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durch Umweltpolitik"**

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United Nations Development Programme (UNDP) and United Nations Environment Programme (UNEP)

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Executive Summary

The paper assesses the policy objectives and activities of the United Nations Development Programme and the United Nations Environment Programme. The focus is on actual and prospective interlinkages between both agencies with regard to a coherent and comprehensive implementation of sustainable development policies under the overall United Nations system. The point of departure is that a comprehensive operationalisation of sustainable development must target both poverty reduction and environmental protection rather than trading off one priority versus the other, and that the protection of the Earth's natural resources, as outlined in the Rio principles, is a fundamental precondition for successful poverty reduction.

Following a brief introduction, the paper lays out, first, the institutional histories and structures that are relevant for understanding the activities of both agencies. In doing so, we describe institutional similarities between the two UN programmes as well as fundamental differences. Second, we highlight strengths and weaknesses of both organisations, in particular where they refer to the ecological pillar of sustainable development (sections 2 and 3). Third, in section 4 we illustrate the prevalent lack of coherence in the operationalisation of sustainable development policies within the United Nations and discuss a number of factors that contribute to this.

Our discussion of organisational reform options in section 5 indicates how the institutional interplay between UNEP and UNDP could be reformed to further implementation of policies for sustainable development that do not trade off environmental concerns for economic growth. We discuss three distinct proposals. Two imply a merger of both programmes:

- *A United Nations Programme on Sustainable Development* established by the UN General Assembly as an administrative merger of UNEP and UNDP under the continued auspices of the Economic and Social Council.
- *A World Organisation on Sustainable Development* as a new specialised organisation, which would require an international legal constitutive act and a decision by the UN General Assembly to dissolve both UNDP and UNEP into this new organisation.

We criticise both proposals politically, structurally and functionally. Instead, we argue in favour of a third option that builds on the Council's earlier proposal of an international environmental organisation:

- A '*world environment organisation*' that would entail a substantially strengthened UNEP and that would be required to establish strong institutional linkages with UNDP, but would integrate neither UNDP nor other non-environmental agencies. To become effective, this proposal would also require an international constitutive act as well as the dissolution of UNEP by the UN General Assembly.

In sum, despite the recent debate on a more far-reaching reform of international environmental governance and the new emphasis on the Millennium Development Goals, we argue that no alternatives have been brought forward that would advise the Council to fundamentally alter its original recommendation, advanced in 2000, to establish an international environmental organisation. In fact, the recent debate has helped to refine arguments to the extent that some middle ground between proponents and opponents of a new environmental agency appears discernible. Hence, we conclude that the case for a world environment organisation has been strengthened, whereas proposals—such as a merger of UNDP and UNEP—would harm rather than help the current consensus-seeking debate, in particular regarding the developing world.

In section 6 we show how UNDP could relate to such a reformed organisational framework for international environmental governance with a strengthened world environmental organisation at its centre. We argue that a world environment organisation must not detract from the Rio principles and that its constitutive treaty must encompass more than purely environmental rules and address the development concerns of the South, including principles such as the right to development, the sovereign right over natural resources within a country's jurisdiction and the principle of common but differentiated responsibilities and capabilities.

1. Introduction

The political goals of environmental protection and poverty reduction—or ‘development’ however it is being defined—have been problematic ever since the 1972 Stockholm Conference on the Human Environment, when Indira Gandhi voiced her powerful and often quoted warning, “The rich countries may look upon development as the cause of environmental destruction, but to us it is one of the primary means of improving the environment of living. ... How can we speak to those who live in villages and in slums about keeping the oceans, rivers and air clean when their own lives are contaminated at the source?”¹

Indeed, the evolution of global environmental governance in the last decades can be interpreted as continuous attempt to reconcile the goal of environmental protection—which often implies (costly) restrictions on resource use and industrial activity—and the thrust of unfettered, fast and ubiquitous development to lift the deprived masses in the South out of poverty and dejection. While the 1972 Stockholm conference focused largely on pure environmentalism, with development concerns being confined to an earlier meeting in Founex, the 1992 Rio conference had to be broader. Due to insistence of the South and insight of the North, the 1992 Rio ‘Earth Summit’ addressed environment *and* development. The 2002 Johannesburg Summit has further changed the official diplomatic parlour towards the integrative concept of ‘sustainable development’ that had evolved since the mid-1980s under the influence of the ‘Brundtland Commission’ (World Commission on Environment and Development; see WCED, 1987).

The relationship between the two major programmes of the United Nations in this field can also be seen as organisational expression of the long-term juxtaposition of policy goals, stakeholders and visions regarding environment and development. Likewise, poverty reduction has evolved into a major policy target within the sustainable development framework. This is reflected in the UN General Assembly’s Millennium Declaration (2000) and Millennium Development Goals² as well as in the Johannesburg Declaration adopted at the 2002 World Summit on Sustainable Development. While the results of the Johannesburg summit and their effect on both environmental protection and poverty eradi-

¹ New York Times, 15 June 1972.

² See www.un.org/millenniumgoals/.

cation are subject to much debate, the overall process of preparing for the summit and its follow-up remain confronted with the fundamental juxtaposition that has been inherent in the sustainable development discourse since the term was invented. The fundamental challenge of integrating environmental and socioeconomic concerns prevails ever since the environment has entered the international political agenda.

In the following, we address the roles that have been played by the two United Nations programmes that find themselves at the forefront of the world organisation's efforts in this field: the United Nations Environment Programme and the United Nations Development Programme. We offer a brief assessment of their institutional histories and highlight the conditions under which they perform as well as the challenges they face in promoting a sustainable development that balances social, economic and ecological concerns. Against this backdrop, we consider several options how both organisations may come closer to implement their objectives in a more coherent and mutually enforcing manner.

2. The United Nations Development Programme

2.1 Institutionalising 'Development' within the United Nations

The United Nations Development Programme was founded in 1965 by means of General Assembly Resolution 2029 (XX) and began its operations in 1966 at the United Nations offices in New York. The programme is administered through the Economic and Social Council as a subsidiary body to the UN General Assembly. The UN Secretary-General appoints the UNDP Administrator, who has to date always been a citizen of the United States of America. UNDP was de facto a merger of two technical co-operation bodies that had been operating under the UN flag since 1949 and 1958 respectively: the Expanded Programme of Technical Assistance and the Special Fund. The new programme was originally expected to 'facilitate over-all planning and needed co-ordination of the several types of technical co-operation programmes carried out within the United Nations system of organizations and [to] increase their effectiveness' (UNGA/Res. 2029 (XX), preamble). Today, despite still being a programme rather than a full-fledged specialised organisation, UNDP has evolved into the major UN network for all kinds of developing activities, with 195 member states, field activities in 166 countries, and country offices in 136 countries. This makes UNDP the largest multilateral organisation for technical co-operation.

The programme is directed by an Executive Board of representatives of 36 member states, who are elected by the UN Economic and Social Council (ECOSOC) on a triennial basis, with one third of members being replaced each year.³ Regional quotas of eight African, seven Asian, five Latin American and Caribbean, four East European and twelve ‘West European and Others’ members grants technically a voting majority to developing countries. In practice, however, decision-making by consensus is the rule. The board decides, among other things, upon UNDP’s ‘Country Co-operation Frameworks’, which determine the agency’s involvement with individual countries, and supervises disbursements from the United Nations Population Fund.

In general, however, the UNDP Administrator and the UNDP bureaucracy under its supervision run the day-to-day business of the organisation. Currently, the programme is administered by Marc Malloch Brown, who succeeded James Gustave Speth in 1999. Malloch Brown supervises the work of 1782 professional officers, 702 of which work in field offices around the globe.⁴ UNDP also chairs the United Nations Development Group, which was established under Kofi Annan’s 1997 reform agenda to co-ordinate the system-wide UN development activities. In addition, the programme is in charge of a number of other UN entities that directly relate to the development sector, including the UN Capital Development Fund (UNCDF), the UN Development Fund for Women (UNIFEM), the UN Population Fund (UNFPA), the UN Sudano-Sahelian Office (UNSO) and the United Nations Volunteers (UNV).

Regarding environmental activities, the question of integrating environmental concerns into UNDP’s work has been discussed for some time. The programme is active in a number of environmental arenas. For example, UNDP is together with the World Bank and UNEP an implementing agency for the Global Environment Facility (GEF), which gives it significant influence in the financing of environmental development projects. UNDP has also a similar role in the Multilateral Fund set up in 1997 under the Montreal Protocol on Substances that Deplete the Ozone Layer (see Biermann, 1997, for details). The impulse for many of these initiatives, however, often stems from the environmental community,

³ In order to streamline the operations of UNDP the 36-member Executive Board replaced in 1994 the former UNDP Governing Council, which had 54 members.

⁴ Figures for 2001, taken from the Green Globe Yearbook of International Co-operation on Environment and Development [www.greenyearbook.org/igo/undp.htm—accessed on 23 April 2003].

with UNDP remaining largely concerned with human development, not with distinct environmental programmes.

2.2 *UNDP's Resource Base*

As a UN programme, the budget of UNDP is financed through voluntary contributions of governments. This practice complicates reliable long-term budgetary planning, since government pledges not always materialise. Over the last decade, UNDP's annual core budget has decreased from USD 1.1 billion in 1990 to USD 917 million (1994) to USD 761 million (1997) to USD 625 million (2001). This decrease, however, not only relates to declining government contributions after the 'Rio boom', but also to substantive administrative reforms initiated under Administrator Speth in the 1990s, when amongst other things UNDP headquarters personnel was reduced by about a third. The restrictive budget policy has been continued by Administrator Malloch Brown who highlights particularly 'painful cuts' for the 2002-2003 biennium that coincide with increasing costs as a result of a weakened US dollar and increased salaries for international civil service posts (UNDP, 2003). At the same time, the programme's 'non-core' resources have significantly risen from a pre-Rio USD 268 million in 1991 to USD 1.25 billion in 1997 and more than 1.6 billion in 2000, now representing roughly three-quarters of total expenditures (UNDP, 2001; Klingebiel, 2000).

These additional 'non-core' resources are a double-edged sword, however. They add significant financial impetus to the organisation, while at the same time allowing governments to exert stricter control over the disbursement of these resources, which are typically administered through trust funds or under co-financed 'cost-sharing' schemes, a tendency that has been criticised as a 'bilateralisation' of UNDP (Klingebiel, 2000).

With regard to spending, 85-90% of UNDP grants flow into the poorest developing countries, which are defined through an annual per capita income of less than USD 750. Different from World Bank loans, UNDP grants do not need to be repaid, which makes them highly attractive to beneficiary countries. Apart from this material incentive, developing countries appreciate the comparatively high level of inclusion in the decision making procedures, for instance through round-table mechanisms or decentralised communication with country representatives, and 'good governance' conditionalities that are perceived as

more agreeable and less patronising than many ‘structural adjustment’ conditionalities of the World Bank and the International Monetary Fund.⁵

2.3 *UNDP’s Position Within the UN system*

Considering UNDP’s standing within the UN system, the relevance of its network of country offices cannot be overstated. Each country office is run by a Resident Representative, who in most cases also functions as highest UN representative in this country. The UNDP’s representatives often act as de facto ambassadors of the United Nations. This is formally acknowledged in many cases by the UN Secretary-General, who often assigns additional responsibilities to UNDP representatives in declaring them United Nations Resident Coordinators as focal point for all UN agencies operating in this country. Thus, UNDP has de facto much more technical-administrative influence in the field than one would expect from a subordinate entity of the Economic and Social Council. This does not, however, imply that UNDP’s role is undisputed vis-à-vis other UN agencies eager to protect their turf, notably the formally higher-ranking specialised organisations that also deal with development policy, such as the Food and Agricultural Organisation, the UN Industrial Development Organisation or the UN Educational, Scientific and Cultural Organisation.

Poverty reduction is part of UNDP’s core mission, the promotion of ‘sustainable human development’. However, poverty reduction is also the mandate of the World Bank and the International Monetary Fund, who have positioned themselves as lead agencies in the intergovernmental arena. Prominently, they have introduced the instrument of Poverty Reduction Strategy Papers (PRSP) as a follow-up to the UN Millennium Declaration, and made the development and continuous refinement of national PRSP even a prerequisite for developing country governments to be eligible for poverty specific loans. They thus automatically provide a salient point of reference for other agencies that engage in the fight against poverty, notably bilateral donor agencies and the ‘Group of 7/8 (major industrialised countries)’, who have linked their debt relief concessions for highly-indebted poor countries to the successful implementation of national PRSP-processes (Eberlei, 2003). UNDP is involved with the development of such PRSP in 60 countries (UNDP, 2001a).

⁵ For the official UNDP understanding of good governance, centring on the principles participation, transparency and accountability, see UNDP (1997).

While the PRSP approach of the World Bank and the IMF seems to relate to many more of UNDP's own development projects at country level, it appears that this has not yet been subjected to a systematic effort to assess the wider effects of the PRSP initiative on UNDP project activities. On a general level, UNDP itself has criticised PSRP for being a re-dressed version of structural adjustment conditionalities (UNDP, 2001a). Thus, it may even be the case that UNDP seeks to avoid to be more closely associated with this instrument in order to maintain its good reputation with developing countries. Another explanation might be rivalry and competition between the World Bank, UNDP and other operational donor agencies, which is often found in the field (Eberlei and Siebold, 2002). These, however, are hypotheses that clearly require further systematic research. We thus advise the Council to recommend a study programme that assesses interlinkages between the World Bank/IMF-led PRSP-process and the implementation of sustainable development and poverty reduction policies through other agencies, notably UNDP and UNEP.

2.4 Assessment of UNDP's Strengths and Weaknesses

Given the complexity of UNDP's organisational set-up and the diversity of its activities, it is difficult to evaluate its performance. Stephan Klingebiel's (1998) in-depth assessment of the organisation's capacities, efficiency and effectiveness provides for a valuable point of departure. At the same time, however, UNDP's continuous internal reforms ultimately confront us with a moving target, and there does not seem to be an up-to-date academic study that analyses the recent and current performance of UNDP convincingly. Further research in this respect appears thus urgently needed. These cautious remarks notwithstanding, a number of findings can be presented, in particular in relation to UNDP's activities in the fields of environmental co-operation and combating poverty.

The integration of UNDP in the United Nation's overall sustainable development agenda appears to have made further progress in the wider context of Kofi Annan's system-wide Programme of Reform, arguably benefiting from the work of two successive Administrators. Both Gustave Speth and Marc Malloch Brown, while emphasising different operational priorities, have shown a strong commitment to the internal renewal of the organisation. Despite significantly reducing the organisation's personnel, they appear to have maintained the organisation's relatively high reputation within the developing world. In particular, Southern governments acknowledge UNDP's efforts to put buzzword concepts

such as participation and ownership into practice, which is perceived to positively contrast with the more top-down style of the World Bank and IMF. In this respect, UNDP's round table mechanism, typically implemented at the country level, has been highlighted as a particularly useful tool (Klingebiel, 2000). In a similar vein, and much to the credit of its broad organisational network, UNDP is uniquely well positioned to balance international policy priorities with capacity building at the country level (Engberg-Pedersen and Jorgensen, 1997). This is a comparative advantage of UNDP vis-à-vis other developing agencies inside and outside the UN system.

In the larger international developmental discourse UNDP has made a lasting impact by the introduction of its Human Development Index as an outcome of its annual Human Development Report, the first of which was published in 1990 and has quickly become a standard reference for the development community worldwide. However, the recommendations of the Human Development Reports are not necessarily reflected in the actual operations of UNDP as they often lack support in the governing bodies (Klingebiel, 2000). The Human Development Reports are complemented by a biennial World Resources report, which is published by the World Resources Institute as a joint initiative of UNDP, UNEP and the World Bank with a broader scope on sustainable development (e.g. WRI, 2002).

Regardless of these reporting schemes, it is hard to tell to what extent UNDP is an effective organisation. While the assessment of worldwide poverty—despite all contention over the arbitrary indicators on which any such assessment is inevitably based—has reached unprecedented levels of sophistication in recent years, it is virtually impossible to link the patterns of development to the work of UNDP or any one organisation (on methodological aspects, see Biermann and Bauer, forthcoming). Individual project evaluations may indicate a project's efficiency and effectiveness at the local level, but are difficult to be aggregated in a meaningful way. The difficulty of comprehensive, methodologically clear analysis, however, does not hinder governments to routinely call for more efficiency and increased effectiveness.⁶

What can be said about UNDP is that the administration is responding to the continued external pressures it faces, not least from the US government, and is now undertaking se-

⁶ See Eberstadt (1997) for a particularly harsh critique of the UNDP's effectiveness.

rious efforts in order to improve its efficiency and effectiveness. Under an overarching scheme of result-based management, the Administrator has recently introduced ‘a framework of results-based planning and performance management instruments that cascades from the organizational level through the unit and country office level to the individual staff member’ to improve UNDP’s organizational performance (UNDP, 2003). As this ‘major transformation’ has only been initiated in 2003, actual results remain to be seen.

3. The United Nations Environment Programme

3.1 Institutionalising ‘Environment’ Within the United Nations

Following the 1972 United Nations Conference on the Human Environment in Stockholm, the General Assembly decided in Resolution 2997 (XVII) to create a distinct environmental programme, the United Nations Environment Programme, and to endow this programme with ‘a small secretariat’ to be located in Nairobi, Kenya (which was the first time that a major UN agency or programme had been housed in a developing country). Like the United Nations Development Programme, UNEP is designed as a programme that reports back to the General Assembly via the Economic and Social Council and whose Executive Director is appointed by the UN Secretary-General.

The programme is governed by a 58-member Governing Council with regional quotas of sixteen African members, thirteen Asian, ten Latin American, six East European and thirteen ‘West European and Others’. Again, this gives a de facto majority to the South, and again, decisions are generally adopted by consensus. The question of universal membership to UNEP has been debated for some years, with supporters, including Germany, arguing that this would increase the programme’s weight vis-à-vis the UN specialised organisations. However, the most recent Special Session of the Governing Council, in Jeju in March 2004, indicated again that this is still a highly contentious issue unlikely to be solved in the near future (IISD, 2004).

The many similar institutional characteristics notwithstanding, the United Nations’ programmes for development and for environment differ markedly in terms of size and scope as well as with regard to their de facto position within the United Nations system.

3.2 *UNEP's Resource Base*

As of 2003, the UNEP secretariat employs 456 professional officers (UNEP, 2004), roughly one fourth of UNDP's staff. About half of UNEP's personnel work in the organisation's regional offices (in Bahrain for West Asia, Bangkok for Asia and the Pacific, Geneva for Europe, Mexico City for Latin America, and Nairobi for Africa), and four liaison offices: at UN headquarters in New York, at the seat of the European Union in Brussels, at the seat of the African Union in Addis Ababa, and at the seat of the Arab League in Cairo.

The UN regular budget provides for the maintenance of the UNEP programme secretariat in Nairobi, including the salaries for twenty-seven professional and sixteen general service posts (UNEP, 2004). For programme activities, the UNEP secretariat administers a separate Environment Fund that is filled through voluntary contributions from governments. This fund has contained on average USD 50 million per annum (with a USD 62 million peak in 1992, the year of the Rio conference), with a cumulative total of funds of almost one billion USD in its first two decades. On the one hand, such a small budget is unsurprising, because UNEP is not meant to be a funding agency, which prohibits a direct comparison with the much larger budget of UNDP. Still, given the scope of UNEP's mandate and the demands from governments for UNEP's work, observers have emphasised repeatedly that the organisation's resource base is all too meagre (e.g. Wapner, 2003; Imber, 1996). In addition, it is noteworthy that the financial means of the 'leading global environmental authority'—as it was proclaimed by governments at the organisation's 19th Governing Council in the 1997 Nairobi Declaration—are smaller than the budgets of many environmental ministries and some of the larger environmental non-governmental organisations (Biermann, 2002; French, 1995). After contributions to the Environment Fund had fallen below USD 50 million per annum in the 1990s, the negative trend appears now halted. Current developments indicate not only an increase in voluntary contributions (USD 52.6 million in 2003, after 48.3 million in 2002 and 44 million in 2001), but also a broadening of the donor base across member states: in 2003, a record 123 governments contributed to the Environment Fund, after 92 in 2002 and an average of 74 in the earlier years (UNEP, 2004). It remains to be seen whether governments will maintain this increasing level of commitment. It seems certain that the current positive trend can partially be attributed to the voluntary 'indicative scale of contributions' that was introduced after

the 2002 Governing Council/Global Ministerial Environment Forum in Cartagena, which provides for optimism.⁷ Since 1994, UNEP also advises, together with UNDP and the World Bank, project disbursements through the Global Environment Facility; it also has established a substantive division within UNEP headquarters exclusively for UNEP's collaboration under the GEF. However, the major share of GEF funds naturally flows to projects of the two big development agencies. It would seem worthwhile to assess more thoroughly the extent of each agency's influence on the disbursement of resources mobilised under the GEF, and how UNEP's role could be better balanced against the traditional operational agencies UNDP and World Bank.

In addition to the Environment Fund, extra-budgetary resources that are being allocated to a variety of environmental convention Trust Funds as well as 'earmarked contributions' for *a priori* specified project activities have over recent years gained salience with regard to UNEP's overall activities. For example, the convention Trust Funds alone provide for eighty-nine of the secretariat's professional posts (see UNEP, 2004, for further details).

3.3 *UNEP's Position Within the UN System*

UNEP's position within the UN system is peculiar. On the one hand, it is expected to be the guiding force for all United Nations' activities that relate to the environment, and it is not surrounded by a host of agencies with similar mandates as is the case with UNDP in the development arena. On the other hand, it has remained a small and formally low-ranking entity ever since it was established, and is struggling to co-ordinate an increasingly fragmented policy arena in which other actors with less comprehensive but nonetheless environmental mandates have mushroomed over the past twenty years. The panacea for effective co-ordination is yet to be found as the most recent attempt to enhance co-ordination, the UNEP-led Environmental Management Group, appears to further none of the desired results. Governments have repeated time and again their commitment to strengthening UNEP financially as well as institutionally (e.g. Nairobi Declaration, 1997; Malmö Declaration, 2000), but generally fail to live up to it when they are expected to. A point in case is the question of universal membership, which has been proposed many

⁷ However, major donors such as the United States and Japan have decided not to implement the voluntary indicative scale, and the United States, G77/China and others have voiced their opposition against any mechanism with a semblance to assessed contributions (IISD, 2004).

times and was formally brought forth to UNEP's Governing Council by the Executive Director after governments failed to address the issue at the Johannesburg summit (UNEP, 2002). The issue has been debated both at the Governing Councils 22nd session and the recent eighth Governing Council Special Session at Jeju only to be adjourned again for further consideration by the UN Secretary-General and the 23rd Governing Council in 2005. Opponents to the idea of strengthening UNEP through universal membership are anxious to create a precedent for turning UNEP into a specialised agency, which they are unwilling to accept (IISD, 2004). Thus, while UNEP managed to achieve some de facto 'upgrading' by successfully institutionalising the Global Ministerial Environment Forum, it essentially remains in a weak position vis-à-vis other UN agencies.

This is especially the case when the perspective is widened from environmental policy to sustainable development. Here, the environmental issues that are most closely related to socio-economic development and poverty alleviation—climate change and desertification—have traditionally been a domain of UNEP, but have now effectively been 'outsourced' with the institutionalisation of the UNFCCC and UNCCD, both of which are administered by distinct UN secretariats (Busch, 2004; Chasek and Corell, 2003). Similarly, the secretariat to the Convention on Biological Diversity, although formally part of the UNEP bureaucracy, operates from its Montréal office rather independently from UNEP headquarters (Siebenhüner, 2004).

Thus, the closest direct links between today's UNEP's activities and poverty reduction are expressed in its focus on water, sanitation and human settlements, all of which aim to improve the immediate living conditions of the poor, as addressed by the Johannesburg Plan of Implementation and the Millennium Development Goals. Policy development on these issues has been elevated to a major priority within the secretariat after the Johannesburg summit. It has subsequently been endorsed at CSD-11 and now been followed by a number of decisions adopted at the Jeju Special Session of the Governing Council/Global Ministerial Environment Forum (IISD, 2004). At the same time, the focus on water, sanitation and human settlements touches the turf of agencies such as UNDP and UN-HABITAT, which are often reluctant to let UNEP's global policy perspective interfere with their own work on the ground. In sum, while UNEP is unanimously accepted as the United Nations' lead agency on global environmental affairs, it faces many political challenges in the wider arena of sustainable development and is certainly ill-positioned to directly address

poverty. While the secretariat is and has always been sensitive to the links between poverty and environmental degradation, poverty eradication *per se* is not at the heart of UNEP's mandate.

3.4 *Assessment of UNEP's Strengths and Weaknesses*

Given its limited scope and mandate and, in particular, its lack of material resources and political clout, the record of UNEP is all in all quite satisfactory. The programme has taken a lead role in facilitating a number of groundbreaking multilateral environmental agreements, including the Vienna Convention on the Protection of the Ozone Layer, a whole set of conventions under its Regional Seas Programme, the 'Rio conventions' on biological diversity and climate change, and the 1994 UN Convention to Combat Desertification (in which UNEP had a minor role in forging, but played a pivotal part in bringing the issue of desertification on the international agenda in the first place). In its recent history UNEP can take credit for the finalisation of the Cartagena Protocol on Biosafety and the convention on persistent organic pollutants, which were negotiated under its auspices. None of these agreements are related to poverty eradication *per se*. However, many of the governance challenges addressed in particular in the so-called 'Rio conventions' are of paramount importance to the developing world as they specifically touch on issues of socio-economic development or trade concerns.

In line with its role in promoting legal institutionalisation of international environmental governance, UNEP has been active to improve inter-agency co-operation in order to enhance its own influence and to integrate environmental policies within the UN system (Bauer, 2001). Such 'joint programming' includes partnerships with United Nations specialised agencies such as the World Meteorological Organisation, the International Maritime Organisation and the World Health Organisation; smaller entities of the UN system that operate close to its own mandate, notably UN-HABITAT (formerly UNCHS); hybrid organisations such as the World Conservation Union (IUCN); or expert bodies such as the Intergovernmental Panel on Climate Change. Moreover, UNEP has been widely lauded for its role in monitoring and assessment of the state of the world environment through maintaining its Global Environmental Monitoring System (GEMS) and the related Global Environment Outlook reports, the first of which was published in 1997. At the same time, governments expect UNEP to further strengthen the scientific base of its monitoring, as-

assessment and early warning activities, although there are divergent opinions how this should be achieved. Actual reforms are pending further intergovernmental consultations that are beyond the grasp of UNEP, which has expressed its willingness to move ahead, ‘aware that it is the state of the environment that tells us whether our policies and programmes are effective’ (Töpfer, 2002).

The question of UNEP’s effectiveness is not easily answered, however. On many environmental issues, the ecological impact of environmental policies is hard to measure, and it appears virtually impossible to establish direct causal links between the activities of one political actor, such as UNEP, and changes in the ecological environment, which are generally highly complex. In fact, political science research indicates that the connection between the effective implementation of environmental agreements and actual environmental improvements is by no means straightforward (e.g. Brown Weiss and Jacobson, 1998). This holds in particular for assessing the effectiveness of international organisations that address global environmental change, including convention secretariats and UNEP (Biermann and Bauer, 2004; Siebenhüner, 2003). More theoretical and empirical research in this area is clearly needed.

4. UNDP, UNEP and ‘Sustainable Development’: Failed Coordination, Lack of Coherence, and the Salience of Organisational Leadership

Following the United Nations Conference on Environment and Development, all UN agencies found themselves confronted with a demand for policy integration and mainstreaming in order to realise the sustainable development objective as postulated in Agenda 21, namely ‘to strengthen cooperation and coordination on environment and development in the United Nations System’ (ch. 38, para 8(c)). Considering the diversity of vantage points for the myriad entities operating within the UN system, this general demand relates differently to every agency’s mandate. While it implied for UNEP to incorporate more comprehensively the goals of sustainable development as opposed to pure environmental protection, it required UNDP to ‘green’ its operational activities by integrating distinct environmental components into its policies (Timoshenko and Berman, 1996). This is no different with regard to the objective of poverty reduction, although it can be argued that this is narrower and more specific than the overarching concept of ‘sus-

tainable development'. Again, however, the challenge is very different for UNEP and UNDP. The target of poverty reduction is closer to UNDP's original mandate than to the one of UNEP. Whereas UNEP officials can point to poverty as a structural factor that exacerbates environmental challenges, if it not altogether hinders their solution, their colleagues at UNDP can claim that the ultimate objective of poverty eradication has been inherent in their mandate to promote economic growth and sustainable human development around the world. Against this background, a lack of coherence in both agencies' efforts to address poverty reduction does not come as a surprise.

However, the overall lack of co-ordination in the United Nations' development activities is historically grown and pre-dates the integrative concept of sustainable development. Established development agencies, including UNDP, have been reluctant to respond to respective initiatives by UNEP to liaise developmental and environmental policies before the Rio Conference. As main organisational outcome of the Rio conference, the Commission on Sustainable Development was set up in 1992 to alter this by supervising the implementation of Agenda 21 and to put into organisational practice the idea of sustainable development. Since the creation of CSD, some 'greening' of UNDP has in fact occurred, but meaningful co-ordination at policy and project levels remains the exception to the rule. CSD is hardly the effective co-ordinator it was meant to be. Indeed, the full integration of environment and development with relevant broader issues—in particular financial and economic policy—never succeeded. The CSD eventually became a debating arena for environment and development ministers, their respective representatives and the various stakeholders within civil society, ranging from the cement industry association to environmentalist lobbying groups. As a response to its many critics, governments sought to 'revitalise' the Commission after the Johannesburg summit in adopting a multi-year work programme that builds on the Johannesburg Plan of Implementation. This plan includes a series of biennial 'action-oriented Implementation Cycles' until 2017, with the 2004/2005 implementation cycle addressing water, sanitation and human settlements (IISD, 2003).

Many scholars argue that at the time of its conception, the creation of CSD has further undermined the status and authority of an already weak UNEP instead of strengthening system-wide co-ordination (e.g. Elliott, 2004; Henry, 1996). While UNEP has managed to reclaim its centrality in international environmental governance, notably since the introduction of the Global Ministerial Environment Forum in 2000, the overall lack of co-

ordination that characterises the United Nations' sustainable development policies continues.

Against this backdrop of often vague, incoherent and overlapping mandates and declarations that UNDP and UNEP (as well as other UN agencies) are confronted with, individual organisational leadership is particularly important. Indeed, current research indicates that leadership plays a crucial role with regard not only to the authority and reputation of an organisation, but also their policy preferences. While governments retain formal control over the organisations they improve intergovernmental co-operation, the international bureaucrats they delegate to do so tend to develop remarkable skills if it comes to refining or even shaping the mandates and objectives of the bureaucracies they are supposed to 'run' on a purely technical basis (Barnett and Finnemore, 1999; Bauer, 2004).

Thus, changes in organisational leadership are often crucial moments. In the case of UNEP, which had arrived at a reputational low in the years following the Rio summit, UN Secretary-General Annan provided for a fresh impetus by appointing the former chairman to the Commission on Sustainable Development, Klaus Töpfer, to succeed Elisabeth Dowdeswell as Executive Director in 1998. Töpfer, who is in charge of the organisation till 2006 after he has been appointed for a second term in 2002, restructured the UNEP secretariat, following suggestions of a UN Task Force that he had chaired in 1997/1998. He reorganised the organisation along functional divisions as opposed to the former sectoral design that had featured departments specialising on distinct environmental problems (UNGA 1999). Regardless of different views on this fundamental reform, the Executive Director finds himself widely lauded, both in- and outside his bureaucracy, for regaining UNEP's authority as the United Nations' lead agency in the environmental field and for increasing the secretariat's efficiency, now even with positive repercussions in terms of financial contributions.

Regarding UNDP, the change from Administrator James Gustave Speth to Mark Malloch Brown in 1999 was also significant, among other things in terms of shifting policy priorities. Malloch Brown, whose current second term will end in mid-2007, can claim credit for the new inclusion of crisis prevention and recovery into the UNDP's portfolio (see Wright, 2004, for details). With the elevation of new issues at the senior level of an organisation, other policy priorities are relegated in comparison to the *status quo ante*. In the case of UNDP, this holds in particular for environmental policy. While UNDP's environ-

mental agenda has always been rather marginal considering its development mandate, it seems that the environment received more attention as a consequence of Agenda 21 (Timoshenko and Berman, 1996). In particular, it apparently ranked comparatively high on the agenda of Administrator Speth, who has an academic background in environmental economics and has advocated the creation of a world environment organisation as a counter-weight to the World Trade Organization. Quite contrastingly, during Administrator Malloch Brown's first term it was discussed whether UNDP should dispose of its environmental responsibilities in order to free resources for issues that were seen as more central to the programme's mandate. Although such radical steps did not materialise, the very discussion serves to indicate that individual leadership matters a great deal regarding the preferences of organisational actors and subsequently how they perform.

While the role of environmental protection has thus been rather oscillating at UNDP, the role of poverty reduction appears to have been constantly marginal at UNEP. This does not surprise. While UNEP officials have always been affirmative of the crucial links between poverty reduction and effective implementation of environmental policies, UNEP basically lacks the most essential provisions that one would commonly associate with combating poverty. Its material resources are minimal, and it is not a funding agency. Moreover, it is largely restricted to operate on global and regional levels, while policies aiming to curb poverty need to be implemented at the local level to become effective. Notwithstanding certain wider reaching aspirations within the organisation's rank and file, the United Nations Environment Programme is hence largely confined to activities of awareness raising, agenda setting and policy development at global and regional levels. With its limited institutional presence and lack of operational capacities, the organisation can hardly be expected to actively contribute to the implementation of poverty reduction strategies at country level.

5. Recommendations for Organisational Reform

5.1 Background

The German Advisory Council on Global Change (2001) has developed, in its seminal 'millennium report' *World in Transition: New Structures for Global Environmental Policy*, a bold vision for the reorganisation of global environmental governance as a new

‘Earth Alliance’. This strategy included the creation of an Earth Council, a reform of ‘Earth Funding’, as well as the establishment of an International Environmental Organisation.

The Council’s idea of an International Environmental Organisation was not all new. It was US foreign policy strategist George F. Kennan who started the debate in 1970 with his call for ‘an organisational personality’ in international environmental politics (Kennan, 1970). Dozens of new proposals for a world environment organisation have been published since then (recent papers include Charnovitz 2004, Biermann, 2004, with critics such as von Moltke, 2004, Najam, 2004, Oberthür and Gehring, 2004). Yet the Council added to this long-standing debate a carefully designed new perspective that united the aspects of scientific advice, organisational reform and financial support in one broad vision.

In view of the plethora of reform proposals, the United Nations established in February 2001 an Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance to systematically assess existing institutional weaknesses, identify future needs and consider feasible reform options. This process included consultations with academic experts at a workshop in Cambridge, with representatives from civil society groups at workshops in Nairobi (UNEP 2001a), as well as the involvement of the United Nations University (UNU/IAS 2002). The current view of governments—as summarised in 2002 by the then president of UNEP’s Governing Council, David Anderson of Canada—appears to be that a new UN agency on environmental policy could be an option for consideration, but only in the longer term (see UNEP 2002b, para. 12). In this vein, the Malmö Declaration of the UNEP-initiated first Global Ministerial Environment Forum called upon the 2002 World Summit on Sustainable Development to ‘review the requirements for a greatly strengthened institutional structure of international environmental governance based on an assessment of future needs for an institutional architecture that has the capacity to effectively address wide-ranging environmental threats in a globalizing world’ (Malmö Declaration 2000, para. 24).

Johannesburg, however, did not deliver. Hardly any aspects of institutional reform were addressed in a meaningful way. In retrospect, it seems that institutional reform was an issue under continuous consideration in the years leading to Johannesburg, then essentially neglected at the summit, and now re-emerging again as an item of substantive debate. The French government has now taken the lead again by circulating a proposal to transform

UNEP into an ‘Organisation spécialisée des Nations Unies pour l’environnement’⁸, which follows up on earlier French initiatives to replace UNEP by an ‘Organisation mondiale de l’environnement’ or an ‘impartial and indisputable global centre for the evaluation of our environment’.⁹ Germany has stated its support for the French proposal.¹⁰ The European Council of Environmental Ministers, too, now supports the idea of a new agency (cf. for example the final declaration of its 2457. session on 17 October 2002 in Luxemburg), as does the European Council (so at its session of 20-21 March 2003 in Brussels).

The role of poverty reduction and of UNDP has remained at the margins of the Council’s original findings, and it has not been elaborated since then. The Council has merely advised the German government to resist calls prevalent at that time—for example within the German Social Democratic Party¹¹—to merge UNDP and UNEP. Instead, the Council called upon the German government to keep the programmes separate yet to strengthen both, including the upgrading of UNEP to an international environmental organisation. In light of recent developments, including the 2002 Johannesburg Summit on Sustainable Development and recent calls for a world organisation on sustainable development, this position of the Council of 2000 might need to be revisited. This will be discussed in the following. We will address three different theoretical options: The merger of UNEP and UNDP into a world organisation (or programme) for sustainable development; the upgrading of UNEP to a world organisation for sustainable development with continuing existence of UNDP; and the upgrading of UNEP to a world environment organisation.

5.2 *A World Organisation (or Programme) on Sustainable Development as a Merger of UNDP and UNEP?*

Some participants in the debate have come to the fore with the proposal of creating a ‘world organisation on sustainable development’, instead of a ‘world environment organi-

⁸ Proposition française de transformer le Programme des Nations Unies pour l’environnement en une Organisation spécialisée des Nations Unies pour l’environnement, 12 Septembre 2003 [on file with authors].

⁹ See the speeches by Dominique Voynet (2000), the French environment minister, and by French President Jacques Chirac (1998).

¹⁰ Personal communication with officials from the federal ministries for the environment and foreign affairs, respectively. Also, the German Minister of the Environment, Jürgen Trittin (2002, 12), has repeatedly emphasised that ‘[t]he German government strongly favours transforming UNEP into a global environmental organisation. We need a strong global environmental institution that can stand up to the WTO, the FAO and transnational corporations’. See also Kohl (1997).

¹¹ See, for example, the speech in the German Bundestag delivered by the Social Democratic Party’s environmental policy spokesperson on January 25, 1999 (noted in: *epd-Entwicklungspolitik* 5/99).

sation'. Given the status of its proponents, this proposal warrants careful deliberation. Theoretically, this proposal could imply that the United Nations Environment Programme and the United Nations Development Programme would be merged—an idea that had found the support of the current UNEP Executive Director, Klaus Töpfer, in the run-up to the Johannesburg summit and hence deserves special attention (Töpfer, 2001). In principle, two organisational options are available:

- An integrated United Nations Programme on Sustainable Development based on the merger of UNEP and UNDP, which could legally be established by the United Nations General Assembly;
- A new international organisation, for example a World Organisation on Sustainable Development, which would require, on the one hand, a constitutive act of a group of states and, on the other hand, a decision by the United Nations General Assembly to transfer and merge both programmes into this new organisation. Institutional models *cum grano salis* could be the creation of the UN Organisation for Industrial Development or the creation of World Intellectual Property Organisation.

We view both options as problematic. A merger of UNEP and UNDP would be a marriage of unequals that is likely to harm, in the long run, environmental interests without necessarily strengthening development goals. First, UNDP and UNEP are unequal regarding their sheer size and resources. Taking into account the twelve-fold core budget of UNDP vis-à-vis the UNEP Environment Fund as well as a ratio of roughly four to one in professional staff, a merger of both programmes would come close to the dissolution of UNEP within the significantly larger UNDP. Theoretically, this could either lead to a strengthening of environmental goals within the development community or result in the slow degrading and watering down of environmental goals in a larger new, development-oriented agency. Key factors will be organisational culture and learning processes as well as leadership, both of which are important factors that help to explain organisational behaviour of international agencies (Leiteritz and Waever 2002; Siebenhüner 2003; Bauer, 2004). Both UNEP and UNDP are marked by distinct organisational cultures that are tuned to the goals of the respective programmes. Given differences in size and resources, it is difficult to believe that the much smaller 'environmental' community will eventually prevail in changing the much larger 'development' community within an overall new organisation. In addition, the leadership of such a new overall organisation will necessarily be domi-

nated by representatives of the larger development community, with the representatives of environmental objectives be refined to a structural minority.¹² It seems certain that the strength and independence of environmental concerns will be weakened over time. Moreover, this would reflect the current trend in the international political economy where the environment has lost much of the prominence it enjoyed in the early 1990s with trade and security taking precedence instead.

Second, UNEP and UNDP are unequals regarding their functions within their respective governance areas. UNEP has an important role in norm-setting and knowledge-management, for example with a view to the initiation of new treaties, the organisation of international diplomatic conferences, the training of national administrative and legal personnel, or the initiation, synthesis and dissemination of new knowledge, regarding both fundamental and applied environmental science. UNDP's core functions, on the other hand, are operational. It is mandated to generate and implement projects, with less regard to international standard-setting or knowledge-generation. This differentiation is historically grown, with UNEP having been created as the catalyst of environmental awareness and activities within the existing group of implementing agencies, including UNDP. A merger of UNDP and UNEP hence runs the risk that the different functions of UNEP will lose their influence within such a larger new agency.

Third, functional differentiation in governance systems between socio-economic development and environmental protection makes sense. This is supported by the fact that hardly any country has opted for the administrative merger of 'economic development' and 'environmental protection' as policy areas at the national level, whereas national environmental legislation has become increasingly important on a global scale (e.g. Jänicke, 1998). Despite two decades of debate on sustainable development, we observe only very few examples of integrated 'ministries on sustainable development', with most countries maintaining the more traditional differentiation between economic or development ministries, and environmental ministries. It is not clear why administrative functional differentiation should differ at the international level.

Fourth, location matters. The integration of UNEP and UNDP would most likely imply the transferral at least of all senior UNEP staff to UNDP headquarters in New York, which is

¹² For a related argument compare the example of 'environmental' officers inside the UN Industrial Development Organization (Baark and Strahl, 1995).

likely to be chosen as seat of an integrated organisation. This would result in the abolishment of the only major United Nations agency in the South. However, while the pros and cons of the Nairobi location have been under debate for long, it does seem neither politically nor practically feasible for the UN to withdraw from Nairobi or to move major entities to Nairobi, in particular if the latter would imply relocating offices that have enjoyed a long-standing connection with the United Nations' New York headquarters.

Not least, any reform proposal that envisages the dissolution of existing bureaucratic entities is certain to trigger significant political resistance. While this should not serve as an argument against reform *per se*, it appears worthwhile to note the precedent of the United Nations Centre for Human Settlements (UNCHS) when pondering about a merger of UNEP and UNDP. In the context of the Task Force on Environment and Human Settlements, it has been proposed to integrate the small UNCHS into a strengthened UNEP. This proposal met, however, with stiff resistance from developing countries and UNCHS staff, and it was quickly dropped as a 'non-flyer' (Bauer, 2001). In the end, UNCHS was strengthened rather than dissolved. Following six years of de facto administration through UNEP, Secretary-General Annan eventually appointed Anna Tibaijuka of Tanzania as new Executive Director to UNCHS in 2000. In January 2002, the agency was upgraded to a United Nations Programme on Human Settlements (UN-HABITAT).

In sum, we believe that the balance of evidence advises against the merger of UNEP and UNDP into one integrated programme or organisation, at least not from the environmental perspective. A world organisation on sustainable development that would require the integration of UNDP and UNEP, would be likely to downgrade environmental concerns to the benefit of unfettered economic development. This also affects the interests of the very poor population segments in the South who live from the extraction of natural resources or in overly polluted areas.

5.3 *A World Organisation on Sustainable Development based on UNEP alone?*

If, on the other hand, a world organisation on sustainable development would imply merely the upgrading of UNEP to an international organisation with this name, while leaving other bodies—including UNDP or the World Bank—untouched, it is questionable what consequences the choice of the organisation's name—'sustainable development' instead of 'environment'—would entail. Opponents might rightfully complain that this

would reduce the overarching concept of ‘sustainable development’ again to what many Southern experts believe it to be in the Northern understanding: a new attractive yet deluding label for environmental protection (e.g. Agarwal et al. 1999). To the extent that sustainable development is understood as established triad of socially, economically and ecologically sound development, one must object to a conceptualisation of a world organisation of sustainable development that encompasses predominantly traditional environmental functions.

In sum, a world organisation on sustainable development would be either ill-advised if it implies the integration of UNEP and UNDP, or a misuse of a key concept of North-South relations if it merely implies giving a new name to an essentially environmental organisation.

5.4 *A World Environment Organisation in the Context of Sustainable Development*

As noted above, the German Advisory Council on Global Change advised in 2001 to create an international environmental organisation that would co-operate with, but would not integrate, UNDP or other non-environmental agencies. Despite the recent debate on a more far-reaching reform, we believe that there are no new arguments that have been brought forward in the recent debate that could advise the Council to alter its original recommendation.

The case for a world environment organisation has found increasing support in the literature as well as among decision-makers (Bauer and Biermann, 2004). The most recent debate has helped to refine arguments to the extent that some middle ground between proponents and opponents of a new agency appears discernible. Some outspoken critics of a world environment organisation, such as Adil Najam, meanwhile support the upgrading of UNEP to a specialised UN agency (Najam, 2004), which would be close to an international environmental organisation ‘type 1’ in the Council’s original classification (see Council, 2001). Any more far-reaching proposals, such as a merger of UNDP and UNEP, as well as a well-sounding but factually little supportive title such as a ‘world organisation on sustainable development’, would rather harm than help the current consensus-seeking debate. This holds in particular as the degree of scepticism amongst developing countries remains high, no matter what institutional design is being put on the table (see Gupta, 2004, in more detail).

On the other hand, it is evident that a new world environment organisation would also need to carefully take development aspects into account.¹³

(1) First, it will be crucial to define within the mandate of a world environment organisation whether this will cover all environmental problems or just a sub-set, the so-called ‘global environmental problems’ (Biermann, 2002). Some writers, most explicitly Daniel C. Esty and Maria Ivanova (2001), have argued in favour of a ‘Global Environmental Organisation’ (GEO) that would exclusively deal with what they conceive of as ‘global environmental problems’. They contend that local problems—such as local air pollution, soil degradation or water poisoning—must not be part of a GEO. This GEO concept is technically problematic, potentially unfair, and difficult to implement (see Biermann, 2002, in more detail). First, the terms ‘global environmental problems’ or ‘global commons’ are hard to define in a legal-political context. Forests, for example, have been mentioned as a global common owing to their environmental functions in the earth system, but most developing countries would object to notions of limited sovereignty in this field. Unsurprisingly, the adjective ‘global’ has not been used to denote an international agency, with the notable exception of the Global Environment Facility, which expressly excludes local problems and has subsequently attracted criticism from developing countries.

An additional problem is that UNEP addresses at present all forms of environmental problems, from the local to the global levels. Either the creation of a GEO, based on UNEP, would thus entail the restriction of the universal mandate of a GEO-ex-UNEP, or it would require the establishment of some parallel international entity for local environmental issues. A number of successful local and regional UNEP programmes, such as the UNEP Regional Seas Programme, would entirely fall out of the purview of such a GEO. It seems not unlikely that this development would create a two-tier, if not ‘two-class’ international organisational structure: first, a strong ‘Global’ Environment Organisation with worldwide reach, significant financial resources and the support of industrialised countries, which deals with issues of immediate concern for the North, such as climate change, loss of biodiversity or ozone depletion; and second, a weak, if not non-existent, international mechanism for the local environmental problems of developing countries, ranging from water pollution to indoor air pollution (Biermann 2002).

¹³ Section 5.4 is adapted from Biermann, 2002.

This seems hardly acceptable for developing countries, and it will, in the end, do little for the environment. The prevalent Southern distrust in this debate is mirrored in a recent UNEP report on ‘convention clustering’ which placed the conventions on climate and ozone depletion—presumably prime candidates for a ‘global common issue’—not in a cluster of atmospheric issues (which is absent), but in a cluster of ‘sustainable development conventions’, indicating the special status which developing countries bestow on the socio-economic implications of the climate issue (UNEP 2001a, para. 25). Thus, it remains essential to take into account the fundamentally different concepts that are implied by the distinction between the ‘world environment’ and the ‘global commons’.

(2) Second, reconciling environment and development within a world environment organisation would require addressing another concern of developing countries: that a new international agency could have a mandate to impose sanctions upon members, either directly or through linkages with the trade regime. Indeed, some commentators in the North support the idea of a world environment organisation explicitly with reference to the WTO experience, in particular to its non-compliance regime. World trade regulations allow WTO members to bring alleged infringements of multilateral trade agreements to a dispute settlement system, which builds on tribunals of government-appointed trade experts whose decisions are de facto binding. For a world environment organisation, however, such a procedure seems problematic. For one, there are technical difficulties: WTO members must be parties to all multilateral trade agreements, which may not be the case regarding the membership of a world environment organisation. Even though ratification of a list of multilateral environmental agreements could be made compulsory for new members of a world environment organisation, this would create obstacles for a nation to join the organisation, and might hinder institutional reform in the first place. In addition, trade policies and environmental policies differ when it comes to dispute settlement and non-compliance mechanisms, because unlike environmental problems, trade conflicts address concrete, transparent and universally measurable trade acts of governments that directly address specific relationships with other treaty parties, such as custom duties, import and export regulations or technical standards for domestic goods and production plants (Biermann, 2002, in more detail).

(3) Third, reconciling environment and development concerns in a powerful world environment organisation will require that decision-making procedures do grant both

North and South sufficient control over the outcome of negotiations and the organisation's future evolution. Thus, a strong organisation seems feasible only with a double-weighted majority system comparable to that of the Montreal Protocol as amended in 1990 (Biermann, 2000). Here, decisions require the assent of two thirds of members that must include the simple majority of both developing and developed countries. This system of North-South parity in decision-making represents a 'third path' between the one-country, one-vote formula of the UN General Assembly, which grants developing countries an in-built majority, and the one-dollar, one-vote system of the World Bank and the International Monetary Fund, which favours the interests of major industrialised countries. Decision-making procedures based on North-South parity—that is, veto rights for both South and North as a group—could ensure that the world environment organisation would not evolve into a mechanism to curtail the development prospects of Southern countries, for example by enforcing expensive Northern environmental standards upon poorer developing countries that have other priorities and more pressing needs given their scarce resources (Biermann, 2002).

(4) Finally, a world environment organisation must not detract from the compromises reached at the 1992 Earth Summit. In particular, the constitutive treaty of a world environment organisation will have to encompass more than purely environmental rules but must address above all the development concerns of the South. Thus, principles such as the right to development, the sovereign right over natural resources within a country's jurisdiction, or the principle of common but differentiated responsibilities and capabilities need to be integrated into the constitutive act of the organisation.

6. Political Opportunities for Co-operation Between a World Environment Organisation and UNDP

As argued above, a world environment organisation as proposed by the Council should neither integrate UNDP nor be substituted in the form of a 'world organisation on sustainable development' as a merger of UNDP and UNEP. However, the analysis in section 4 above has also indicated that further political efforts are needed to increase the coherence and co-operation between UNDP, on the one hand, and UNEP (or a potential future world environment organisation) on the other hand. Furthermore, the role of the Commission on Sustainable Development in this remains ambivalent.

The debate on increased co-operation and co-ordination of different agencies and programmes within the UN system is almost as old as the world organisation itself. Originally, UNEP was supposed to co-ordinate the environmental activities of various agencies, in addition to a number of steering committees that have been created, developed and partially abolished over the years.¹⁴ We believe that the main current problem lies in the lack of co-ordination of essentially environmental agencies, including the plethora of environmental treaty secretariats. In addition, however, further co-operation and co-ordination between environmental and developmental entities of the United Nations system is clearly needed.

Such co-operation could be improved, first, at the leadership level, including through the strengthening of the Environmental Management Group that has recently been set up to better co-ordinate the environment related activities of the United Nations implementing agencies and the policy objectives under the wider sustainable development agenda, but has so far amounted to little more than yet another talking shop.

Second, co-operation could be improved at the inter-administrative level, that is, between officers from environment and development agencies who would be enticed through management reforms within their agencies to better work together. For example, environmental programmes could be explicitly related to Poverty Reduction Strategy Processes (as a kind of integrated ‘development assessment’) and findings from the already existing environmental assessments of development projects could be brought to bear more strictly. Moreover, improved inter-agency communication should at least help to avoid the fuelling of inevitable ‘turf battles’ between co-operating organisations. A Memorandum of Understanding which is heralded to address precisely the potential and mutual benefits that are sought from such inter-administrative co-ordination is currently being negotiated between UNEP and UNDP at the senior management level.

Among other things it is expected to raise the question of field offices, one of the key characteristics and assets of UNDP. The question that naturally arises here is whether and how UNEP might benefit from closer institutional co-operation at the country level by utilising the world-wide infrastructure that is provided and maintained by UNDP. As of now, UNEP merely supports some regional offices that are in no way comparable to the

¹⁴ See Elliott (2004) for a comprehensive assessment of the ‘permanent state of reform’ grappling with the co-ordination dilemma of UN environmental governance.

extensive network of field offices of the development agencies. This situation derives from the fact that UNEP is formally not equipped with a local mandate and that it has not been devised as an implementing agency with operational programmes of its own. In the current context, the question is whether a strengthened UNEP or a new world environment organisation, as proposed by the Council (2001), should be given an operational mandate that could include a network of field offices, either independently or in liaison with the UNDP network.

This question needs to be assessed in light of criteria of both effectiveness and efficiency. Regarding effectiveness, it seems that major new and more extensive environmental programmes in the South, which the Council might wish to propose for example in the field of climate policy or air pollution, would at some point require specialised expertise on the ground. This could theoretically be better housed in an agency that specialises in environmental protection, not economic development, which would advise to allow UNEP or a future world environment organisation to build up the capacity for operational activities. This is not undisputed, especially not from the side of UNDP. Gustave Speth, for example, the former UNDP Administrator, while supporting the creation of a world environment organization, emphasised back in 1998 that this new organisation should by no means assume operational functions in the field, which should remain with the existing bodies, including UNDP.¹⁵ Some UNEP officers, on their part, are yet well prepared to also assume an operational mandate (own interviews).

On the other hand, the creation of a new extensive network of specialised field offices of a ‘world environment organisation’ in developing countries does not seem to be the most efficient solution to approach this problem. Rather, UNEP (or a future world environment organisation) could be allowed to establish independent operational programmes (a route, which UNEP in fact appears to be incrementally embarking on), for example on energy saving, the management of riverine systems or on the prevention of air pollution, yet with integrating these programmes, including their specialised mission officers, into the existing field office system of UNDP. In particular, this could be an option to give UNEP a stronger role with regard to on-the-ground implementation of project’s arising out of its

¹⁵ See J.G. Speth, Interview with Jens Martens, Bad Honnef, Germany, July 1998 (on file with authors, also available at <http://bicc.uni-bonn.de/sef/publications/news/no4/speth.html>).

GEF portfolio. Activities under this portfolio require close co-operation with UNDP and the World Bank anyway.

Last but not least, the question of co-ordination and co-operation between UNDP and UNEP (as well as other environment and development related agencies sailing under the UN flag) raises the issue of the UN Commission on Sustainable Development, the success of which is disputed. Quite a few actors especially in the North would advise to abolish the CSD altogether. This would not, however, seem to be warranted, and even less so after the Johannesburg Summit. Moreover, Steve Charnovitz (2004), for one, reminds us that '[r]arely have any entities been dismantled, even when they are so obviously ineffective, such as the CSD'. This notwithstanding political science has shown that even bodies that do not lead to enforceable decisions and legally binding agreements, can be important arenas for the development of new ideas, the 'testing' of existing proposals, and the discursive preparation of a consensus that then leads to binding decisions in other arenas, such as diplomatic conferences that adopt new treaties.¹⁶ The relevance of the CSD lies especially in the border area between environmental protection and poverty reduction. Here, the CSD is practically the only body that continuously offers an arena in which diplomats and ministers can debate, together or in parallel with civil society representatives, the integration of economic development and environmental protection at the global level. The CSD might not be perfect, and the lack of attention on the side of financial and economic policy-makers is certainly a major problem for those who want to make it more effective. Yet it could be argued that without the CSD, co-ordination and co-operation between the environmentalist and the development communities would be even less. Furthermore, major criticism regarding the relevance of CSD has been deluded by adjusting the mandate of the Commission in order to monitor the implementation of the Johannesburg Plan of Implementation and the Millennium Development Goals. To what extent this will make a difference in its performance remains to be seen.¹⁷ In order to enhance at least the discursive power that is theoretically vested in the Commission, one thought worthwhile of contemplation could be to delegate the Commission's chairpersonship to an authoritative, eminent person that enjoys confidence and respect in the environmentalist and the devel-

¹⁶ See for instance P. M. Haas (2002) for a constructivist endorsement of UN conferences as well as Elliott (2004) for a more critical stance.

¹⁷ At the time of writing CSD is convening its second post-Johannesburg session (14-30 April 2004, New York), its twelfth session altogether.

opment camp alike. The position could be modelled for example along the lines of the UN High Commissioner for Human Rights. Ideally, it would, in addition to the original tasks of CSD, be positioned in a way that allows it to improve UN system-wide co-ordination and coherence by mediating at the senior management level conflicting interests between UNEP and UNDP as well as other agencies operating in the sustainable development arena. Such a proposal, while insufficient to cure the co-ordination dilemma at large, appears feasible regardless of more ambitious reform proposals and could plausibly be expected to make a contribution in guiding both governments and international agencies for the sake of a more coherent implementation of both Agenda 21 and the Johannesburg Plan of Implementation.

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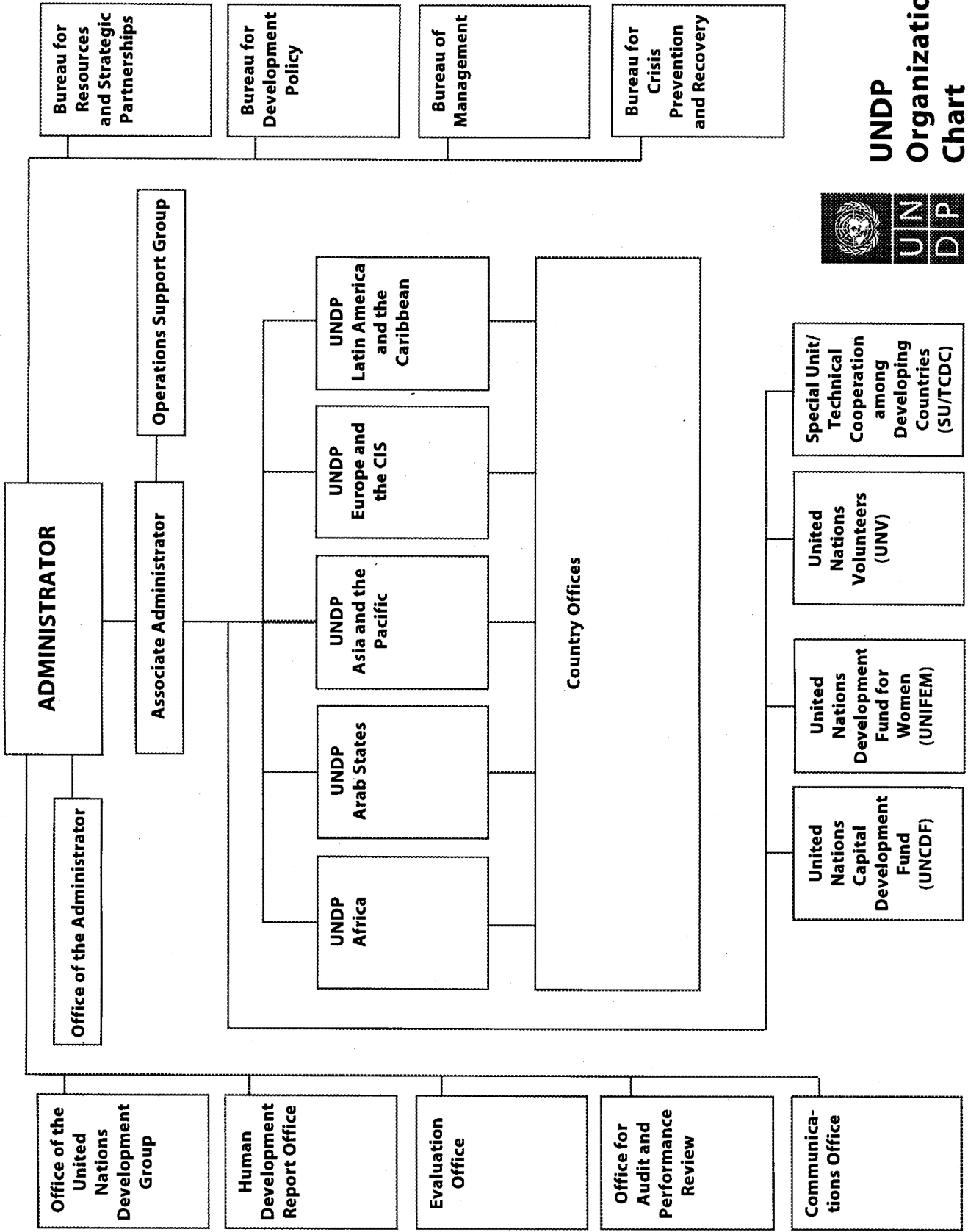
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Annex

I. Organisational Chart United Nations Development Programme

II. Organisational Chart United Nations Environment Programme



UNDP Organization Chart

UNEP

