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IEG/IGM HIGHLIGHTS: TUESDAY, 12 FEBRUARY 2002

The Open-ended Intergovernmental Group of Ministers or their Representatives (IGM) on International Environmental Governance (IGM) commenced its final meeting on 12 February 2002 at the Cartagena de Indias Convention Centre in Cartagena, Colombia. After a brief Plenary to consider organizational matters, IGM/IEG met in two parallel Working Groups in morning, afternoon and evening sessions to negotiate recommendations to the UNEP Governing Council/Global Ministerial Environment Forum (GC/GMEF), which was scheduled to convene Wednesday, 13 February. A brief Plenary convened at 10:00 pm to consider the work of the IGM/IEG.

OPENING PLENARY

Opening the session, David Anderson, Canada's Environment Minister and IGM/IEG Chair stated that the meeting was required to make recommendations on IEG in time for submission to the GC/GMEF on Wednesday, 13 February. Chair Anderson said delegates had expressed interest in engaging on the basis of his draft recommendations contained in a Draft Report to the UNEP GC/GMEF (UNEP/IGM/SS). Delegates accepted a proposal to establish two working groups chaired by Secretary of State Philippe Roche (Switzerland) and Environment Minister Miyingo Kezimibira (Uganda). Noting positive progress at the second session of the preparatory committee for the World Summit on Sustainable Development (WSSD) and the importance of governance in the WSSD process, UNEP Executive Director Klaus Töpfer expressed his appreciation to all who had contributed to the IEG process.

ORGANIZATIONAL MATTERS: Delegates adopted the agenda as proposed by Chair Anderson.

WORKING GROUP I

Working Group I, chaired by Roche, addressed: the role and structure of the GMEF; the role, authority and financial situation of UNEP; and the role of the Environmental Management Group (EMG).

IMPROVED INTERNATIONAL POLICY MAKING: During the morning session, delegates presented their views, focusing on the GMEF as an intergovernmental policy body, universal membership versus universal participation, and its relationship with other autonomous bodies, such as multilateral environmental agreements (MEAs). Chair Roche presented a revised text stating that the GMEF is constituted by UNEP GC as envisaged in UN General Assembly Resolution 53/242. The Chair's proposal was considered in afternoon and evening sessions. The EU, with ICELAND and the UK, objected to the proposal as a basis for discussion, while G-77/CHINA commended the proposal. After a lengthy debate, and consultations with IGM/IEG

Chair Anderson, the Group agreed to reconvene on Wednesday afternoon, 13 February, with Anderson urging delegates to keep to a realistic timetable in order not to materially alter the GMEF's proceedings.

Regarding civil society participation, the G-77/CHINA, with CANADA, objected to the establishment of an intergovernmental scientific panel. The US noted the need to revise the proposal on coordination with MEAs and an EU proposal to refer to a strategy paper. ICELAND, with JAPAN called for language providing for participation by countries not represented in Nairobi to participate in the GC/GMEF preparations.

STRENGTHENING UNEP'S ROLE, AUTHORITY AND FINANCIAL SITUATION:

After delegates provided preliminary views focusing on proposals relating to UNEP's funding, the matter was deferred to a contact group chaired by John Ashe (Antigua and Barbuda). In the evening, Chair Ashe reported that the group had conducted discussion on the basis of his non-paper, after which the Group produced an eight-paragraph revised paper. The paper, *inter alia*: calls for member State contribution, taking into account differentiated capabilities; proposes broadening the basis of contributions based on an agreed biennial indicative scale; suggests that all states contribute on the basis of this agreed scale, and those not in a position to do so on the basis of their previous scales; suggests that the UNEP Executive Director propose the ISC-based biennial budget prior to the commencement of the financial period; and encourages prompt payment and discourages earmarking of contributions. It was agreed these proposals would be considered on Wednesday.

STRENGTHENING OF THE EMG: On EMG, several participants highlighted the potential of EMG to coordinate environmental matters within the UN system, but opposed a redefined mandate. The EU noted a need for a clearly defined reporting relationship with the GC/GMEF as well as CSD, while EGYPT and the US stated that such reporting relationship should be further clarified. The US also sought clarification on reference to financial support for specific activities. In the evening, the Group considered a revised proposal submitted by Chair Roche, incorporating these proposals, which was adopted with minor amendments.

WORKING GROUP II

Working Group II, chaired by Kezimibira Miyingo, considered: improved coordination and coherence between multilateral environmental agreements (MEAs); capacity building, technology transfer and country level coordination; and future perspective.

IMPROVED COORDINATION AND COHERENCE

BETWEEN MEAS: On synergies and linkages between comparable MEAs, the US proposed language on enhancing collaboration between MEA secretariats in specific functional areas recognizing that collaboration in some areas such as compliance may not be appropriate. The

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EU, supported by NORWAY, proposed compliance monitoring and exploring the possibility of developing common terms of reference, and called for reference to the UNEP guidelines on compliance and enforcement. AUSTRALIA and the G-77/CHINA supported, and CANADA opposed, the US proposal on compliance. In an evening session, CANADA proposed new language to reflect that compliance is key to the effectiveness of MEAs. The G-77/CHINA emphasized compliance with commitments of all countries. No consensus was reached.

On areas that could benefit from a coordinated approach to COPs, the US, supported by the G-77/CHINA, suggested that reference to scientific assessment be limited to "matters of common concern." The EU called for promoting co-location of secretariats of new MEAs, to avoid fragmentation and prevent new locations. He also called for the development of a functional programme-based clustering approach and for greater cooperation between the GC/GMEF and MEA COPs. The G-77/CHINA objected to the EU proposal to prevent locations. Responding to the Chair's revised text, the EU, supported by NORWAY, opposed reference to equitable geographical distribution regarding MEA co-location, while the US suggested taking into account interests of all geographic regions.

CAPACITY BUILDING, TECHNOLOGY TRANSFER AND COUNTRY-LEVEL COORDINATION: The G-77/CHINA said that technology transfer was inadequately incorporated in this section. Responding to a G-77/CHINA query, the Secretariat explained that capacity building referred to the environmental pillar of sustainable development. UNDP highlighted its partnership with UNEP on capacity building for the environment and sustainable development. The G-77/CHINA, opposed by the US and the EU, proposed language stating that access to and transfer of environmentally sound technologies to developing countries should be a prerequisite for progress on the environment.

On environmental governance at the regional level, the G-77/CHINA opposed reference to UNEP providing support to strengthen regional environmental governance and to an EU proposal for environmental performance peer review programmes. The EU and NORWAY supported retaining "encompass" and reference to UNEP, and the G-77/CHINA proposed that support of initiatives such as NEPAD could be done in collaboration with UNEP and existing regional organizations. Responding to the revised Chair's text, the EU and the G-77/CHINA expressed concern that their proposals were not accurately reflected. No consensus was reached. On UNEP's role in capacity building, the G-77/CHINA indicated that UNEP's strategic partnership with GEF must respect "its governance structure." CANADA said that a strengthened capacity building programme should build on UNEP's recognized strengths. The US said reference to UNEP's strategic partnership with the GEF should be confined to its existing relationship.

On an intergovernmental strategic plan for implementation support involving UNEP and partners, the EU said that UNEP should build on the existing strategic partnership with the GEF. The US proposed further discussing the Norwegian-proposed strategic plan, which aims to develop an overview of capacity building and a plan for development by the UNEP GC. The G-77/CHINA called for a concrete deliverable plan on capacity building. The US said a decision on developing a plan should follow an evaluation. The EU said instituting a plan would have to be decided by ministers. AUSTRALIA said that the Chair's revised text did not reflect a US proposal for an inventory. The US concurred and reiterated that assessments of needs and existing capacity building initiatives are required, and underlined the need to identify an appropriate match between ongoing capacity building and country needs. The G-77/CHINA reserved the right to examine the proposal. The EU said he was unhappy to reference mobilization of resources only at the international level. On capacity building and training, the US objected to reference to building on UNEP's "enhanced role" as one of GEF's implementing agencies. On national-

level coordination of environmental and sustainable development objectives, he questioned a G-77/CHINA proposal to delete reference to coordination of multiple national frameworks.

On a strengthened role for UNEP as a GEF implementing agency, and on UNEP's special relationship with UNDP, the US objected to a reference to UNEP's strategic partnership with the GEF. The G-77/CHINA also objected to a "strengthened" role for UNEP, as it could involve UNEP in offering guidance to the GEF. The EU noted UNEP's role should permit scope for initiative. The Secretariat cited UNEP GC and GEF decisions in support of strengthening UNEP's role to ensure that it could fulfill its role. He referred to a new EU-proposed paragraph calling for a reinforcement within UNEP of a horizontal approach to compliance, enforcement and liability. The US opposed.

Responding to the Chair's revised text, the US recalled that reference to the UNEP/GEF Action Plan of Complementarity had been suggested alongside a proposal to delete reference to the "strengthened" role of UNEP. The G-77/CHINA called for mobilization of ODA. AUSTRALIA and the EU preferred to reference the mobilization of all resources.

FUTURE PERSPECTIVE: The US called for a more accurate reflection of the Malmö Declaration, proposing that the WSSD should review the requirements for a greatly strengthened institutional structure. Regarding language on sustainability, the G-77/CHINA called for reference to the principle of common but differentiated responsibility.

EVENING PLENARY

Delegates met briefly in an evening session to hear reports from the working groups. Chair Miyingo asked for more time for the Group to continue working toward consensus. Chair Roche reported that the group concluded discussion on EMG, and that discussion on GMEF and on financing would reconvene on Wednesday.

IN THE CORRIDORS

With seemingly unbridgeable differences still facing the IEG process Tuesday night, there was a growing resignation that the prospect of progress in both the IEG and sustainable development governance of WSSD agendas hung in the balance. In the case of IEG, the prospect of roll back seemed a real prospect for some. Some drew parallels with the fate of the environment in Doha at the WTO and in the Finance for Development negotiations. Some speculated about the possible consequences of the link that has now been established between the two agendas, with IEG being held "hostage" to the sustainable development governance agenda. Resolution of outstanding issues by ministers might just restore momentum and send both agendas on an upward spiral. The prospect of failure could, on the other hand, lead to high-level disenchantment with both UNEP/IEG and the sustainable development governance agenda – with far reaching implications, not least for Johannesburg.

THINGS TO LOOK FOR TODAY

PLENARY: The opening session of the GC/GMEF will meet in the Plenary Hall from 10:00 – 11:30 am to hear introductory remarks by Governing Council President David Anderson, Canada's Environment Minister, followed by keynote addresses by Rigoberta Menchú, Nobel Peace Prize Laureate, and Colombian President Andrés Pastrana.

COMMITTEE OF THE WHOLE: The COW is tentatively scheduled to meet at 3:00 pm to address implementation of GC/GMEF decisions.

OPENING OF THE GMEF: The GMEF is tentatively scheduled to open at 4:00 pm, after which ministerial consultations will take place to discuss the report on IEG.

IGM/IEG: A Plenary of the Final IGM to close IEG is tentatively scheduled to meet at 3:00 pm. Working Group I is expected to meet at 2:00 pm and Working Group II at 12:00 pm. The Contact Group on Finance is scheduled to meet at 11:00 am in Room 6.