The second meeting of the Open-Ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance met in Beihingen, Bonn, Germany on 17 July 2001. The United Nations Environment Programme (UNEP) organized the meeting pursuant to decision 21/21 of the UNEP Governing Council, which established an Open-ended Intergovernmental Group of Ministers to undertake a comprehensive policy-oriented assessment of weaknesses in existing international environmental institutions, and to examine options for strengthened international environmental governance. Two hundred participants from 75 countries were present, including 21 ministers and deputy ministers, experts, representatives from non-governmental organizations (NGOs), UN-bodies and inter-governmental organizations (IGOs). Delegates met for morning and afternoon plenary sessions and listened to reports on the outcomes of recent consultations of civil society and experts on international environmental governance, and to hear statements by relevant international organizations and national representatives on further issues in international environmental governance.

REPORT OF THE MEETING

Chair Karen Redman (Canada) opened the meeting on behalf of David Anderson, President of the UNEP Governing Council and Chair of the Open-ended Group, who was absent due to injury. The opening statement was made by President Anderson by telephone. He said the purpose of this meeting was to offer the next meeting a basis for substantive deliberation by providing the Governing Council Bureau direction on how to converge issues. He underscored the need for meaningful participation by civil society, capacity building; and improving compliance and dispute resolution mechanisms.

Rajendra K. Pachauri, Tata Energy and Resources Institute, and Lee A. Kimbball, independent consultant of international environmental law, presented a summary of the outcome of the Expert Consultations held in Cambridge: clustering of MEAs, the multi-layering of governance, and the need to look beyond environmental governance. Kimbball identified three topics that were highlighted in Cambridge: clustering of MEAs, the multi-layering of governance, and the present financial constraints that are hindering UNEP from meeting its goals. He noted that any discussion on UNEP being converted into a specialized agency is premature. Kimbball identified three topics that were highlighted in Cambridge: clustering of MEAs, the multi-layering of governance, and the need to look beyond environmental governance.

REPORT OF THE OUTCOME OF THE CIVIL SOCIETY CONSULTATIONS ON INTERNATIONAL ENVIRONMENTAL GOVERNANCE: Simone Lovera, Friends of the Earth International, presented observations from the Civil Society Consultations on International Environmental Governance, held in Nairobi, 22-23 May 2001. She expressed concern that the credibility of international environmental governance is at stake if key parties do not ratify the Kyoto Protocol to the UN Framework Convention on Climate Change (UNFCCC). She highlighted the need for meaningful participation by civil society; capacity building; and improving compliance and dispute resolution mechanisms.

SUMMARY OF THE SECOND MEETING OF THE OPEN-ENDED INTERGOVERNMENTAL GROUP OF MINISTERS OR THEIR REPRESENTATIVES ON INTERNATIONAL ENVIRONMENTAL GOVERNANCE:

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Grace Akamu, Climate Network Africa, stressed the importance of the location of UNEP in Nairobi, as it is the only UN agency in a developing country.

CONTRIBUTION OF THE COMMITTEE OF PERMANENT REPRESENTATIVES TO UNEP: The Committee of Permanent Representatives (CPR) to UNEP stressed that UNEP should be placed in the center of international environmental governance in view of its mandate accorded in Agenda 21. They state that the principle expectation is that international environmental governance reforms will lead to fulfillment of the UN target of 0.7% of GDP of developed countries’ GNP for ODA.

Mohamed T. El-Ashry, CEO and Chairman of the Global Environment Facility (GEF), spoke in his personal capacity. He suggested that the international system of governance could be made more effective by clarifying the environmental roles and mandates of all relevant organizations. He stated that UNEP should maintain its key role in monitoring and assessing the state of the environment and should oversee the environmental activities undertaken by other UN organizations. El-Ashry called on participants to translate the rhetoric of the Nairobi Declaration into
reality. Michael Zammit-Cutajar, Executive Secretary of the
UNFCCC, speaking in his personal capacity, highlighted the lack
of success by the UN Conference on Environment and Development
in linking environment and development. He underscored the
potential benefits of co-locating MEAs and meetings, but empha-
sized the difficulty in addressing the legal distinction among instru-
ments. He said the problem of fragmentation had been initiated by
UNEP itself.

IUCN highlighted the importance of transparency and public
participation, and noted the need for a common definition for inter-
national environmental governance. He announced IUCN’s inten-
tion to collaborate with UNEP on a communications strategy to
improve information dissemination. UNESCO supported an evolu-
tionary process that would involve coordination between different
UN organizations working on environmental issues. FAO called for
a clear definition of global commons especially with respect to
plant and genetic resources.

The BASEL CONVENTION outlined its attempts toward
strengthening the partnership between the chemical conventions.
She said that the best opportunities for strengthening environ-
mental governance are found at the regional level. RAMSAR indi-
cated that there needed to look at how MEAs can contribute to
poverty alleviation and sustainable development. He questioned
the need for the Commission on Sustainable Development (CSD),
and proposed changing the name of UNEP to UN “Sustainable
Development Programme.”

UNDP noted that developing countries negotiate from a posi-
tion of weakness. He offered to organize regional meetings on
international environmental governance between now and the
World Summit on Sustainable Development.

STATEMENTS BY MINISTERS OR THEIR
REPRESENTATIVES:

IRAN, for the G-77/CHINA, stressed that the concept of
sustainable development provide the overriding context and frame-
work within which the international environmental governance
process should proceed. He urged that no new international envi-
ronmental body be created and that better coordination of MEAs be
the means for reaching the goals of sustainable development. He
also agreed that international environmental governance needs a
multi-layered, evolutionary approach and that consensus building
be associated with gradualism to benefit all but, in particular,
developing countries.

The EU proposed a more coherent and integrated institutional
environmental structure, in which all countries can participate on
an equal basis. SOUTH AFRICA, as host country for the World
Summit on Sustainable Development, underscored his commit-
tment to ensuring that the Summit be an opportunity to significantly
strengthen the international environmental governance regime. He
proposed guiding principles for a new regime, including: common
but differentiated responsibilities; integration of environmental
concerns into the economic and social policy arenas including the
world trade and financial regimes; and the promotion of environ-
mental, economic, and social justice.

The UNITED KINGDOM outlined the need for sustainable and
predictable funding for UNEP. With respect to the open-ended
meetings on international environmental governance, he emphasi-
sed the importance of monitoring progress toward targets set at
previous meetings. The US supported the GMEF process, and
emphasized the need to clarify how this forum would differ from
the CSD. On the relationship between UNEP and the GEF, the US
said that competition for funding provided “healthy tension”
thereby strengthening UNEP.

SWITZERLAND highlighted the shortcomings of the present
regime, including: insufficient commitment by the States to MEAs;
fragmentation of the regime; limited authority of UNEP; and struc-
tural/ institutional imbalance between the environmental regime
and other regimes. He outlined the general principles and criteria
for international environmental governance as: coherence; compre-
hensiveness; efficiency; and effectiveness. The CZECH
REPUBLIC stressed the importance of enforcing UNEP payments
by member countries and proposed that voting privileges be with-
held for countries in arrears. KENYA called for focusing on
enhancing national capacities in developing countries, and imple-
menting international environmental agreements and national envi-
ronmental plans.

CHINA’s main concerns were how to incorporate interna-
tional environmental governance were to be realized. He opposed
the formation of a new global environmental organization and
noted legal obstacles that might interfere with UNEP’s role to
provide policy guidance to MEAs. He also disagreed with the
emphasis on linking trade with environmental technology as this
might impact the interests of developing countries and reduce their
contribution to the international environmental governance
process. BRAZIL noted the need to distinguish between technical
and political aspects of environmental issues and stressed the
importance of reconciling the role of States with that of civil
society in international governance. Responding to the proposal for
a systematic approach to coordination of MEAs, BRAZIL had
doubts in the usefulness of monitoring the decisions of MEAs and
stressed the need to establish criteria for comprehensive reports if
they were to be required.

INDONESIA underscored the need to ensure effective mecha-
nisms for technology transfer and financial assistance for devel-
oping countries. FRANCE indicated support for transforming
UNEP into a specialized agency, suggesting that financing be based
on the UN scale as for other agencies.

SWEDEN underscored the importance of secure financing for
UNEP and encouraged industrialized and middle-income countries
to consider how to provide this. He stressed the importance that
assessed or negotiated contributions be supplemented by innova-
tive sources of funding. He suggested that the clustering of chem-
ical conventions could be considered at the next meeting.

SENEGAL mentioned the absence of developing countries at
meetings and supported clustering of MEAs to assist developing
countries in participating in agreements that they have signed.

CANADA recommended the GMEF as the accepted authority
for priority setting, advocated clarifying and optimizing EMG for
enhanced coordination, and suggested providing adequate
financing through leveraging with domestic finance ministers,
using the UN scale to agree to a set contribution.

GERMANY recommended that the World Summit on Sustain-
able Development could be the starting point for upgrading the
status of UNEP, with a long-term view of establishing a world envi-
ronment organization. JAPAN announced a contribution of
US$50,000 to the review process to strengthen international envi-
ronmental governance, and underscored the importance of seeking
enhanced coordination, and suggested providing adequate
financing through leveraging with domestic finance ministers,
using the UN scale to agree to a set contribution.

In summary, Chair Redman outlined some common observa-
tions and statements made by the participants, and said these would
be reflected in a Chair’s Summary that would be included in the
report of the Executive Director. She highlighted “inter alia” the
sense that the proliferation of meetings contributed to a loss of
political coherence and a reduced impact of the limited resources
available; support for international sustainable development
governance; support for a strong role for the EMG; the important role
of civil society; and the need to take into account the principle of
common but differentiated responsibility. Other issues included
interest in some form of MEA clustering and the need for stable
funding and the use of the UN system of assessed contributions.

The G-77/CHINA noted that in light of UN General Assembly
resolution 53/242, UNCTAD should avoid involvement in disputes
regarding environmental management conflicts and that the minis-
terial forum should keep with the definition of its mandate.

CLOSURE OF THE MEETING

UNEP urged participants to submit their responses to the ques-
tions posed by the Executive Director. He also encouraged dele-
gates to follow Japan’s lead and provide financial contributions for
the process. Chair Redman thanked participants, the Secretariat,
the host city of Bonn, and the interpreters and closed the meeting at
5:20 pm.