

North American Civil Society Statement to the UNEP Governing Council/Global Ministerial Environmental Forum, February 2005

November 11, 2004

1. This statement has been prepared by North American Civil Society Organizations for the Twenty-third Session of the UNEP Governing Council/Global Ministerial Environmental Forum (GC23/GMEF) to be held in February 2005, in Nairobi, Kenya. The statement is the product of discussions that took place at the North American Regional Civil Society Forum convened by UNEP on November 10th and 11th in Washington, D.C. The members of North American civil society that took part in the discussions are listed below.* This statement should be considered on its own and in support of the Global Civil Society statement that will be distributed at GC23/GMEF.

2. The North American region (Canada and the United States) accounts for a relatively small amount of UNEP's workload. Nonetheless, the global implications of climate change, loss of biological diversity, toxic chemicals pollution, access to fresh water, and other environment and development challenges mean that the success of UNEP's work plan is critically important to our region's economic, environmental, and social well-being. Moreover, the exceptional wealth, prestige, and technical expertise that our countries enjoy place a significant responsibility on civil society and our governments—especially the United States—to provide sufficient leadership and resources to ensure that UNEP can accomplish its mandated tasks. We urge our governments to re-commit themselves at GC23/GMEF to cooperate at all relevant levels in support of UNEP's mission, and to provide the necessary financial and technical resources that such cooperation will entail.

3. North American Civil Society Organizations encourage UNEP to continue and strengthen its efforts to promote the integral participation of civil society in UNEP activities and in international and national processes, programs, and initiatives. We commend UNEP's recent publication of the booklet, "Natural Allies: UNEP and Civil Society," as helpful to this effort. Civil society can serve as a critical constituency to support efforts of UNEP and national governments to promote sustainable development.

4. GC23/GMEF will focus on finalizing UNEP's Proposed Biennial Programme and Support Budget for 2006-07, as well as the broader issue of International Environmental Governance. Accordingly, the balance of this statement concentrates on these agenda items.

UNEP's Proposed Biennial Programme of Work, 2006-07

5. Format of the Biennial Programme Document. North American Civil Society Organizations welcome the opportunity to review and comment on the Proposed Biennial Programme and Support Budget. While the format represents an improvement over documents

* Forum participants strove for consensus in reaching our conclusions. Nonetheless, the listing of participants' names at the end of this statement should not be interpreted as meaning that every listed individual or Civil Society Organization necessarily endorses every point contained in the statement.

from previous years, it is still extremely dense and complex, making it difficult for Civil Society Organizations to participate in a constructive review of it. Consideration should be given to whether and how a more user-friendly overview might make the Draft Programme of Work more accessible to Civil Society Organizations in order to allow them to better understand and, if they desire to do so, voice an opinion about its contents.

6. Programme Priorities. UNEP and governments should initiate discussion about priority setting for the biennium, and Civil Society Organizations should be encouraged to participate meaningfully in that discussion. Emphasis should be placed on orienting priorities towards achieving the Millennium Development Goals and supporting the Johannesburg Plan of Implementation.

7. Intergovernmental Strategic Plan on Technology Support and Capacity Building (IGSP). UNEP should incorporate into its work program and into the IGSP a systematic approach to achieve sustainable development goals, including those established by Agenda 21, the Cairo Consensus, the Johannesburg Plan of Implementation, multilateral environmental agreements, and the Millennium Development Goals. While UNEP is moving in the right direction, the following elements should be explicit in the Programme of Work:

- Systematic evaluation, on a demand driven basis, of the needs of developing countries for assistance and capacity building to address the environment-related challenges of sustainable development;
- Establishment, through a consensual process, of multilateral work plans with targets, timetables, benchmarks of progress, monitoring, and reporting, and including funding and other resources and policy initiatives, to address the needs identified through the process just described, as well as common regional and global sustainable development needs;
- Participation by and coordination among multilateral and bilateral donors, so that funding responsibilities are allocated among donors to ensure that needs are addressed and goals are met; and
- Transparency and public participation in the deliberations.

8. Policy Development and Law. UNEP and governments should complete the mid-term review called for under Montevideo Programme III (Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century), by approving the Executive Director's report on this subject. Governments should support the further implementation of Montevideo Programme III and should continue the overall process with Montevideo Programme IV.

9. Training. UNEP, governments, and relevant Civil Society Organizations should renew their commitment to enhancing sustainable development at the national and local level by supporting and expanding national and regional training programs on environmental law, especially those that focus on environmental training for judges.

10. Policy Implementation. The goal of strengthening capacity and coordinating mechanisms in the implementation of environmental policies and practices should include cross-sectoral programming that integrates population, health, and gender equity with environmental

management, and places these efforts in the larger context of sustainable development. Wangari Maathai's Greenbelt Movement in Kenya and the I-POPCORM program in the Philippines, which integrates reproductive health care and coastal management, are two such examples. In addition, UNEP is encouraged to indicate the ultimate implementation goals and opportunities presented by various initiatives it develops or participates in, including but not limited to data collection and research efforts.

11. North American National Sustainable Development Strategies. While the United States, Canada, and other industrialized countries have met most of their domestic targets under Millennium Development Goals 1 through 7, they have not yet met Target 9, which calls upon governments to "integrate the principles of sustainable development into country policies and programmes and reverse the losses of environmental resources." North American governments must work towards meeting Target 9, specifically by:

- initiating a public inter-agency process, with substantive input from civil society, to develop coherent domestic sustainable development strategies, to identify dissonant policies and regulations, and to suggest opportunities for policy harmonization;
- substantively engaging in the UNEP and UN Department of Economic and Social Affairs-driven "Marrakech Process on Sustainable Consumption and Production" to develop a North American Strategy on Sustainable Production and Consumption; and
- participating in the UN Decade for Education for Sustainable Development and promoting Sustainable Production and Consumption education campaigns, in both domestic and international contexts.

12. Preparatory Regional Meetings for the Global Civil Society Forum. Our Civil Society Organizations appreciate UNEP North America's sponsorship of our regional Civil Society Forum, and we value the opportunity to provide our views through the Global Civil Society Forum process. The following suggestions are made with a view to increasing the usefulness of the Forum for both Civil Society Organizations and UNEP:

- UNEP should continue working with Civil Society Organizations to increase participation in the Forum. In particular, attention should be directed to increasing the involvement of indigenous organizations and under-represented minorities and groups (including members of the environmental justice movement).
- Participation could be enhanced by providing more advance notice and coordination with other meetings (e.g., GEF Council meetings) where CSO attendance is likely, and by greater utilization of teleconferencing, video conferencing, web conferencing, or online meetings.
- If the Forum were perceived as an ongoing activity, rather than a discrete, once-a-year event, there might be greater continuity, communication, and collaboration between Forums. The Forums thus might build upon each other, rather than revisiting some of the same conversations. Academic institutions might have a significant role to play in outreach and continuity, because they have the ability to marshal resources and house institutional knowledge. Additionally, greater utilization of existing Civil Society Organization networks might increase outreach and involvement, ensure institutional continuity, and catalyze more valuable contributions by new participants.

13. Environmental Conventions. UNEP presently serves as implementing agency to a Global Environment Facility medium-sized project entitled, “Fostering Active and Effective Civil Society Participation in Preparations for Implementation of the Stockholm Convention” (also known as the “International POPs Elimination Project”). UNEP should work with other UN bodies to develop similar GEF projects with appropriate civil society networks to enhance the capacity of local and regional NGOs in developing countries and economies in transition so that they may assist in public participation and awareness-raising activities related to implementation of other multilateral environmental agreements.

14. Communication and Public Information. North American Civil Society Organizations can play a significant role as advocates for UNEP and, more broadly, in raising awareness in the United States and Canada about the relevance and importance of international environmental issues and UNEP’s role in domestic and international sustainable development efforts. To much of the North American public, however, the language and publications of the United Nations and UNEP may be off-putting and user-unfriendly. A number of North American organizations with significant networks and capabilities might be more willing to add UNEP to their advocacy if they were provided with UNEP materials that used simple, straightforward language and that tied environmental needs and solutions to specific localities and people.

Budget and Funding

15. In light of the array of tasks identified in the Programme of Work and other activities that UNEP may need to undertake to fulfill its mandates, the UNEP budget is simply too low to meet the needs of dealing with the increasingly complex and growing list of global environmental challenges. Since its inception, UNEP’s role as catalyst has been broadened to include implementation, but its budget has not kept pace. Governments must continue to explore ways to remedy this problem, including the consideration of mandatory assessments at appropriate levels.

16. While it is unlikely to solve UNEP’s ongoing funding difficulties, the voluntary indicative scale of contributions that UNEP has piloted may be a helpful initial step. UNEP should publicly distribute its analyses of successes and shortcomings of this pilot phase so that civil society and other stakeholders may evaluate it in an informed way.

17. UNEP should continue to explore new and additional sources of funding. These may include partnerships with the corporate sector, which may be appropriate in light of the reality that corporations need to be part of the solution for achieving sustainable development. However, because corporations are motivated by the search for profits, and in light of recent controversies involving corporate finance in other venues, UNEP must accept corporate financing only in a fully transparent manner and under clear policies that avoid conflicts of interest and ensure corporate accountability.

International Environmental Governance

18. Regardless of the future form and direction of international environmental governance, any reforms to the present system should enhance coordination and coherence, and must not increase fragmentation or duplication.

19. Reform must not serve as an excuse to consolidate bureaucratic power or cannibalize productive, functional UNEP units, especially those units that have earned a reputation for working effectively with NGOs and other Civil Society Organizations. For example, in the field of chemicals, most NGOs believe that the Stockholm POPs and Rotterdam Prior Informed Consent Conventions—and now the Strategic Approach to International Chemicals Management—may not have happened without UNEP Chemicals’ support and facilitation. That role will be crucial to success in dealing with the evolving chemicals and wastes agenda. These multilateral processes may be viewed as models for a successful approach to inclusive Civil Society Organization participation in international environmental governance, as well as examples of the strengths that UNEP can bring to dealing with complex environmental challenges.

20. Some of the desire for governance reform stems from a belief that the international environment and economic systems are fundamentally at odds with each other, and that environmental governance must be strengthened to counter the perceived strength of the international trade system. While there are doubtlessly numerous ways that the two systems could be better coordinated, a deeper understanding of the fact that environment and development are indivisibly linked could help guide decision-makers towards international environmental governance reforms that would more successfully achieve truly sustainable development. To that end, GC23/GMEF should consider commissioning a study that clearly lays out the mutually dependent and supportive relationships between environmentally sound practice and sustainable development.

21. While some of UNEP’s capacity building efforts have been quite successful (e.g., projects aimed at training government officials, such as environmental training of judges), other efforts have had more mixed results. In many situations, local and grassroots capacity building may best be left to Civil Society Organizations. Objective consideration of the relative strengths and capacities of UNEP and Civil Society Organizations—and not merely a desire to procure additional funding through the pursuit of projects—should be key to deciding whether UNEP should engage in a project or instead function as a facilitator or convener so that others may perform the actual project duties.

22. One important function UNEP could serve in the area of capacity building may be as a clearing house or coordinator, in which UNEP would identify countries or regions with environmental capacity building needs and link them to appropriate governments and/or Civil

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