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# **Institutional Framework for Sustainable Development**



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## 1. Introduction

- 1.** Sustainable development, with its three interrelated and mutually reinforcing pillars, has been a general objective of the international community since the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992. Nevertheless, although there has been some progress toward sustainability, human welfare—especially among society’s poor and vulnerable groups—has been affected negatively, due in large part to the growing scale and complexity of environmental change.
- 2.** The institutional framework created to address the challenges of sustainable development includes a set of bodies, organisations, networks and arrangements with varying degrees of official status that participate in activities of policy formulation and execution. This framework must be taken into account in local, national, regional and international planning.<sup>1</sup>
- 3.** At the global scale, within this institutional framework, there has been a high increase in the number of institutions and agreements oriented to achieving sustainable development, especially since the United Nations Conference on Environment and Development in 1992 (the “Rio Conference”).
- 4.** One of the results of the Rio Conference was the reaffirmation of the role of the United Nations Environment Programme (UNEP), which was created through United Nations General Assembly Resolution 2997 (XXVII) of 15 December 1972 as the United Nations System’s environmental authority. The Conference also created the Commission on Sustainable Development (CSD), which has 53 members and is designed primarily to monitor implementation and funding of Agenda 21, and established a new United Nations Department for Policy Coordination and Sustainable Development, as well as an Inter-Agency Committee on Sustainable Development. This institutional structure was complemented by the formation of the Earth Council (an independent, non-governmental organization designed to promote and further the implementation of the agreements made at the Earth Summit) and the creation of the special funding mechanism known as the Global Environment Facility (GEF). In addition, two important agreements were concluded—the United Nations Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD)—and negotiations were begun on the United Nations Convention to Combat Desertification (UNCCD).
- 5.** This institutional framework has a complementary relationship with other organisations, programmes and agreements whose mandates and work agendas include sustainable development.
- 6.** Despite the creation of new institutions to further progress toward sustainable development, however, the cumulative action of the institutions has not proven capable of holding back the global change that affects human well-being.

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<sup>1</sup> Doc. A/CONF.216/PC/7 – Objectives and Themes of the United Nations Conference on Sustainable Development, Report of the Secretary General.

**7.** Thus, the institutional issues were considered by the World Summit on Sustainable Development in 2002,<sup>2</sup> whose Johannesburg Plan of Implementation (JPOI) contains a chapter on “Institutional frameworks for sustainable development”. The JPOI presents a series of commitments that support improving systems of governance for sustainability at all levels. The specific commitments include (*Article 139-f*) “increasing effectiveness and efficiency through limiting overlap and duplication of activities of international organizations, within and outside the United Nations system, based on their mandates and comparative advantages”; (*Article 140-b*) “Strengthen[ing] collaboration within and between the United Nations system, international financial institutions, the Global Environment Facility and the World Trade Organization, utilizing the United Nations System Chief Executives Board for Coordination, the United Nations Development Group, the Environment Management Group and other inter-agency coordinating bodies. Strengthened interagency collaboration should be pursued in all relevant contexts, with special emphasis on the operational level and involving partnership arrangements on specific issues, to support, in particular, the efforts of developing countries in implementing Agenda 21”; and (*Article 140-d*) “Fully implement[ing] the outcomes of the decision on international environmental governance adopted by the Governing Council of the United Nations Environment Programme at its seventh special session 46 and invit[ing] the General Assembly at its fifty -seventh session to consider the important but complex issue of establishing universal membership for the Governing Council/Global Ministerial Environment Forum”.

**8.** Also, the document emerging from the 2005 World Summit (A/Res/60/1) contains a paragraph (parag. 169) that sets forth areas for further thinking about the current institutional framework of the United Nations’ environmental work. These areas include: better coordination, a better approach to policy, greater scientific knowledge; with more evaluation and cooperation in this area, better enforcement of treaties with respect for their legal autonomy, and better integration of environmental activities at the operational level in the framework of sustainable development, including capacity-building.

**9.** Currently, although the scope of sustainable development governance has been broadened substantially, it is recognised that a great deal of the failure to meet the environmental objectives of Agenda 21, JPOI and multilateral environmental agreements is due to failures related directly to the Institutional Framework for Sustainable Development, which is recognised as being weak and fragmented, with a compartmentalised pattern of regimes and institutions, and a consequent lack of consistency and coordination.

**10.** Among these are the failures to integrate social, environmental and economic objectives in policies and interventions for sustainable development; achieve

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<sup>2</sup> The World Summit on Sustainable Development (WSSD) took place from 26 August to 4 September 2002 in Johannesburg, South Africa. The Summit’s goal, according to UN General Assembly Resolution 55/199, was to review the ten years that had passed since the 1992 UN Conference on Environment and Development (UNCED) at the summit level, in order to renew the global commitment to sustainable development.

consistency and coordination between the fragmented multilateral environmental agreements, and adapt, implement environment-related legislation at the national level; and create at the national level enabling conditions that bring about the involvement of stakeholders.

**11.** There is thus a wide consensus on the importance of ensuring an institutional framework that is effective at all levels, including the institutions and mechanisms that are responsible for comprehensively addressing the three pillars, as well as those institutions that specialise in one or another of the pillars. This means that there is a need to strengthen the current Institutional Framework for Sustainable Development at all levels, integrating the three pillars in policy formulation and implementation.

**12.** For these reasons, United Nations General Assembly Resolution 64/236—after establishing as an objective of the United Nations Conference on Sustainable Development the renewing of a political commitment to sustainable development with an assessment of progress to date, in addition to evaluating persisting gaps in compliance and dealing with new difficulties as they emerge—designated the Institutional Framework for Sustainable Development as one of its central themes.

## **2. Elements of the Institutional Framework for Sustainable Development**

**13.** The Institutional Framework for Sustainable Development must deliver a variety of functions at the local, national, regional and world level, among which are:

- a.** Achieve policies and planning for the social, environmental and economic dimensions of sustainable development, coherence across local, national, regional and global levels; and maximise synergies among objectives and processes;
- b.** Chart pathways and put in place supportive implementation arrangements through which the goals and objectives are addressed;
- c.** Assess achievement of the goals and objectives through monitoring of implementation, assessment and reporting of progress, and accountability procedures for commitments;
- d.** Exercise oversight of operating entities established to support all functions.
- e.** Keep under review the adequacy of the amalgam of institutional arrangements and ensure that they are working to purpose: enhancing human well-being, achieving social equity including across generations, ensuring environmental sustainability, and practicing participatory development.

**14.** The Institutional Framework for Sustainable Development must also promote greater public understanding of the unprecedented problems facing human society today, must respond on an urgent basis with consistent policies, must ensure more equitable distribution of the economic benefits of

development, and must integrate the social, environmental and economic dimensions of sustainable development in policy decisions and approaches to development.

**15.** Thus, systematic arrangements for informed public participation at all levels of decision-making are a necessary part of the Institutional Framework for Sustainable Development, and are called for by Principle 10 of the Rio Declaration, Agenda 21, the JPOI and the decisions of the UNEP Governing Council . Such arrangements would allow for shared analysis of issues and challenges, building consensus among the stakeholders on objectives and possible approaches and policies to achieve them effectively supporting implementation of these policies and approaches through contributions from and compliance by stakeholders. Building such consensus and participation is fundamental to balancing the social, environmental and economic aspects of sustainable development, and for moving in a concerted way to achieve the objectives. Generally, many societies have not adequately invested in creating and managing these arrangements, which are necessary for more participatory governance.<sup>3</sup>

*As a contribution to addressing the issue, the Report of the Secretary General of the United Nations to the second meeting of the Preparatory Committee for the United Nations Conference on Sustainable Development<sup>4</sup> summarised the various objectives involved in strengthening the Institutional Framework for Sustainable Development as follows:*

- *To ensure the consistency and integration of policies in the economic, social and environmental areas;*
- *To improve scientific analysis, evaluation and advice;*
- *To strengthen execution, supervision and accountability;*
- *To limit overlapping or duplication of activities;*
- *To encourage participation; and*
- *To strengthen national and local capacities for sustainable development.*

### **3. The importance of the environmental pillar**

#### **3.1. Background**

**16.** An international governance system of governance includes, in the first place, the institutions and mechanisms that are responsible for the complete process, and

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<sup>3</sup> The Aarhus Convention in the region of the United Nations Economic Commission for Europe is a positive example of Principle 10 put into practice.

<sup>4</sup> A/CONF.216/PC/7, 22 December 2010, **Preparatory Committee of the United Nations on Sustainable Development, Second Meeting: Objectives and Themes of the United Nations Conference on Sustainable Development, Report of the Secretary General.**

for integrating all the aspects of sustainable development. At the same time, it includes institutions specialising in the three key areas.

**17.** Since the Stockholm Conference on the Human Environment in 1972, there has been progress in protecting the environment by creating and strengthening institutional mechanisms. Such mechanisms have been established to address environmental issues at the sectoral level, as well as deal with relationships between environmental, economic and developmental realities. Despite progress, however, as the Secretary General's report in the context of the first meeting of the Preparatory Committee for the Rio+20 Conference states, the environment continues to deteriorate and must be addressed by further strengthening of national, regional and international environmental governance.

**18.** Principle 4 of the Rio Declaration on Environment and Development states that "In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it." That is why environmental issues are closely related to questions of economic and social development, as well as with poverty. The Millennium Ecosystem Assessment shows that there is a direct relationship between the health of the environment (ecosystems) and economic and social well-being, and demonstrates conclusively that efforts to mitigate poverty and improve the welfare of human beings will not be successful in places where environmental degradation continues to be permitted. All the resources that we use come from the processes of ecosystems, which create benefits for people.<sup>5</sup> Essentially, the goods and services that drive our economy and support our social systems are to a large extent the result of having a healthy and functional environment.

**19.** Just as environmental services are the foundation of social and economic well-being, and hence of sustainable development, the governance systems of the three pillars together constitute the basic elements of governance for sustainable development. For a system of governance for sustainable development to work, the governance structure must be equally strong for each of the three pillars, and the three must reinforce each other mutually.

### **3.2 Deficiencies in the sustainable development context**

**20.** The assessment of gaps or lags in efforts toward environmental objectives, as compared with progress in the social and economic areas, reveals a gap between goals and achievement. This is principally due to a failure to make environmental variables, including the value of natural capital and ecosystem services, a part of economic decision-making. This, in turn, reflects a failure to give due importance to environmental issues as part of the development process. Most environmental objectives can be achieved only by being made a part of economic planning and decision-making. This means that the "voice of the environment" within the

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<sup>5</sup> R. L. Goldman, "Ecosystem services: how people benefit from nature", *Environment: Science and Policy for Sustainable Development*, vol. 52, no. 5, pp. 15-23.



relevant ministries, even within the relevant ministries, must be valued more, and must play an effective role in planning, budgeting for and funding sectoral programmes.

**21.** Reviewing the strong points of the economic and social pillars shows that they are set on a much more solid foundation than is the environmental pillar, since they contain powerful basic institutions that determine global and regional policy, with effects that filter down to the national level.

**22.** Within the economic pillar, the international financial institutions, especially the World Bank Group, International Monetary Fund (IMF) and the World Trade Organisation (WTO), function as a bulwark for economic interests, and have a significant effect on national policies.

**23.** Within the social pillar, institutions such as United Nations Development Programme (UNDP), International Labour Organisation (ILO) and the World Health Organisation (WHO) have their areas of specialisation based on internationally agreed norms and principles. Although international social governance structures are not as strict as those in the economic sphere, the moral imperative for decision makers to ensure social welfare, in combination with the political pressure of an electorate that can speak for itself, add up to a sufficient basis for measures to be carried out successfully.

**24.** On the other hand, the fragmented nature of the environmental pillar's governance structure, and its relatively minor funding provisions, make it much weaker for various reasons. One factor is that protecting the environment does not enjoy the moral weight attributed to the protection of human life. Another is that, in economic terms generally speaking, the environment is considered a "public good", in other words, one freely available to human beings, belonging to no one, and devoid of economic value or cost.

**25.** This weakness of the economic pillar was recognised by the Secretary General in his report to the first meeting of the Preparatory Committee of the United Nations Conference on Sustainable Development (A/CONF.216/PC/2), where he stated that "The environmental pillar is perhaps where progress has been the slowest" and that "most indicators of environmental improvement have not demonstrated appreciable convergence with those of economic and social progress; indeed, the overall picture is one of increased divergence".

**26.** Effective management of the environment faces another obstacle as well, because of the fact that the environment is connected with a series of localised sectors within the social and economic spheres, including finance and development, industry, agriculture, health and culture. This means that sustainable development has not been implemented strongly enough, since that would require the social and economic pillars to integrate the environment in their decision-making processes, even where they do not consider it an area of special interest.

**27.** In addition to the weakness of the environmental pillar's governance system, the lack of a sustainable development entity with sufficient authority to achieve coordinated governance of the three pillars means that governance in the area of sustainable development is generally weak.

### **3.3. Challenges in implementing multilateral environmental agreements (MEAs)**

**28.** At the global scale, there are hundreds of MEAs related to various environmental issues. These represent a response to the seriousness of environmental problems that cross national borders, and reveal a growing awareness of the fact that these problems can only be effectively addressed through international cooperation.

**29.** In general, the MEAs have been an important component in the creation of standards, policies and guidelines to advance protection of the world environment, and are one of the best mechanisms for countries to comply with their environmental commitments. Although most of the main MEAs have gained great acceptance and have been ratified with ample willingness, their implementation has been less successful, which is why the consistency and coordination of efforts to implement them have become a fundamental challenge for international environmental governance.

**30.** In this connection, it is recognised that the system has deficiencies that lead to inconsistencies in the international legal regime, that there is a lack of capacity to take advantage of functional synergies and address critical problems that transcend the more limited scopes of the agreements, that funding for implementing programmes is insufficient and unpredictable, and that the global system of institutional support for the implementation of MEAs is fragmented.

**31.** The great number of MEAs creates additional challenges for the developing countries both for implementation at the national level and in terms of consistency among the strategies connected with the different agreements, as well as in terms of participation in decision-making and as a function of the ever greater demand for monitoring and reports.

**32.** In response to this situation, efforts have concentrated on achieving greater coordination among the multilateral environmental agreements through joint administrative support and thematic grouping. In this respect, the simultaneous holding of meetings of the Conferences of the Parties of the Stockholm, Rotterdam and Basel Conventions on 22-24 February 2010 represented one more step in the quest for more synergy.

### **3.4. Options for strengthening environmental governance**

**33.** The frameworks of some initiatives have included options to strengthen international environmental governance, and the consultation process initiated by the UNEP Governing Council has acquired importance. The Belgrade process was governed by the principle that form should follow function, and it set forth objectives and functions for a system of international environmental governance in the context of environmental sustainability and sustainable development. The Nairobi-Helsinki Outcome document was then produced, representing an important step forward in identifying gaps in current functions. It recommended adopting

reforms across the system to remedy the gaps. It also came up with a number of options for institutional reform, while rejecting others.<sup>6</sup>

### ***Institutional options***

**a) *Enhancing UNEP.*** Universal membership for the UNEP Governing Council (which currently has 58 members); stronger implementation capacity; closer working relations with MEAs and the GEF. . This could be achieved by resolution of the General Assembly.

**b) *Establishing a new umbrella organisation for sustainable development.*** Such a new institution would have executive functions, possibly based on intergovernmental entities and an existing secretariat. The institution would promote the incorporation of sustainable development in the work of the institutions responsible for the economic, social and environmental pillars. It would be created by a resolution of the General Assembly, or by means of a legal instrument.

**c) *Establishing a specialised agency such as a world environment organisation.*** A specialised organisation of this type would be modelled on United Nations organisations such as the World Health Organisation and FAO, which are hybrid normative/operational entities. In addition to the functions described under the ‘enhancing UNEP’ option, the proposed institution would have worldwide authority on environmental matters, and would provide normative guidelines for other UN agencies working in this area, and set the policy agenda for multilateral environmental agreements. Focusing on implementation it would work closely with governments to enhance their human, institutional and technological capacity. An organisation would be created through an independent negotiation process.

**d) *Reforming the United Nations Economic and Social Council and the Commission on Sustainable Development.*** As to the Economic and Social Council, the possibilities put forth include strengthening its coordination functions as they relate to sustainable development—for example, by establishing a “sustainable development segment” to more thoroughly examine the reports of the various commissions and organisational bodies such as UNEP. The Council could also be merged with the Commission on Sustainable Development, thus creating a Sustainable Development Council. The possibility has also been mentioned of giving the Commission higher status, renaming it a Sustainable Development Council—a step that could be taken by resolution of the General Assembly.

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<sup>6</sup> The Consultative Group of Ministers or High-Level Representatives on International Environmental Governance I met in Nairobi on 7-9 July 2010, and in Espoo, Finland on 21-23 November 2010. The result of this work was approved by the Group at the Espoo meeting, and is known as the Nairobi-Helsinki Outcome document. It was published in document UNEP/GC.26/18 and transmitted to the second preparatory meeting for Rio+20 in March 2011.

**e) Enhancing institutional reforms and streamlining existing structures.** This option is achieved through the implementation of incremental reforms as suggested by the Nairobi – Helsinki Outcome and the Belgrade Process. It would primarily aim at system-wide coherence through a new medium-term strategy.

**34.** A more recent step to examine the Institutional Framework for Sustainable Development in a broader sense was the High-Level Dialogue on the Institutional Framework for Sustainable Development hosted by the government of the Republic of Indonesia and the Rio+20 Secretariat. This took place in Solo, Indonesia on 19-21 July 2011, as part of the preparations for the United Nations Conference on Sustainable Development. It represented an advance as a frank exchange of views at a high level on options for strengthening the institutional framework so as to move forward in formulating concrete proposals that might be considered and adopted at Rio+20. Participating in this dialogue were representatives of 71 countries, 31 international organisations and major UN groups and entities, including UN DESA, UNDP, UNEP, UNESCO, ILO, UNESCAP and UN-Habitat.

**SOLO Message.** *The Chair provided the following messages to move the discussions on the IFSD forward:*

*First: To achieve our shared goal, we need to renew our political commitment for sustainable development. We also need to translate this commitment into implementation.*

*Second: We need to ensure that the economic, social and environmental pillars work together, with each pillar integrating the goals of the two other pillars.*

*Third: At the international level, we need an organization to enhance the integration of sustainable development. Various options were discussed, ranging from an enhanced mandate for ECOSOC and reviewing the role of CSD, to the establishment of a Sustainable Development Council*

*Fourth: At the national level, there is a need for more integrated support for national strategies. Various options were discussed, including Delivering as One.*

*Fifth: There is a need to strengthen UNEP and a number of options were discussed.*

*Sixth: More broadly, sustainable development governance at the local, national and regional level needs to be reviewed, supported and strengthened.*

*Seventh: Adequate and additional financing is necessary to enable implementation, capacity building and technology transfer.*

#### **4. Progress and challenges in the Region**

**35.** Currently, rights and responsibilities related to the environment are enshrined in most of the constitutions of the Region's countries, and most of the countries have passed general laws or instituted frameworks in the area. Some of

these measures have already undergone reform, with supplementary legislation to incorporate instruments and principles from the Rio Declaration. Also, all the Region's countries now have a ministry, secretariat or the equivalent devoted to the environment—in some cases exclusively, in other cases along with another area or areas that are key for development.

**36.** However, limitations persist in the coordination and consistency of development decisions and policies. In addition, the environmental pillar generally continues to be the weakest. A reflection of this is that environmental authorities regularly have lower positions in the hierarchy than other policy areas, and lower priority when it comes to allocating financial and human resources.

**37.** The lack of connection between social, economic and environmental policy impedes integral and simultaneous progress in the three areas, since while significant efforts are being made for the environment, policies remain in place that allow behaviours to continue that are inefficient or that aggravate the problems that environmental legislation is attempting to solve. Moreover, there is but a weak awareness of the potential of the environment to drive development, and of environmental change as one of the central elements for planning land use and major infrastructure works.

**38.** These weaknesses of the institutional framework are evident in many of the Region's countries in the emergence of socio-environmental conflicts, and in an excessive judicialisation of environmental causes, which are characterised by technical and political complexity.

**39.** On the regional and subregional levels, arrangements for dialogue and coordination have been established and strengthened, and mechanisms for South-South cooperation between countries and subregions in Latin America and the Caribbean have been promoted. Nonetheless, the subregional and regional cooperation agenda has revealed some limitations in terms of its ability to generate shared positions that would give the Region greater influence at the international level.

## **5. Visions and proposals to address the theme by the United Nations Conference on Sustainable Development**

**40.** The **Common Statement by the UN System Chief Executives Board on the Outcome of the United Nations Conference on Sustainable Development** provides a view of the issues based on the experience of the United Nations System in working on these issues. After stating that "At the United Nations Conference on Sustainable Development (or Rio+20), renewed commitment and urgent action is therefore needed to lay a firm foundation for a longer-term process

of redressing imbalances, agreeing on priorities, and reforming institutional arrangements at all levels, to bring about coherence and the integration of policies across the economic, environmental and social pillars, with human beings and their wellbeing at the centre”, the statement goes on to say that “In the current fragmented system, institutional reform is unquestionably needed at both national, regional and international levels, to integrate the dimensions of sustainable development, improve effectiveness in implementation, urgently scale-up activities, and bring about further coordination and coherence of policy.” The statement also indicates that the UN has decided to do its part in the process of institutional reform by improving the system’s coordination mechanisms, and by reviewing and improving policies and programmes, using joint programming among other methods. However, the statement warns that “this may not be sufficient, and Rio+20 should consider continued efforts on broader reforms within the UN system, for example, the strengthening of institutions, mandates and regulatory frameworks, or making structural changes.”

**41.** In this context, the Secretariat of the United Nations Environment Programme, in its **Input to the Compilation Document for the United Nations Conference on Sustainable Development (UNCSD)**, indicates that the lack of a strong environmental authority at the subnational, national and global levels partially explains the weakness of the Institutional Framework for Sustainable Development, and that “the Conference might consider how to enhance cooperation among and performance of existing organizations, as well as establish new mechanisms to address the barriers to implementation”.

**42.** The proposals on this issue address the national, regional and global levels, as follows:

- For the national level:
  - a. Bringing together social, environmental and economic related decision-making bodies through, for example, an inter-ministerial committee to ensure that economic policies are at the service of the social and environmental objectives and to take full cognizance of the commitments undertaken at global and regional levels setting up an effective mechanism for consensus building among stakeholders (perhaps by revisiting Sustainable Development Councils as recommended in Agenda 21 representing all stakeholders, with independent leadership, in order to achieve better legitimacy and participation in governance, and to ensure continuity in direction)).
  - b. Strengthening the authority of environmental ministries, to effectively represent the centrality of environmental issues to economic progress and human well-being and related organisations, to effectively represent the centrality of environmental issues to economic progress and human welfare.

- c. Creating a mechanism—for example, a national ombudsman—to monitor the equity outcome of development, and to advocate and promote adjustments as necessary, within and across generations.
- d. Making use of peer review or advisory bodies organized at national or subregional levels to appraise the movement toward sustainable development. Investing more in building public awareness and understanding by providing open and systematic public access to information; for this purpose, develop national or regional agreements, modelled for example on the Aarhus Convention, and taking into account the [“UNEP Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters”](#) (2010 ).
- e. Enhancing the knowledge base to provide integrated data and information to improve decision-making, facilitating open access for decision-makers and the public, and improving data accessibility through better collaboration with global networks, making use of modern information and communication technologies.<sup>7</sup>
- f. Devolving responsibility to sub-national levels, in keeping with a principle of subsidiarity, for governance, implementation, and accountability within the framework of national policies and plans, and to involve local communities in decision-making
- **For the regional level:**
  - a. replicating an inter-ministerial mechanism that would bring together social, environmental and economic decision-makers to design regional level approaches that would bridge and support national and global processes;
  - b. making better use of regional and sub-regional inter-governmental organizations to contribute to ensuring coherence of sustainable development policies between national and global levels; supporting countries in their implementation, monitoring and reporting; and encouraging accountability;
  - c. forging approaches for the management of shared resources and transboundary issues; and
  - d. developing regional or sub-regional agreements to give effect to Principle 10 of the Rio Principles as noted above.
- **For the global level:**
  - a. Enhancing the normative framework for a more integrated approach for delivery of sustainable development, through the formulation of Sustainable

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<sup>7</sup> The Eye on Earth Summit in Abu Dhabi on 12-15 December represents an opportunity for the major groups, the United Nations System and the financial institutions to advance in collaborating for these objectives.

Development Goals to harmonize social, environmental and economic objectives;

- b.** Creating a special arrangement for oversight of and advice on equity as an outcome of the development process, including for future generations, such as an independent special rapporteur for equity, supported by the Office of the Secretary-General of the United Nations, reporting to any forum as indicated in (d) below that may be created by Governments;
- c.** Strengthening overall sustainable development governance by creating a forum at the apex of the United Nations, that would integrate the social, environmental and economic dimensions of sustainable development in policy decisions and development approaches; that would coordinate with the international economic and financial organizations; that would commission periodic independent reviews of implementation of global commitments; with participation that would confer legitimacy and authority; and with procedures to set the direction for and orchestrate the United Nations system to support Member States in achieving sustainable development; taking into account the findings of the study commissioned by the second meeting of the UNCSD Preparatory Committee on the financial, structural and legal implications and comparative advantages of the five options for broader institutional reform outlined in the ["Nairobi-Helsinki Outcome"](#);
- d.** Strengthening environmental governance\_\_as part of the institutional framework for sustainable development, bearing in mind resolutions 65/162 and 59/226 of the UN General Assembly which committed to strengthening UNEP for it to effectively discharge its role as the leading global environmental authority that sets the global environmental agenda, to promote the coherent implementation of the environmental dimension of sustainable development within the United Nations system, and to serve as an authoritative advocate for the global environment; and
- e.** assessing how the following elements might contribute to realising the global functions for international environmental governance identified under the Nairobi-Helsinki Outcome having regard to the principle that form should follow function:
  - i. *creating a strong, credible and accessible science base and policy interface*, through enhancing capacity and resources for satisfying the needs of countries for information, analysis, early warning, alert services and assessments, indicators and policy recommendations; through a global compact on science for sustainability for addressing the 21st century sustainability challenges; by building on work related to valuation and inclusion of natural capital and ecosystem services into economic decision-making; and on work relating to availability, use and management of scarce resources;
  - ii. *developing a global authoritative and responsive voice for environmental sustainability*, such as through universal membership of UNEP, with strengthened regional presence;



- iii. *achieving effectiveness, efficiency and coherence within the United Nations system*, through strengthened mandates to develop synergies among multi-lateral environmental agreements, and to develop and drive a UN system-wide strategy for the environment;
  - iv. *securing sufficient, predictable and coherent funding*, by overcoming fragmentation among the various sources of financing for the environment, securing better alignment of global environmental policy-making with global environmental financing, and tracking and reporting on trends in financing for the environment; and
  - v. *ensuring a responsive and cohesive approach to meeting country needs*, for example by putting in place a UN system-wide strategy for capacity building and implementation support, as required by the Bali Strategic Plan for Technology Support and Capacity-Building.
- f. Deciding on what new or modified entities, including the strengthening of UNEP, would be required to enable countries to make transformative changes in the way in which environmental issues and objectives are managed to secure sustainable development.

**43.** The Region's subregional organisations and countries have also expressed their views on the issue in the documents they have sent to the Secretariat of the United Nations Conference on Sustainable Development.

**44.** An initial regional perspective is provided by the document **Conclusions of the Latin American and Caribbean Regional Meeting Preparatory to the United Nations Conference on Development** held in Santiago, Chile on 7-9 September 2011. This document recognises that fragmentation in the implementation process is one of the obstacles to achieving sustainable development, and that thus it is necessary to reach agreements on a global institution framework for sustainable development which is efficient and flexible, and ensures the effective integration of its three pillars. The countries also reaffirmed respect for multiculturalism, and for the knowledge and traditional values of indigenous peoples and local and traditional communities. They also recognize the importance of the participation and contribution of civil society to sustainable development, in particular women, indigenous peoples, and local and traditional communities, and encouraging all stakeholders to more fully with the actions of governments.<sup>8</sup>

**45.** In particular, the regional meeting took note of the **Inputs of Cuba to the Preparatory Processes for the UN Conference on Sustainable Development, RIO+20**. This document suggests that one of the concrete results that could

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<sup>8</sup> Conclusions of the Latin American and Caribbean Regional Preparatory Meeting to the United Nations Conference on Development, Santiago, Chile, 7-9 September 2011.

emerge from the Conference is a set of measures to strengthen the global Institutional Framework for Sustainable Development.

**46.** The proposal includes strengthening UNEP, as well as strengthening the Institutional Framework for Sustainable Development.

**47.** In the first place, it postulates strengthening UNEP and its entities to enable it to address the challenges and threats facing the global environment in the context of the current systemic crisis, and to enable it to contribute to the effective implementation of multilateral environmental agreements and the broader objectives of the sustainable development agenda that have connections with environmental concerns. This would require significant strengthening of its financial base, starting with increased resources from the regular UN budget, as well as voluntary contributions from Member States able to make them. This should permit UNEP to substantially improve its capacity for assessment, research, early warning and policy formulation for decisions on environment protection, while enabling it to effectively incorporate the concept of sustainable development in its work programme.

**48.** According to the proposal, this process should also make it possible to (1) increase the participation of the developing countries in UNEP's decision-making processes; (2) strengthen and optimise the organisation's existing functions by providing synergy between environmental agreements within given clusters, without this representing any loss of autonomy for the conventions or their conferences of the parties; (3) prevent or reduce duplication and overlapping responsibilities among existing entities, as regards the gathering of scientific information; (4) encourage representative participation by scientists from the developing countries in the process of assessing the world environment; and (5) give priority to the immediate implementation of the Bali Strategic Plan for Technology Support and Capacity-building (the "Bali Plan"), and work on a coherent strategy for effectively funding it.

**49.** At the subregional level, the **Caribbean Community (CARICOM) submission** made on behalf of the fourteen Member States of the Caribbean Community that are members of the United Nations (Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, St. Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago) states that "In context of the Rio+20 outcomes under the theme of institutional framework for sustainable development, CARICOM believes that form should follow function". In this regard "Rio+20 discussions and decisions on strengthening the institutional framework for sustainable development must seek to ensure greater coherence and coordination among all stakeholders and governments in the promotion of sustainable development at the national, regional and international levels. Reforming existing institutions or creating new institutions

at the international level will be meaningless in the absence of enhanced national and regional coordination”.

**50.** One approach to ensuring the interests of the Small Island Developing States (SIDS) in the implementation of the sustainable development initiatives endorsed by UNCSD is to incorporate a dedicated structure/mechanism for SIDS into the existing institutions. SIDS Sustainable Development Commission could be established with regional nodes focusing on the specific interests of the regions where SIDS are located.

**51.** In complementing this idea, Jamaica’s submission states that any framework which evolves under the rubric of Institutional Framework for Sustainable Development must be so designed as to provide a clear institutional mechanism, to address in a concrete and focused manner the sustainable development of the most vulnerable countries (i.e. SIDS and LDCs), at the global and regional levels. Such a mechanism must provide, inter alia, a context for enhanced UN coherence; the facilitation of adequate and predictable financial resources to facilitate transition to sustainable green economies, given the financial gap which exists in most of these countries; and commitment to capacity development and technology transfer, underpinned by sound science.

**52.** The submission puts emphasis on the different ways of addressing the special case and situation of the SIDS by monitoring implementation of the Barbados Programme of Action (BPOA) and Mauritius Strategy (MSI), which must remain high on the global sustainable development agenda, and must include strengthening existing intergovernmental processes and enhancing UN-System support for SIDS.

**53.** In the **MERCOSUR** context, contributions to the preparatory process for the Rio+20 Summit by the Ministers of the Environment<sup>9</sup> point to strengthening established entities, organising the various entities of the United Nations so that they relate efficiently and act consistently, in a coordinated and cooperative way, without overlap in cases where they have similar agendas, functions and programmes; and strengthening ECOSOC as the central forum for the discussion of sustainable development, addressing its three dimensions—environmental, economic and social—with equal weight, while simultaneously strengthening UNEP’s national and regional entities.

**54.** Individually, the countries of the region that sent submissions to the Conference have presented their contributions to the Institutional Framework for Sustainable Development. There is agreement that the current international institutional structure does not provide the conditions needed to meet the demands of a system that must connect the three pillars, and that there must be coordinated and balanced planning and action on all fronts. One general concern is the multiplicity and fragmentation of entities and institutions with mandates relevant to

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<sup>9</sup> Meeting of Ministers of the Environment of the States Parties of MERCOSUR, and from Chile as an Associate Member, in Montevideo, Uruguay, 10 November 2011.

sustainable development, and the need for more direct response to the circumstances and needs of the developing countries.

**55.** The Region contains a diversity of views and alternatives with respect to the steps that need to be followed to achieve the objectives set forth. There are proposals to strengthen existing institutions, as well as to better coordinate their activity.

**56.** One shared idea is that UNEP should be enhanced, although views vary on how to do this. Some countries feel that the strengthening could be accomplished without creating new entities, while others suggest a careful study of proposals to create new entities. Finally, some countries believe that creating a multilateral organisation dedicated to the environment—for example, by turning UNEP into a specialised organ of the United Nations System—would be consonant with the need to address the magnitude of the world environmental crisis, and consistent with the challenges that the developing countries face. In this sense, providing higher-level strength to UNEP would give it the power to mobilise greater financial resources and execute national and regional projects. As a result of such a new architecture, UNEP would strengthen its regional offices and include a national presence to accompany execution and monitoring of its activities on the ground.

**57.** Other ideas put forth include enhancing the Economic and Social Council (ECOSOC) and turning it into a Sustainable Development Council that would incorporate the environmental dimension and make decisions binding on the specialised and subsidiary organisations of the United Nations System; and transforming the UN Commission on Sustainable Development into a more permanent body with broader functions, in order to ensure that all the pertinent entities of the United Nations put much greater emphasis on sustainable development. In some cases, improvements could be made by making adjustments to existing mandates.

**58.** It is also considered that, as a part of the process of strengthening environmental governance at the international level, it is necessary to accelerate work on coordinating and consolidating the current system of multilateral environmental agreements, respecting the autonomy of the different agreements but substantially streamlining their administration. As regards improving coordination among existing institutions, a point has been made of the precedent generated in the course of debate in the Nairobi-Helsinki process as a source of elements that could be helpful for coordination. This includes programmatic grouping of agreements, adoption of decisions on synergies, and holding of simultaneous special sessions.

**59.** Another element of the institutional framework that stands out in the Region is the need to strengthen the creation of capacities in the environmental field within the United Nations. This means improving environmental knowledge, as well as

awareness of ecological economics, among United Nations country teams, so as to promote integration in national programmes. It also means strengthening UNEP's regional offices, and developing throughout the system to support Compliance.

**60.** It has also been proposed to strengthen the new regional integration organisations such as UNASUR (the Union of South American Nations), CELAC (the Community of Latin American and Caribbean States), ALBA (the Bolivarian Alternative for the Peoples of Our America), the Bank of the South, etc., promoting new opportunities for measures designed to foster sustainable development.

**61.** Finally, funding issues have caught the attention of the Region's countries. Notable in this connection is Ecuador's proposal to build a new international and regional financial architecture for sustainability that would improve articulation between different environmental scales, and between global and regional governance, and that would support policies to strengthen security in the areas of food, energy, climate, health, natural resources and knowledge, in the framework of a new participatory institutional structure in the developing countries. One element of this proposal is to promote new fiscal mechanisms that tax both financial transactions and the sale of oil to consuming countries.

## Conclusions

**62.** Creating an institutional framework that is capable of effectively addressing the challenges of sustainable development in the twenty-first century is one of the expected results of the United Nations Conference on Sustainable Development that will be held in Rio de Janeiro on 20-22 June.

**63.** The Conference will provide a valuable opportunity for creative thinking and agreement at the highest political level on how to ensure that the three pillars of sustainable development are equally strong, and that the system as a whole gains consistency and integration, that duplications are reduced, and that implementation and accountability are strengthened.

**64.** The experience and vision of the Ministers of the Environment is a fundamental contribution to this process, since environmental governance is an essential part of the Institutional Framework for Sustainable Development. The institutions that make up the environmental pillar of sustainable development are fragmented and lack the force that the institutions of the economic and social pillars have. Meanwhile, this fragmentation in the form of overlapping programmes and lack of integration has at times weakened both the conception and the scope of sustainable development.

**65.** The consultative processes undertaken by the UNEP Governing Council to remedy these weaknesses in the international environmental governance system generated a group of possible options for institutional reform to achieve environmental governance at the international level.

**66.** The Conference provides an opportunity to advance on this path, beginning by defining what institutional arrangements are most appropriate for improving environmental governance and thus helping to strengthen the Institutional Framework for Sustainable Development, and then deciding on a reform of the

Institutional Framework for Sustainable Development in order to create consistency among the three pillars across the entire UN System.

**67.** Based on scientific evidence there is a need for the international community to be bold in achieving a transformational change of the Institutional Framework for Sustainable Development with a focus on real strengthening of the environmental pillar. Growing consensus among countries exists that Rio+20 is a lifetime chance to make the necessary reform happen.

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