) capacity development.

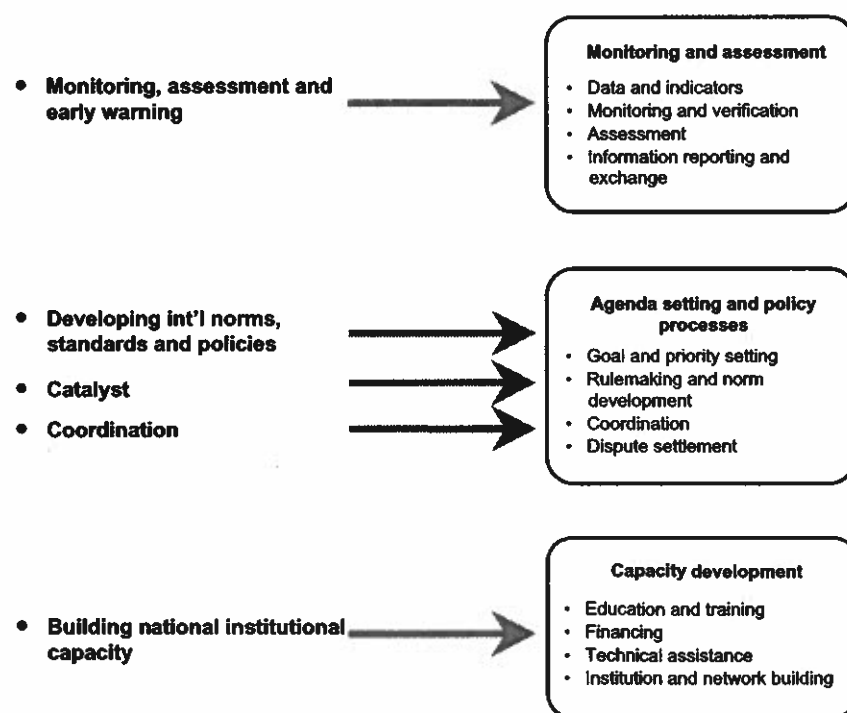


Figure 8.2 Functions of UNEP's mandate and anchor organizations.

Monitoring and assessment

UNEP was established to 'keep under review the world environmental situation' and 'promote the contribution of the relevant international scientific and other professional communities to the acquisition, assessment and exchange of environmental knowledge and information' (UN 1972a). In the area of monitoring and surveillance UNEP is expected to 'provide policy advice, early warning information on environmental threats and to catalyze and promote international cooperation and action, based on the best scientific and technical capabilities available' (UNEP 1997b). UNEP does not perform any direct monitoring and surveillance of its own. Rather, it collects, collates, analyses and integrates data from UN agencies and other organizations – including convention secretariats, universities, science institutes and non-governmental organizations – to form broader environmental assessments.

UNEP is considered relatively effective in its assessment of global environmental issues (Haas 2004). Its flagship environmental assessment publication, the *Global Environmental Outlook* (GEO), has been recognized as 'one of the two most respected environmental outlook publications currently available' (UNEP 2005c: 11). The GEO process has become an important model to develop and improve the scientific credibility, political relevance and legitimacy of UNEP's assessment function (UNEP 2005f: 12). The GEO uses an approach based on collaborating centres, involving universities, research centres, international institutes and non-governmental organizations in 30 countries representing regions around the world. It also employs a periodic review process through an online user survey soliciting external feedback and an informal, self-reflective internal review.

This 'comprehensive global state of the environment report' (UNEP/GRID-Arendal 2005) has been widely cited as useful for identifying major emerging environmental issues and for placing national issues in a broader perspective, raising the awareness of policy-makers, scientists and the general public on the large-scale processes and trends regarding the global environment. The most important contribution of the GEO process has been in influencing policy formulation, catalysing action and developing institutional capacity. Regional governmental forums and national governments have adopted GEO methodology for the production and improvement of their state of the environment reporting. In countries where no such reporting was carried out (Barbados, Cameroon, Congo, Costa Rica, Cuba, Gabon, Ghana, Peru and Senegal, among others) the GEO process has catalysed national State of the Environment reports. Several collaborating centres reported that participation in the GEO process has improved the quality of products and services offered, increased satisfaction among centre stakeholders and enhanced their credibility and reputation. In some centres it has also helped to develop new skills and knowledge for staff members and to attract additional staff. It is important to note, however, that these are

self-reported trends. A more accurate measure of enhanced credibility and reputation would be through a survey of change in perception by organizations working with the UNEP collaborating centres.

One of the GEO's key limitations is the lack of comparative data across countries. While the report provides comprehensive information by issue and geographic area, it does not show the comparative performances of countries around the world in addressing environmental challenges. The data, therefore, are not used to their full capacity for informing policy decisions. As an intergovernmental organization, UNEP has faced political pressure from countries to not include cross-country comparisons. UNDP, however, has tackled that challenge and its *Human Development Report* is a highly acclaimed publication. Recent efforts at developing environmental sustainability indicators illustrate the power of comparison across jurisdictions. For example, the Environmental Sustainability Index (ESI) and Environmental Performance Index (EPI), developed by the Yale Center for Environmental Law and Policy and the Center for International Earth Science Information Network (CIESIN) at Columbia University, benchmark the ability of nations to protect the environment.⁵ With 76 data sets compiled into 21 indicators, the Environmental Sustainability Index ranks 146 countries in environmental stewardship, allowing comparison across a range of issues. The Environmental Performance Index employs a distance-to-target approach to gauge a country's current performance on the major components of environmental health and ecosystem vitality. Measuring environmental quality in absolute terms is arguably impossible. But relative measures are achievable. National governments find it useful to compare their performance with that of others that are similarly situated. Identifying leaders and laggards pressures underperforming countries to improve results. No country scores very high or very low on all indicators. Therefore, 'every society has something to learn from benchmarking its environmental performance against relevant peer countries' (Esty *et al.* 2005: 2). UNEP is the natural forum for creating a coherent international system for environmental information and assessment. It offers the advantage of building on an existing organization with a clear mandate to serve as an information clearing-house and with a relatively strong scientific track record. UNEP's work, however, has not yet become the standard for quality, relevance, timeliness and accessibility.

While the GEO process and outputs are notable, a number of strategic challenges remain and improvements are necessary to enhance UNEP's monitoring and assessment function. Fragmentation and the resulting duplication among UNEP's various monitoring and assessment activities have prevented it from becoming the anchor organization for the environment. Inadequate quality of incoming and outgoing information lead to unreliable output and relevance (UNEP 2004a: 13). Missing data limit UNEP's ability to compile complete international environmental assessments, draw conclusions and make scientifically based policy recommendations, sometimes compromising the credibility of its work (UNEP 2004a: 23). In the GEO

process these problems are largely due to the lack of sufficient capacity and resource constraints. Methodological issues related to data management and analysis, indicator development and integrated policy analysis have also further hampered information quality. Addressing many of today's pressing environmental issues requires integrating socio-economic factors with more traditional environmental science data, thus creating a demand for a more comprehensive approach and extensive institutional capacity in both the contributing and receiving organizations. Therefore, while UNEP has made significant improvements in providing information about its work to the public, significant institutional investment is required to enhance this core function.

Agenda-setting and managing policy processes

A second core function of an anchor organization is agenda-setting and management of intergovernmental processes to address critical issues and to gain agreement on standards, policies and guidelines. UNEP was designed as an advocacy organization at the international level. It was expected to be proactive and set the global agenda by identifying emerging concerns and galvanizing action around them from government, international organizations, NGOs and business. Setting goals and priorities and coordinating efforts for their attainment have, however, been problematic for UNEP.

UNEP's anchor role also demands that it serves as the centre of gravity in a complex system of international environmental governance. Resolution 2997 of 1972 clearly outlined UNEP's coordination function to 'provide general policy guidance for the direction and co-ordination of environmental programmes within the United Nations system' (United Nations 1972a) and endowed the organization with specific institutional mechanisms by establishing an Environmental Coordination Board.⁶ With the increasing number of treaties and organizations responsible for their administration, coordination of overlapping efforts has emerged as an issue of paramount importance. UNEP has not succeeded in becoming the central forum for debate and deliberation in the environmental field, like the WTO for trade or the WHO for health. Moreover, in contrast to other international organizations, including the International Maritime Organization, the International Labour Organization and the UN Economic Commission for Europe, UNEP has not been able to provide an organizational home for the conventions that have emerged under its aegis. This fragmentation of policy processes, however, has had a largely detrimental impact on the effectiveness of global environmental governance (Bernstein and Ivanova 2006).

Some analysts have called UNEP a victim of its own success since most multilateral environmental agreements came into existence as a result of UNEP's catalytic role. In the last thirty years, UNEP has played a highly regarded lead role in establishing an extensive system of international environmental law (Haas 2004) through the creation of conventions and soft-law guidelines for a wide range of sectors. Despite the successful creation of

international agreements, 'the flourishing of new international institutions poses problems of coordination, eroding responsibilities and resulting in duplication of work as well as increased demand upon ministries and government' (United Nations 1998). Once launched, the conventions became autonomous entities – each with its own conference of the parties, secretariat and associated subsidiary bodies that have autonomous influence often exceeding that of UNEP.

UNEP has undertaken efforts at greater coherence and coordination of the numerous conventions but with limited success. For example, UNEP initiated a process of harmonization of reporting requirements for the five biodiversity-related conventions (Convention on Biological Diversity, CITES, Convention on Migratory Species, the Ramsar Convention on Wetlands and the World Heritage Convention) and the two regional seas conventions with biodiversity related protocols (Barcelona and the Cartagena Conventions). While a common website and a biodiversity clearing-house mechanism have been established, there has been little substantive progress toward the practical implementation of a common reporting framework.

Coordination of the environmental activities of international organizations has also posed a significant challenge. The constant creation, abolishment and recreation of coordination mechanisms to assist UNEP in this anchor role illustrate the magnitude of the problem. The Environmental Coordination Board was established in 1972 by General Assembly Resolution 2997. In 1977, General Assembly Resolution 32/197 on the restructuring of the economic and social sectors of the United Nations merged the Environmental Coordination Board under the Administrative Committee on Co-ordination (ACC). Subsequently, each agency assigned a Designated Official on Environment Matters (DOEM) to coordinate environmental activities with the executive director of UNEP. In 1995, UNEP abolished the DOEM and substituted the Inter-Agency Environment Management Group (IAEMG). This group only met twice and was replaced by the Environment Management Group (EMG) in 1999. The EMG has not yet lived up to its potential as a joint coordinating body within the UN system largely independent of UNEP.

Four key reasons help to explain the coordination challenge. First, the explosion in the number of international organizations has overwhelmed the series of UNEP-driven coordination bodies and mechanisms, which have yielded few results. As often pointed out by UN officials, 'everyone wants to coordinate but no one wants to be coordinated.' Second, other UN bodies have refused to accept UNEP's mandate to coordinate all environmental activities in the UN system due to 'institutional seniority'. A number of UN bodies (ILO, FAO, UNESCO, WHO, WMO, IMCO, IAEA, ICAO and UNDP) possessed environmental responsibilities before UNEP was created and thus feel less of a need to defer to UNEP. Third, the fear of losing certain parts of one's work programme, budget and staff if duplication were eliminated leads agencies to jealously guard their 'sovereignty' without a view

of the broader public good. Fourth, UNEP's approach to coordination was perceived as controlling and threatening. For example, UNEP's earliest heavy-handed attempts (mid- to late 1970s) at coordination drove the WMO to send out a memo warning others of 'this upstart agency's plans to take over everyone's work'. This has led to strained relations and turf wars among the agencies, compromising UNEP's role as an anchor organization with the mandate to manage broader policy processes. Subsequently, 'UNEP could no more be expected to "coordinate" the system-wide activities of the UN than could a medieval monarch "coordinate" his feudal barons' (Imber 1993: 83 cited in Najam 2003).

The existence of a clear and coherent institutional vision has enabled international organizations other than UNEP to serve as stronger anchor organizations in their fields. The WHO, for example, has been able to reject funds that do not advance its long-term strategic vision and instead focus government contributions on a set of key priorities. UNEP's attempts to cover a vast number of priorities, often under pressure from governments, and its risk-averse attitude have prevented it from establishing a solid brand name that would give it the freedom to act as a leader by setting the global environmental agenda and taking action to attain it. Without a long-term strategy for accomplishing goals, it is difficult to raise the necessary funds. As the Office for Internal and Oversight Services observed in 1997, a vicious circle of limited funds and limited effectiveness had deterred UNEP from enlarging its visionary capacity and raising the necessary resources throughout much of its existence (United Nations 1997).

Although considerable improvements have been initiated in the last few years, a sense of prioritization is still lacking.⁷ UNEP's planning process is in many ways driven by the influence of individual states asserting their own priorities. The organization's dependence on voluntary contributions creates governance challenges, particularly with respect to the establishment of priorities, allocation of resources and execution of programmes. The ultimate result of UNEP's limited ability to perform the role of anchor organization in agenda-setting and management of policy processes has been proliferation of institutional arrangements, meetings and agendas and 'substantial overlaps, unrecognized linkages and gaps' (UNEP and Environmental Management Group 2005), hampering policy coherence as well as synergy and amplifying the negative impact of already limited resources (UNEP 2001b).

Capacity development

UNEP has begun to reinvent its work programmes to appeal to donors and recipients alike by putting a new emphasis on capacity development initiatives. Although UNEP's mandate clearly prescribes its core strategies to be normative and catalytic, the organization now views implementation as its primary strategy (UNEP 2005b, para. 58). With a small staff and minimal resources, however, UNEP is no match for agencies like UNDP or the World

Bank. With field offices in every country around the world, annual budgets in the billions and strong reputations, UNDP and the World Bank set the agenda, locally as well as globally. UNEP does not have the capacity to function as a full-fledged operational agency. However, a purely normative role is also insufficient and even unnecessary, as concrete results are increasingly needed. The pressures to continue moving in a more operational direction will continue to grow and a balance between the normative and the operational will need to be struck.

There is an overall 'treaty fatigue' as governments have become overloaded with meetings, reports, policy documents, and reporting requirements for the numerous multilateral environmental conventions. Governments, in particular those of developing countries, increasingly call for concrete assistance with implementation, for financial and technical support in implementing existing agreements rather than the development of new ones. In addition, concrete accomplishments on the ground are the clearest evidence of success and completed projects have become the hard currency for governments. It is therefore much easier to mobilize funds for tangible products than for normative or catalytic activities. However, by shifting from a normative and catalytic function to an implementation and operational role, UNEP has moved from being proactive to being reactive. The focus on implementation – while critical and necessary – has put an emphasis on reacting to specific country needs and circumstances. Many capacity-building projects are requested by governments, compelling UNEP to pursue the work although it lacks the human and financial capacity to do so effectively.⁸

UNEP recognizes these challenges in finding a balance between its normative mandate and the operational demands it faces. The High-Level Open-Ended Intergovernmental Working Group was established in March 2004 to improve UNEP's capacity-building efforts, resulting in the adoption of the Bali Strategic Plan for Technology Support and Capacity Building (UNEP 2005a). The essence of the Bali Plan lies in coordination, cooperation and partnerships. The strategic premise is that efforts should build on existing organizations and be 'coordinated, linked and integrated with other sustainable development initiatives through existing coordination mechanisms' (UNEP 2005a, para. 5). Given UNEP's track record in coordination, however, the prospects for success are limited at best. The Plan underlines the need for improved inter-agency coordination and cooperation based on transparent and reliable information. It does not, however, clarify the respective roles for UNEP, UNDP and the World Bank, which have become more like competitors than partners.

In sum, UNEP has a clear mandate to perform the anchor role in global environmental governance but has done so with only partial success. It has been relatively effective in two key areas – monitoring and scientific assessment and launching policy processes for environmental agreements. It has also often served as the only international partner of frequently marginalized environment ministries in many countries and provided a critical forum

where they can meet their counterparts. However, UNEP has largely fallen short in managing policy processes in a coherent and coordinated fashion for a number of reasons discussed below. It has failed to establish itself as the organizational home for the numerous international environmental conventions. And without a centre of gravity, the system of international environmental governance has grown increasingly complex and fragmented.

Explaining (in)effectiveness

Several key factors have constrained UNEP's performance as anchor organization for the global environment. First, UNEP's status as a programme rather than a specialized agency within the UN system has limited its authority and standing. Second, UNEP's governance arrangements, including the Committee of Permanent Representatives and the Governing Council, have constrained its autonomy and leadership. Third, UNEP's financing structure has led to complete dependence on voluntary funds resulting in a high degree of unpredictability and volatility of resources as well as openness to excessive member state influence on the organization's agenda. Finally, UNEP's location away from the centres of international political activity have hampered its ability to effectively coordinate the UN's environmental activities, to assert itself as the central actor in global environmental governance and to attract and retain the most highly qualified policy staff.

Formal status

In the UN hierarchy, programmes have the least independence and authority as they are subsidiary organs of the General Assembly. Specialized agencies, on the other hand, are separate, autonomous intergovernmental organizations with governing bodies independent of the UN Secretariat and the General Assembly.⁹ Besides their role in elaborating common vision, rules and standards, they also perform many operational activities within the particular sector they govern. The vision for UNEP in 1972, however, was for a new type of governing body.

UNEP was not intentionally constituted as a programme in order to diminish its power (Ivanova 2007). Recognizing the complex nature of environmental issues, governments sought to create a lean, flexible and agile entity that could pull together the relevant expertise housed in the various agencies and deploy it effectively. The new entity was expected to grow into its mandate as it proved its effectiveness and be 'essentially flexible and evolutionary so as to permit adaptation to changing needs and circumstances' (United Nations 1972b). The establishment of UNEP as a specialized agency was deemed counterproductive, since it would make the environment another 'sector' and marginalize it. As Maurice Strong, the Secretary General of the 1972 Stockholm Conference, put it, the core functions could 'only be performed at the international level by a body which is not tied to any individual

sectoral or operational responsibilities and is able to take an objective overall view of the technical and policy implications arising from a variety of multidisciplinary factors' (United Nations 1972b). Furthermore, there was a strong sense of disillusionment with the unwieldy bureaucracy of the UN specialized agencies. This new body was designed to operate at the core of the UN system – best accomplished with the status of a programme, rather than a specialized agency, which, with their semi-autonomous governing mechanisms, operate on the periphery of the UN system.

While not intentionally diminishing UNEP's power, the decision to constitute it as a programme rather than a specialized agency has impacted its authority. UNEP has not been able to establish the autonomy necessary to become an effective anchor organization for the global environment. As new organizations sprang up across various levels of governance and many existing ones added substantial environmental mandates, UNEP could claim little authority over them. For example, the creation of the Commission on Sustainable Development and the Global Environment Facility after the Rio Earth Summit in the early 1990s marginalized UNEP politically and eclipsed it financially. In addition, the increased emphasis on environmental work at the World Bank, while commendable, also led to overlap with UNEP activities. UNEP was unable to coordinate and create synergies among the multiple bodies in the environmental arena as its political power and resources were dwarfed by newer organizations. Thus, while the choice of organizational form did not seek to incapacitate UNEP, the effect has been largely negative. As one senior UNEP official exclaimed, UNEP 'just does not have a voice in front of the larger UN agencies'.

Governance

Ultimately, UNEP's governance structure serves two very distinct roles: (1) the external functions of advancing international environmental governance by monitoring global environmental trends, setting a consensus global environmental agenda and establishing global priorities and (2) the internal responsibility of overseeing UNEP's programme, budget and operations. UNEP's governance structure conflates these two roles. The Governing Council is responsible for both setting the global environmental agenda and elaborating UNEP's work programme and budget. This leads to overly politicized institutional governance and a work programme that reflects a compilation of individual states' interests rather than a focused, strategic vision. It also prevents UNEP from exercising leadership in international environmental governance more broadly, as no long-term, bold vision for the system can be elaborated and implemented.

Three separate bodies share governance responsibilities for UNEP: the Governing Council comprised of 58 member states, the Secretariat headed by the executive director, and the Committee of Permanent Representatives (CPR) comprised of ambassadors to Kenya serving as Permanent Represen-

tatives to UNEP. Few other international agencies possess governance bodies resembling the CPR whose responsibilities include reviewing UNEP's draft programme of work and budget, monitoring the implementation of Governing Council decisions and preparing draft decisions for consideration by the Council (UNEP 1997). In most cases, international organizations are governed by an assembly responsible for establishing broad policy priorities (the equivalent of the Governing Council) and a smaller executive board charged with operational responsibilities. The committee of permanent representatives at UNEP, however, comprises representatives from all member states of the United Nations willing to participate as well as of specialized agencies and the European Union.¹⁰ More often than not, however, these representatives possess little environmental knowledge and expertise and are responsible for a number of other areas.¹¹ The CPR considerably limits the autonomy and power of the secretariat in Nairobi either through direct intervention in UNEP's work (meeting four times a year to discuss the work programme and budget) or through influence on UNEP's staff, whose loyalties often lie with their national governments. Since advancement within the ranks of national administrations is often contingent on a good recommendation from the ambassador at one's duty station, there is considerable pressure for UNEP staff to pursue narrow national interests within the organization.

These complex governance arrangements further affect UNEP's work since the final say on decisions regarding the work programme and budget lies not with the CPR, which constantly oversees UNEP's operations, but with the Governing Council. Meeting once a year, the Governing Council is supposed to both craft a visionary agenda for international environmental governance at the global scale and set the parameters within which UNEP is allowed to operate, i.e. its biennial programme of work and budget. Typically, a person other than the permanent representative in Nairobi represents the country at the governing council, often the environmental minister who flies to Kenya specifically for the week-long session. Even though a permanent representative to UNEP might have worked on a particular aspect of the work programme for months, his or her recommendations and decisions could be contested by the national representative under this arrangement. In this context, the governance structure of UNEP has unnecessarily hampered effective performance creating significant duplication of effort and even conflicting priorities. Without a clarification of CPR's relationship with the Governing Council, there will be little room for substantially improving UNEP's performance.

Financing structure

UNEP's limited financial resources are another key reason analysts use to explain UNEP's ineffectiveness (von Moltke 1996; Najam 2003). UNEP's annual budget of \$215 million (including all contributions: Environment

Fund, earmarked contributions and trust funds) is indeed miniscule compared to UNDP's \$3.2 billion and to EPA's \$7.6 billion. However, it is larger than the budget of the WTO. Figure 8.3 compares the annual budgets of several major international organizations.

While the disparity in resources is striking, the nominal sum of the budget is a symptom of the problem. The root cause of UNEP's problems is the organization's particular financial structure. Unlike many other international organizations whose budgets are based on predictable mandatory assessed contributions, UNEP is completely dependent on the voluntary contributions of individual states. This unreliable and highly discretionary financial arrangement allows for individual donors to dictate UNEP's priorities, which has resulted in a fragmentation of UNEP's activities and a lack of clear prioritization. Furthermore, UNEP's financial stability, ability to plan beyond the current budget cycle and autonomy are compromised, thus instilling a risk-averse attitude within the organization's leadership.

In the past ten years, contributions to the Environment Fund have dropped 36 per cent and have decreased in real terms since the 1970s and 1980s. Contributions to trust and earmarked funds directing UNEP into specific activities, on the other hand, have increased dramatically. The proportion of restricted financing now comprises more than two-thirds of UNEP's revenue as shown in Figure 8.4.¹²

This illustrates two important aspects that explain the political dynamics and consequences for UNEP's performance. First, the decline in contributions to the Environment Fund shows that confidence in UNEP has diminished.

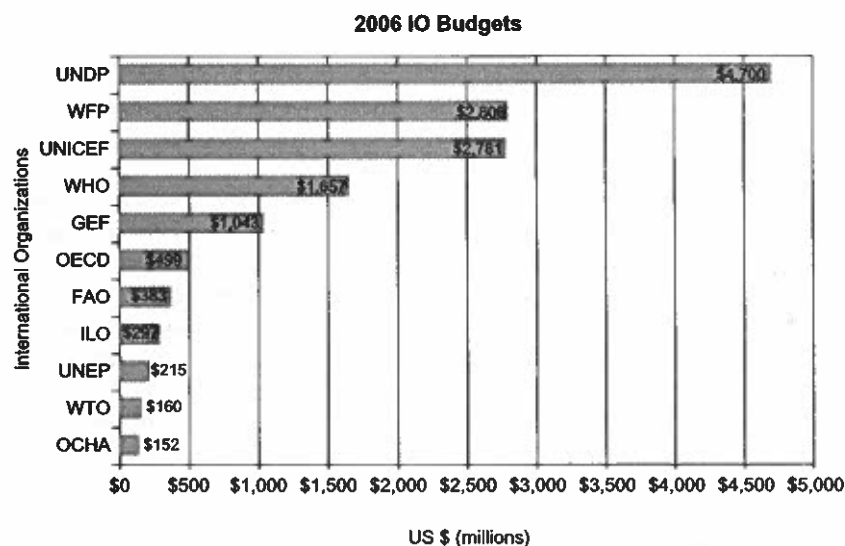


Figure 8.3 Comparative organizational annual budgets.

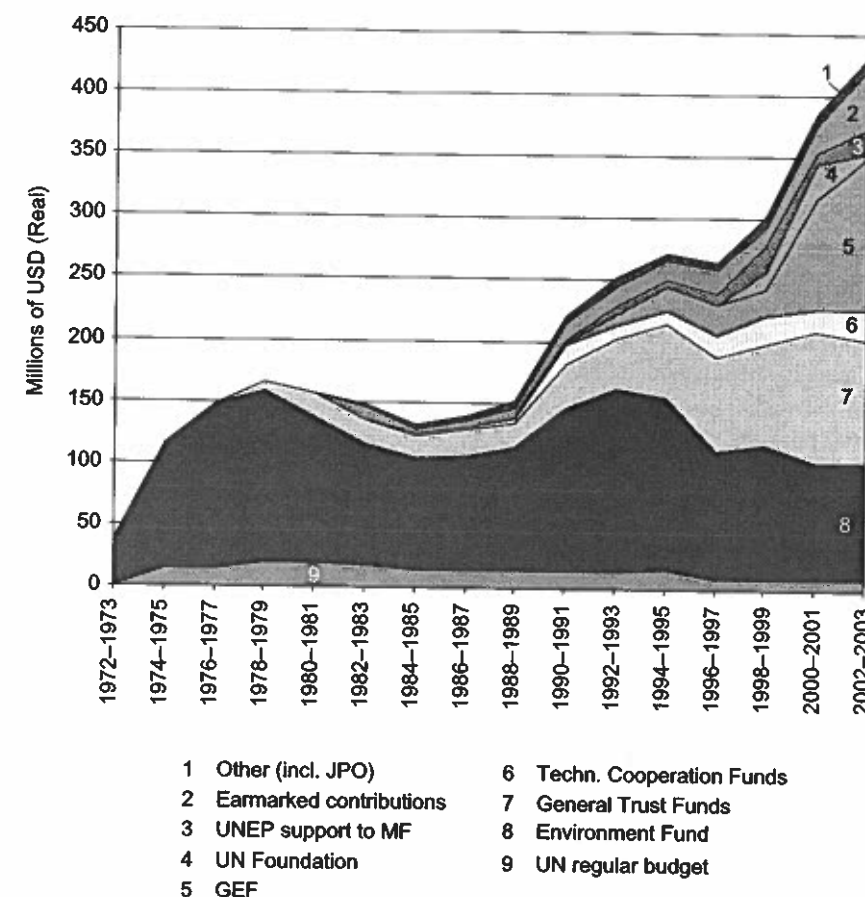


Figure 8.4 Total UNEP biennial income from 1973 to 2003 in real 2000 US dollars.

Source: Ivanova 2005.

The secretariat is deprived of power to initiate and carry out programmes it deems necessary and urgent. The second key trend – a three-fold increase in overall funding since the 1980s, including trust funds, earmarked contributions and other revenues – shows recognition of the need for international mechanisms and UNEP in particular in addressing environmental concerns.

The diversification trend in financial contributions is clearly illustrated in Figure 8.5, which depicts funding from the top five donors to UNEP: the United States (historically the top donor), Japan, Germany, the United Kingdom and Sweden. For all countries, contributions have shifted from the Environment Fund to other earmarked mechanisms and are now currently roughly equal.¹³

Under the leadership of former Executive Director Klaus Töpfer (1997–2005), UNEP made significant progress in attracting financial resources. The

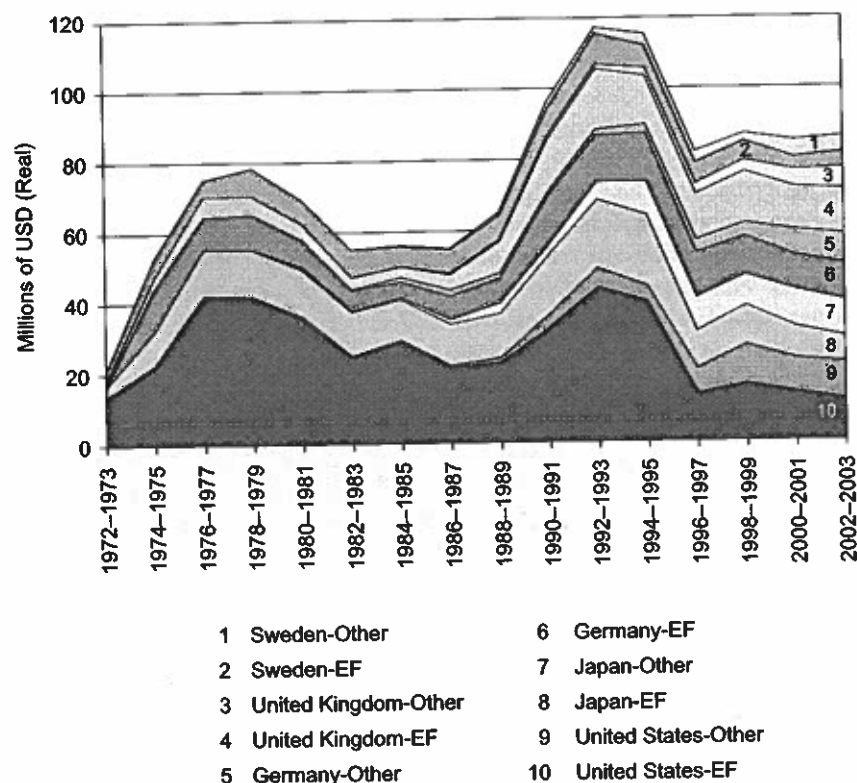


Figure 8.5 Top five donor contributions to UNEP in real 2000 US dollars.

Source: Ivanova 2005.

pilot phase of the voluntary indicative scale of contributions instituted in 2002 has broadened the donor base and encouraged many countries to increase their contributions. In 2003, over 100 countries contributed to UNEP – twice as many as in the mid-1990s – though most amounts were miniscule. A number of countries have also increased their contributions compared to the mid-1990s. Canada's contributions to the Environment Fund, for example, increased from a record low of \$662,000 (USD) in 1997 to almost \$2 million in 2004.

Location

UNEP is the only UN agency headquartered in the developing world with the exception of UN Habitat, which is also in Nairobi and which was headed by the executive director of UNEP until 2000. The decision to locate UNEP in Nairobi was not a 'strategic necessity without which developing countries might have never accepted an environmental organ to be created' (Najam

2003: 374). Nor was it a way to marginalize the organization and 'cannibalize its mandate' (von Moltke 1996: 54).¹⁴ It was not ill intended, premeditated or the result of a secret bargain. Quite the opposite: it was the outcome of an open ballot vote at the General Assembly in November 1972. Solidarity among developing countries, which outnumbered developed countries by far, led to a decisive vote in favour of Nairobi. The decision was openly political, seeking to affirm the role of developing countries as equal partners in multi-lateral affairs (Ivanova 2007).

UNEP's location has influenced the organization significantly. Its ability to effectively coordinate and catalyze environmental action has been inhibited by its geographical isolation from other relevant UN operations, inadequate long-distance communication and transportation infrastructure and lack of sufficient face-to-face interaction with counterparts in other agencies and treaty secretariats. UNEP's headquarters are located far outside the dense political activity 'hotspots', posing a challenge to its ability to fulfil the coordination role specified in its mandate (Ivanova 2006). UNEP's offices in Paris, New York and Geneva, however, have tried to step into the liaison role. Their 'proximity to other organizations and important governments seems to make these programs among the brighter lights of UNEP achievement' (Eastby 1984).

It is important to note that the location constrains particularly UNEP's coordination function and that for other aspects of UNEP's mandate – such as capacity building – the location may present an opportunity rather than a challenge. UNEP's expertise in institution building is greatly needed in Africa. However, pressing environmental challenges demand immediate on-the-ground action – a mandate that UNEP does not possess. A demand for greater operational responsibilities for UNEP has thus emerged both from the developing world and from the organization's staff.

The most important consequence of UNEP's location is the inability to attract and retain top-notch staff with the policy expertise and experience necessary to make the organization the leading authority in the environmental field. Nairobi is not necessarily a desirable location for the staff with the expertise and management qualities that UNEP needs. The increasingly treacherous security situation exacerbates this problem. In addition, the remoteness of UNEP from the international organizations it was charged to coordinate has required frequent travel by the executive director and many senior staff, imposing a significant financial burden, but most importantly, creating a leadership vacuum due to prolonged absences from Nairobi. Effective management of the organization requires that the leadership be present and responsive to staff needs and organizational priorities (Ivanova 2007).

Conclusion

Collective action in response to global environmental challenges continues to fall short of needs and expectations (Speth 2004). The question, therefore, is

not *whether* to revitalize the global environmental regime, but *how*. The integrated and interdependent nature of the current set of environmental challenges contrasts sharply with the fragmented and uncoordinated nature of the organizations we rely upon for solutions. Yet, political emphasis is increasingly being placed on working within existing organizations rather than attempting bold new designs. As former UN Secretary-General Kofi Annan urged in his 2005 report *In Larger Freedom*:

[i]t is now high time to consider a more integrated structure for environmental standard-setting, scientific discussion and monitoring treaty compliance. This should be built on existing institutions, such as the United Nations Environment Programme, as well as the treaty bodies and specialized agencies.

(United Nations 2005, para. 212)

UNEP is still the leading international organization in the environmental domain. Only UNEP's mandate adequately reflects all the functions of an anchor organization. It is the natural forum for the creation of a coherent international system for environmental monitoring, assessment, information and analysis. However, UNEP can no longer aspire to the lead role for every environmental issue. Expertise within the system has been diffused over the past thirty years with the proliferation of other international organizations and non-governmental organizations in the environmental arena. Instead, UNEP could effectively lay the foundation for a policy forum where various clusters of agencies and networks convene to negotiate and exchange experience. A more strategic, prioritized and long-term capacity development approach, drawing on UNEP's comparative advantage as an information clearing-house and a policy forum, rather than an operational agency, could facilitate the implementation of multilateral environmental agreements.

The initiative by the French and German governments to create a United Nations Environment Organization may provide the impetus for a restructuring of the system. Simply upgrading UNEP into a UNEO, however, will not suffice. In fact, the UNEO vision does not substantially depart from the existing UNEP mandate. The proposal for UNEO addresses most of the functions necessary for an effective anchor organization for the environment, but fails to make any significant upgrade from the status quo in terms of mandate. The question therefore becomes whether a UNEO would be better equipped to effectively perform these functions.

Today's reformers face issues regarding the formal status, governance, financing and location of a new international environmental organization just as the founding members of the global environmental governance system did in 1972. Analysis of UNEP's performance starkly illustrates that unless these key structural issues are addressed, little progress in the environmental domain is possible.

Notes

- 1 An earlier draft was produced for the Secretariat of the International Task Force on Global Public Goods and published as a report by the Yale School of Forestry and Environmental Studies. The author gratefully acknowledges research assistance and comments from Christine Kim, as well as comments and suggestions from Raymond Cléménçon, Jane Coppock, Mohamed El-Ashry, Daniel Esty, Harris Gleckman, Kaitlin Gregg, Laura Hess, Christine Hogan, Katell Le Goulven, Jessica Marsden, Frits Schlingemann, Alex Shakow and Gus Speth on previous versions of this work.
- 2 In earlier work, the author uses the term 'anchor institution'. For the purpose of consistency and greater theoretical clarity, the term organization is used throughout this book. Thus, 'anchor institution' has been substituted by 'anchor organization'.
- 3 For proposals for a World Environmental Organization (WEO), see Biermann 2000, 2001, 2002a, 2002b; Biermann and Bauer 2004, 2005; Charnovitz 2002. For a Global Environment Organization (GEO) see Esty 1994, 2000; Runge 2001; Ruggiero 1998. For a Global Environmental Mechanism (GEM) see Esty and Ivanova 2002a.
- 4 For example, von Moltke (2001b) characterizes UNEP's mandate as impossible, Iwama (2004) as 'narrow mandate of a "catalyst"' and Bauer and Biermann (2004) as 'insufficient mandate'.
- 5 See <<http://www.yale.edu/esi> and <www.yale.edu/epi>.
- 6 The Environmental Co-ordination Board (ECB) was made up of executive heads of the UN agencies under the chairmanship of the UNEP executive director and mandated to meet periodically to ensure 'co-operation and co-ordination among all bodies concerned in the implementation of environmental programmes'. In addition, the ECB was responsible for reporting annually to UNEP's Governing Council and fell under the auspices of the Administrative Committee on Coordination.
- 7 The 2006-7 UNEP Draft Programme of Work, for example, contains a detailed description of outputs for subprogrammes and comprises a vast array of projects, publications, meetings, processes, services, symposia, studies and training events. These are largely limited, *ad hoc* and often short-term initiatives established independently of one another, rather than a set of harmonized initiatives developed to accomplish a set of focused priorities. See <<http://www.unep.org/gc/gc23/index-flash.asp>>.
- 8 Availability of funding from the Global Environment Facility (GEF) to three implementing agencies, namely the World Bank, UNDP and UNEP, has also pushed UNEP toward increased operational activities. Since the late 1990s, the GEF has accounted for the largest increase in UNEP's income and the GEF division in UNEP has developed as an almost autonomous body.
- 9 Some of the specialized agencies include the Food and Agriculture Organization (FAO), World Health Organization (WHO), World Meteorological Organization (WMO), International Bank for Reconstruction and Development (World Bank), International Maritime Organization (IMO), UN Educational, Scientific and Cultural Organization (UNESCO) and UN Industrial Development Organization (UNIDO).
- 10 As of 2005, there were 87 countries with permanent missions to UNEP and thus representatives on the Committee of Permanent Representatives.
- 11 The United States and Sweden have specially appointed Permanent Representatives, often with solid environmental backgrounds, whose only responsibility is to work with UNEP.
- 12 Financial analysis performed by Lisa DeBock and Jamie Fergusson of the Yale

research team based on documentation provided by UNEP (DeBock and Fergusson 2004)

- 13 Financial analysis performed by Lisa DeBock and Jamie Fergusson of the Yale research team based on documentation provided by UNEP
- 14 Von Moltke asserts, 'lacking enthusiastic supporters, UNEP's mandate was cannibalized. The principal means of achieving this goal was to provide limited funds divided between a minimal institutional budget and a modest "Fund", to assign it a "catalytic" function and to locate it away from the decision-making centres of the UN system.'

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