

Round Table UNEP - Establishing Universal Membership

2-3 February 2004, Cecilienhof, Potsdam

Summary of the Chairman¹

Representatives from thirteen current and four future EU Member States, the EU Commission, international organisations and academia accepted an invitation from the German Federal Foreign Office and the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety to participate in an international round table on the issue of universal membership in the Governing Council/Global Ministerial Environment Forum (GC/GMEF) of the United Nations Environment Programme (UNEP). The event, which was organised by Ecologic – Institute for International and European Environmental Policy, took place at Cecilienhof, Potsdam, Germany, on 2-3 February 2004. R. Andreas Kraemer, Director of Ecologic, chaired the round table.

The round table addressed a wide range of issues pertaining to universal membership in the GC/GMEF, in particular its political, financial, institutional and legal implications. The very productive discussion dealt with these issues in depth and contributed greatly to furthering the ongoing discussion within the EU. The discussion was extensive, open and sometimes controversial.

Participants were concerned about the current state of international environmental governance in general, and the situation in which UNEP has to operate in particular. Participants agreed that action is needed to strengthen environmental protection and conservation both within and outside the United Nations system, including at the national level, where implementation deficits persist and need to be addressed. Indeed, it has been a long-standing position of the EU that UNEP should be strengthened.

Participants acknowledged that the issue of universal membership is separate from other debates, such as the French initiative for the establishment of a United Nations specialised agency for the environment (UNEO). It was understood that universal membership is independent from any decision on UNEO, and that the decision on universal membership does in no way prejudice the outcome of current discussions on much more far-reaching institutional reform.

¹ This personal summary of the chairman does not contain a binding summary of the discussion.

Participants also recognised the complexity of the context in which the discussion of universal membership is embedded. This originates from the complexity of the environmental challenges, which each has its own characteristics, problem-solving mechanisms and decision-making structures. The result is a great diversity of institutional arrangements, which in turn imposes challenges on the co-ordination of processes and information flows, and the management of relationships among the institutions involved.

In view of this complexity, participants did not expect any one measure to be a panacea, and acknowledged that universal membership in UNEP is not a cure for all the problems in international environmental governance. They recognised the practical need for actions at different levels, using various instruments addressing different shortcomings. Given that there are other instruments and mechanisms for effecting desired changes, much of the discussion revolved around the right combination and the right sequence of measures.

Past discussions within the EU on this issue, as participants understood, have led to the widely shared view that universal membership in GC/GMEF of UNEP is one of the remedies to be applied, but that it does not preclude others. That view has been documented and communicated both within and outside the EU. Participants identified current pressure to maintain that view, and not allow divisions within the EU to weaken its position.

Participants agreed that there are no legal problems impeding universal membership. They were also of the opinion that the negative financial consequences of establishing universal membership are slight. It was understood that universal membership alone will not solve the larger issues surrounding UNEP financing. In light of the additional tasks given to UNEP, the questions are how to increase financial support of UNEP and ensure more reliable income. The view was expressed that universal membership could help current non-members to raise funds from national sources.

Participants recognised that universal membership, in view of practical and political considerations, is closely linked to two other issues:

- The streamlining of UNEP decision-making structures and, in particular, the establishment of a small governing body (e.g. an Executive Board or Extended Bureau) with a clear division and allocation of authority between it and the full members' meeting (Assembly) – an issue that will be further examined in a study announced by Sweden
- Clear and unequivocal support for capacity-building measures and support for developing countries, with a view towards facilitating and strengthening their participation within UNEP and the implementation of environmental policy measures at the national level.

Participants largely found that the potential disadvantages of universal membership in UNEP are low, and that the positive opportunities are clearly evident. The nature and importance of

the expected benefits, however, need to be spelled out more clearly, and the arguments for universal membership should be rehearsed and presented in their context.

Apart from the principle that it is right to have “one country, one vote” also applied in UNEP, most participants made a number of points about universal membership as a means to strengthen UNEP:

- It would mean strengthening political guidance via recommendations, for example on the regulatory approaches (as represented by multilateral environmental agreements, for instance);
- It would enhance UNEP’s ability to address emerging issues (not currently on its work programme);
- It would provide for more equitable and effective decision-making, programming and implementation.

Accordingly, the benefits of universal membership in UNEP would accrue in many areas, notably:

- The decision to establish universal membership would be a clear political signal of the continued support for international environmental policies, and would provide an additional impetus for reform of the governance structure;
- It would increase the legitimacy of the organisation and its decision-making power, both within UNEP and in its relations with other organisations inside and outside the UN;
- It would strengthen UNEP as a political driver for global environmental policy, and would increase the integration of environmental protection requirements into other policies;
- It would increase ownership by states to environmental initiatives and decisions made by the GC/GMEF.

Participants found that there continues to be a need to convince partner countries, notably the United States and countries at the G77, of the importance to reform and strengthen UNEP by various measures, including universal membership. The discussions at the round table also showed that, given the political need for the EU to further elaborate its position at the next GC/GMEF, and in the absence of alternative position, there is now an urgent need to further the debate within the EU and to prepare the EU to speak clearly and with one voice at the upcoming GC/GMEF in Jeju, Korea.