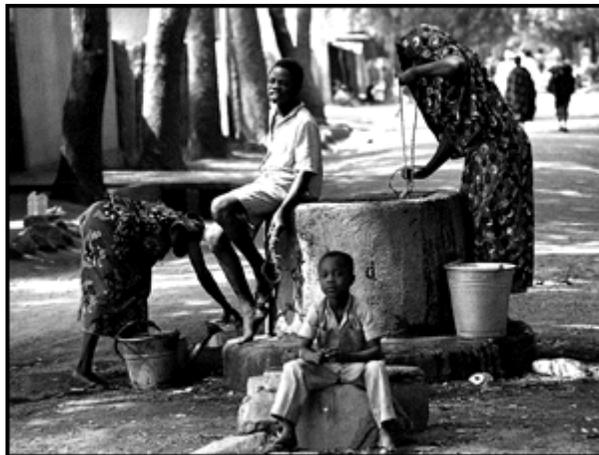

Towards a New System

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Outlines weaknesses in the governance of global environmental affairs and suggests a new integrated approach



There is a pressing need for an improved system of governance of global environmental issues. The increasing stress of environmental impacts of human activities on the planet and its resources is unlikely to diminish in the immediate future, while the essential interconnectedness of human affairs becomes increasingly apparent as forces for globalization grow stronger. Many problems will continue to require concerted responses by the international community, making the need for a more effective system all the more urgent.

An embryonic system of governance is slowly taking shape, embodied in the existing agreements and institutions: but there is much room for improvement, for rationalization, consolidation - and for accelerating its development. New or modified frameworks and mechanisms are likely to be needed. These will have to be inspired by a true spirit of collaboration between nations, and driven by creative and innovative approaches to the management of global affairs.

Many sensitive questions are involved and political will may fall woefully short of required action. It is timely, however, to review these issues, particularly in light of the 'Rio+5' discussions, and the general debate on United Nations reform.

Looking Back

Treaties and agreements on aspects of environmental management go back almost to the turn of the century. They include the 1906 convention between the United States and Mexico on equitably distributing the waters of the Rio Grande for irrigation; the 1909 boundary water treaty between Great Britain (on behalf of Canada) and the United States; the adoption, by the International Labour Organisation in 1920, of standards to protect workers against occupational environmental hazards; the Organization of American States 1940 Washington Convention on nature protection and wildlife preservation in the western hemisphere, and many others.

The United Nations Conference on the Human Environment in Stockholm in 1972 signalled the emergence of the environment as a key issue on the international political agenda. The emphasis, at the time, was largely on transboundary phenomena and public health. Nevertheless, discussions on the oceans as global commons ultimately led to the United Nations Convention on the Law of the Sea, and the Stockholm meeting paved the way for the Antarctica Agreement, the Basel Convention on Hazardous Wastes, and more. It also led to the establishment of UNEP - with a combined mandate of monitoring global environmental conditions and catalyzing action in the United Nations system - and accelerated the establishment of environment ministries in both developed and developing countries.

The report of the Brundtland Commission in 1987 was another important milestone. It established the essential links between the environment and economic development, thus broadening the environmental agenda beyond issues of conservation and protection. It offered a new paradigm, which has since taken hold in the concept of 'sustainable development', calling for a new era of economic development based on policies that sustain the environmental resource base, meet the needs of the present without compromising the future, and emphasize global equity in the use of resources. In doing so, it recognized the need for a greater democracy in international decision-making - and thus indirectly pointed to the underlying need for political reform in the international system and for new approaches to governance.



Collective Management

Established in the same year, the Montreal Protocol on Substances that Deplete the Ozone Layer exemplified a new type of global environmental convention. The world community negotiated an important agreement, based on urgent scientific evidence, which included a set of standards, an implementation schedule for reduction in emissions and a balanced consideration of North/South interests in implementation, including in its financing and governance.

The United Nations Conference on Environment and Development in Rio de Janeiro in 1992, attended by many heads of state, brought discussions to the highest political level with governments moving further towards the collective management of the global environment. The Conference made the basic premise of sustainable development an important global priority - and broadened participation in the policy debate by including members of the civil society, the business community, and many non-governmental organizations (NGOs).

The Conference led to the development of the Earth Charter; the adoption of Agenda 21 as an international framework for action; the signing of global conventions on biodiversity and climate change, and agreement on the need to develop the Convention to Combat Desertification. It also established the United Nations Commission on Sustainable Development and signalled the designation of the Global Environment Facility as a financial mechanism for the conventions.

Today, the governance of global environmental affairs is mediated by an intricate web of agreements, organizations and relationships. Key players include:

- The United Nations system, with its member governments, its organs and agencies, particularly UNEP and the United Nations Development Programme;

- The Bretton Woods institutions, particularly the World Bank;
- Multilateral regional organizations, including the regional development banks;
- Environmental treaties, agreements and conventions, which preceded Rio, with their support bodies;
- More recently created institutions and mechanisms, including the global environmental conventions on ozone depletion, biodiversity and climate change; the United Nations Commission on Sustainable Development and the Global Environment Facility;
- Other entities and forces which are involved in a myriad of ways and can strongly influence events, including the international scientific community, the private sector, the NGO community, and the media.

Together these form a loose structure of institutions and activities, addressing fundamentally similar, and often related, issues in a poorly coordinated and largely fragmented way. There is overlap and duplication, and there are significant gaps. Nevertheless, these players can be regarded as key components in an emerging embryonic system of governance of global environmental affairs.

In spite of significant progress and many substantial achievements, the system is beset by many weaknesses, ranging from governments' insufficient political will to discord between major interest groups; to uncertainties in interpreting the available science and genuine gaps in knowledge; to fundamental organizational weaknesses and to a chronic lack of resources. Thus for example:

- There are fundamental drawbacks to processes of multilateral negotiations. Decisions tend to reflect the lowest common denominator that can be agreed upon and there are usually long time lags between drafting, adoption and entry into force;
- Policy development tends to be fragmented, and decision-making piecemeal. Sometimes these are at odds. Often they are undertaken at an inappropriate level and with critical key players absent;
- The sovereign nature of conventions and the sectoral, quasi-independent structure of agencies encourage the individual pursuit of objectives and make cooperation difficult;
- The multiplicity of bodies dealing with similar issues leads to overlap, ambiguity, confusion and incoherence, and spreads the available resources too thinly;
- The general lack of accountability, the absence of enforcement mechanisms and the reliance on soft law encourages foot dragging and the pursuit of unilateral interests;

- The system reflects the opportunities, decisions and needs of the past. There has been little systemic consolidation, and long-standing activities have been perpetuated, regardless of their performance or current merit;
- The coordination of policies and actions is made difficult by the imbalance in relative power, influence and competence of key components, and the perception by some participants that the playing field is not even;
- There are inconsistencies on national policies within governments and weaknesses in their mechanisms for addressing environment and sustainable development issues. These spill over into the international domain and are aggravated by such global economic forces as trade, capital markets, new technologies and the activities of transnational corporations, which often leave governments behind;
- An almost universal resistance to relinquishing any aspect of national sovereignty to a common effort to address issues concerning the global commons results in a dysfunctional 'world' system, making effective, rapid progress all but impossible.

Some far-reaching proposals have attempted to address deficiencies. In 1989, for example, Britain proposed either creating a security council for the environment, or entrusting the existing security council with environmental matters. The same year President Gorbachev proposed creating a global environment emergency capability and the Hague Declaration called for a new institutional authority to set and implement environmental standards. There have been proposals to revive the United Nations trusteeship authority - entrusting it with global environmental concerns - and recent informal discussions on the merit of bringing the global environmental conventions under a single umbrella. All draw on a fundamental recognition that policy development and decision-making must be improved, and that joint strategies and the implementation of agreements must be coordinated more effectively.

Existing international arrangements have evolved to the point that the need for a comprehensive effort at rationalizing, streamlining and consolidating the present system has become compelling. Genuine progress in managing the global environment will require a move towards an overarching, coherent, international structure. Indeed, some have proposed the establishment of a Global Environmental Authority, with regulatory powers of its own, as the appropriate approach.

From a management viewpoint the requisite new framework can be embodied in different types of structure, different architecture, reflecting different organizational approaches. Some, for example, advocate the establishment of a new centralized agency modelled after already existing international bodies such as the World Trade Organization or the World Health Organization. But other, more imaginative models, favouring a decentralized approach, can be developed. These would reflect the potentials of new information and communication technologies and better fit the pluralistic, multi-faceted and cross-impacting characteristics of environmental concerns. Such an approach would emphasize linking already existing organizations more effectively. It would refocus their

mandates, add new capabilities to close functional gaps, and reconfigure and strengthen mechanisms for coordination and governance.

Unifying Principle Needed

Any new system should provide a clear and unifying organizing principle. It should be designed to ensure effective responses to global environmental problems. It should integrate the essential elements necessary in order to: monitor global environmental conditions, develop the appropriate international policies, promote optimal strategies for collective actions and leverage implementation, and ensure compliance and timely achievement of effective results. It should combine thoughtful rationalization and consolidation of key functions, sharper definition of roles and a clear division of labour, and a comprehensive coordination capability, in a coherent, well-managed whole.

Implementing a decentralized yet rigorously coherent system is likely to present demanding organizational and management challenges. Nevertheless, it may emerge as the most appropriate approach to pull together and progressively strengthen the loose framework of entities which form the nascent system of governance of global environmental affairs. One important component - UNEP - itself needs deep and far-reaching reform. Reinventing it could provide the impetus and the opportunity for rethinking the institutional framework for international environmental cooperation.

Managing the global environment cannot be approached as a zero sum game. Ultimately, all stand to win or to lose, thus making many key features of old style diplomacy obsolete. Imaginative developments towards an integrated system of governance of global environmental affairs may therefore contribute fresh thinking and innovative new approaches to international cooperation in general - and thus greatly enhance humanity's ability peacefully to manage life on this small, blue planet.

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