

The UN Environment Programme at a turning point: Options for change

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The UN Environment Programme was created as direct consequence of the 1972 UN Conference on the Human Environment. The first international organization dedicated to environmental protection, UNEP's mandate was to act as a focal point for environmental action and coordination within the UN system. It would promote international cooperation in the field of the environment and recommend appropriate policies. It would also provide general policy guidance for the direction and coordination of environmental programmes within the UN system.

Today, 27 years later, UNEP faces a series of challenges that could threaten its very existence. There is no doubt that UNEP has had its share of successes, but there have been dramatic changes in international environmental policy-making in recent years and UNEP has not demonstrated the ability to keep pace. Chronic financial problems, the absence of a clear focus and mission for the institution, problems of location, and management difficulties have all contributed to the erosion of UNEP's participation in the international environmental policy-making process.

This chapter examines options for UNEP in assisting the management of global environmental problems. It does not go so far as to recommend a particular package of reforms. Instead, the more modest aims are to provide an overview of the problems, to clarify potential choices for improvement, and to formulate an initial framework within which to judge future action.

To this end, the chapter's first section outlines the significant challenges

facing the organization; challenges which threaten its continued relevance to international environmental management. The second section reviews functions that UNEP has performed well in the past, thereby demonstrating the value of saving the organization. The third section outlines several potential roles for UNEP within the UN system that might improve its contribution to the management of global environmental problems. The final section then outlines some changes that would be necessary, within both UNEP and the international community as a whole, to allow the organization to play these roles.

It should be emphasized that many of these points are currently under active discussion within UNEP, within the UN system, and within the global environmental community as whole.¹ Consequently, to avoid early obsolescence, this chapter does not delineate or place its analysis within the context of specific, ongoing reviews of UNEP. Such a discussion would easily be overtaken by events. The intent of the chapter, rather, is to provide an outline of the challenges facing UNEP as it enters the twenty-first century as well as a framework for evaluating and participating in the ongoing debate regarding its future.

UNEP

When it was created in 1972, UNEP's programme had seven priority areas: human settlements and habitats (later spun off into the UN Centre for Human Settlements (Habitat) – UNCHS); health of people and their environment; terrestrial ecosystems and their management and control; environment and development; oceans; energy; and natural disasters.² UNEP was intended to serve as a catalyst in developing and coordinating an environmental focus in other organizations, rather than initiating its own large programmes in these areas. UNEP's role was to remind others of, and help them to take into account, all the environmental interactions and ramifications interconnected with their work. Many thought that the lack of such a cross-sectoral, interdisciplinary view had led to many environmental problems in the first place.

Despite its broad mandate, UNEP has a smaller staff and budget than most UN organizations. Its size is traceable both to its original purpose, which is to be catalytic rather than programmatic, as well as to its status as a "programme" rather than a "specialized agency." As such, UNEP lacks the independent status of such organizations, and member states fund UNEP's budget on a voluntary basis rather than under the mandatory assessment process that supports the specialized agencies. This situation has produced significant financial uncertainty for UNEP, including increasing budgetary shortfalls in recent years.

UNEP is headquartered in Nairobi, Kenya, and has smaller regional offices around the world. It reports to the UN General Assembly through the Economic and Social Council. UNEP's internal organizational structure centres on its Governing Council and Secretariat.

The Governing Council consists of 58 states who serve for three-year terms on the basis of equitable geographic distribution.³ It meets biennially and is charged with promoting environmental cooperation; providing policy guidance and coordination of environmental programmes in the UN system; reviewing the world environment situation; and promoting the contributions of relevant scientific and other professional communities to producing and using environmental knowledge.

UNEP's Secretariat is headed by an Executive Director (ED). The ED is elected by the General Assembly, upon the nomination of the UN Secretary-General. UNEP has had only four Executive Directors: Maurice Strong, who had been Secretary-General of the 1972 Stockholm Conference, served as ED from 1973 to 1975; Mostafa Tolba led the organization for most of its history, from 1976 to 1992; Elizabeth Dowdeswell was ED from 1993 to 1997; and Klaus Töpfer, the current ED, took office on 1 February 1998.

The ED provides support to the Governing Council, coordinates programmes under the guidance of the Council, offers advice to other UN organs, secures cooperation from the scientific community, and assists the promotion of international environmental cooperation. The ED also suggests medium-range and long-range planning issues to the Governing Council regarding UN work in the environment, and brings the Governing Council's attention to any matter he believes requires its consideration.

Dimensions of the current crisis

UNEP has achieved remarkable success in its 25 years, but faces a number of challenges that, in sum, are so severe that they constitute a crisis for the organization. This section outlines the most significant of these challenges: changes in the agenda and organizational structure of international environmental politics; the absence of a clear focus and mission for the institution; chronic financial shortfalls; problems of location; and management difficulties.

Changed international environmental agenda

Some of UNEP's challenges are signs of progress in international environmental policy. Indeed, some are the direct result of the organization's

successes. The dramatic increase in the breadth and density of the international environmental agenda counts among these.

At the time of its creation in 1972, UNEP's agenda contained few issues that were global in scope and only a few dozen environmental treaties had been negotiated. Since then about 100 additional environmental treaties have entered into force, and by one count more than 40 of these were negotiated directly under UNEP's auspices (Haas 1995, 654). Increasingly these are global treaties, which adds obvious layers of complexity to their negotiation and implementation. They include agreements to protect the ozone layer, prevent climate change, protect biodiversity, and combat desertification.

Thus, whereas in the 1970s UNEP was seeking to shape an international agenda that had relatively large openings and which few other actors were trying to influence, today the agenda is densely packed and a wide diversity of actors have become expert at gaining influence within it. The result is that the international environmental agenda has acquired a breadth and depth that makes it impossible for UNEP to shape, manage, and coordinate all of its aspects. There are simply too many issues and too many complexities within environmental politics for an organization with UNEP's limited size, budget, and expertise to address them all well. At the same time, however, the failure to do so produces dissatisfaction with the organization.

The obvious irony is that the same forces which make the international agenda more difficult to influence have also increased the demand for UNEP to help coordinate it. The 1987 report of the World Commission on Environment and Development (Brundtland Report) had explicitly called for strengthening UNEP in response to the growing needs (WCED 1987). And Agenda 21, approved in 1992 at the UN Conference on Environment and Development (UNCED), confirmed UNEP's role in "promoting environmental activities and considerations throughout the United Nations system," and gave it lead responsibility for developing international environmental law (Imber 1994, 110). However, Agenda 21 proved less effective at strengthening UNEP than at broadening the international agenda and spawning the creation of a potential competitor, the Commission on Sustainable Development.

Changed organizational structure in international environmental affairs

UNEP faces challenges from a diverse array of other international organizations involved in environmental management. These organizations began working on environmental affairs as the international environmental agenda expanded, as more issues required management, and

as more activities required implementation. As a result, UNEP faces competition from organizations that did not exist when it was created or did not work on environmental issues until recently.

Among the organizations now working on environmental affairs are several discussed in this volume. Recently created institutions include the Global Environment Facility (GEF), the Commission on Sustainable Development (CSD), and issue-specific treaty secretariats such as the Biodiversity, Climate, and Ozone Secretariats. Long-standing organizations that have significantly expanded activities related to monitoring or protecting the environment include the FAO, the UNDP, the UN Industrial Development Organization (UNIDO), the World Bank, the World Meteorological Organization (WMO), and, to a lesser degree, the global trade regime centred around the WTO. Each of these organizations competes, explicitly or in more *de facto* ways, with UNEP and each other for environmental monitoring, project implementation, regime management, and issue coordination activities and the donor dollars that support them. As these organizations in most cases already enjoy better funding, more central locations, clearer and stronger mandates, and greater support from the international community than does UNEP, they offer significant challenges to UNEP's ability to play a lead role or even a unique role in environmental affairs.

Absence of a clear focus, mission, and role for UNEP

The lack of a clear mission represents the third major challenge facing UNEP. Given the crowded field, perhaps it is not surprising that UNEP's specific role in environmental politics – and even within the UN system – is increasingly unclear. However, it is striking the extent to which UNEP's ultimate purpose and its place in international environmental management remain unresolved. This problem stems from failures by UNEP to delineate specific activities as its foci, and by the United Nations as an institution and the global community as a whole to organize international environmental management more coherently.

Many criticisms of UNEP argue that much of the organization's current crisis stems from its tendency to take on too many tasks that dilute its overall impact. A 1997 internal oversight assessment report stressed this point, but it has also been a consistent criticism throughout its history.⁴ Certainly a review of UNEP's vision of itself and its recent activities does indicate an incredibly wide range of activities for such a financially constrained organization.⁵ The most recent statement by UNEP's Governing Council regarding UNEP's mandate delineates a very broad and diverse set of missions for the organization (UN 1997a, section I). The organization's report to the June 1997 Rio+5 special session of the General

Assembly, for example, reported on significant activities relevant to every single chapter of Agenda 21 (UN 1997a, section II B; UNEP 1996b). Moreover, in a candid note to the Governing Council, former Executive Director Dowdeswell acknowledged that UNEP's activities do not reflect either a sense of clear priorities or an understanding of UNEP's comparative advantage:

A rigorous review of current activities reveals a number that are no longer on the leading edge or represent sufficient added value given the scarce resources of UNEP. Others are self-perpetuating, continuing long after "catalysis" should have been completed. Furthermore, activities once undertaken by UNEP, such as certain types of coordination, may now be better accomplished by others (UNEP 1996b, section 31).

UNEP's lack of a clear mission also results from a lack of commitment to the organization and the failure by the international community to organize clearly the management of environmental issues. For example, other organizations have been allowed to expand their activities into areas perhaps more appropriate for UNEP. More telling, however, is that a new body, the CSD, has been given responsibility for some of UNEP's formal agenda.⁶ Thus, UNEP's lack of a clear role, as well as the increased competition it faces, reflect a broader uncertainty by the international community regarding how it wishes to organize multilateral environmental institutions.

Financial shortfalls

UNEP has always been on a tenuous financial footing. As a programme, it depends on voluntary contributions, as opposed to mandatory assessments, for the bulk of its budget. This uncertainty has constrained UNEP's budget to small rates of growth compared to the growth in its agenda. UNEP's budget is also much smaller than those of other UN organizations involved in environmental affairs.

Moreover, in recent years UNEP experienced funding shortfalls and has been unable to fund even its limited budget, necessitating cutbacks. For example, although UNEP was able to spend US\$160 million from its Environment Fund in the 1994–1995 biennium, it lowered its 1996–1997 budget to US\$137 million. It then reduced that figure even further to US\$102 million after contributions failed to materialize (UNEP 1996a, 9). A striking example of the impact of such budget shortfalls was a letter that the UNEP Chemicals Office sent to governments, industry, NGOs, and academic institutions in 1998 asking for financial donations so that it could continue to organize negotiations on a global treaty regulating

persistent organic pollutants (UNEP Chemicals 1998). One external assessment observes that the financial uncertainties and shortfalls have produced a vicious circle:

Managers and their staff are engaged in paring down their programmes and because of the time and energy it takes, they have had less time left to do environmental work. This has led to a reduction of discernible results, leading to reduced donor confidence and lower contributions and in turn to further paring down of programmes (UN 1997b, 8).

Location

UNEP's home office is located on a beautiful campus in Kenya just north of Nairobi. As the first and one of only two UN agencies headquartered in a developing country, UNEP's location is an important political statement.⁷ At the same time, however, Nairobi has proven to be a liability in UNEP's attempts to play a central and coordinating role in environmental affairs.⁸

Travel to UNEP headquarters is complicated and time-consuming for most of the world's environmental diplomats. The Internal Oversight Services concluded that senior UNEP staff spend too much time traveling (UN 1997b), something that may be inevitable for any organization given a strong coordinating role at the global level but based in Nairobi.

Electronic, voice, and mail communications with officials outside Kenya have, until recently, been surprising inadequate, unreliable, and expensive.⁹ Although new satellite systems should relieve some of these problems, communications can still be difficult and decades of inadequate service have already exacted a political toll. The time difference to New York and Washington, and thus the headquarters of the United Nations, the UNDP, the CSD, the GEF, and the World Bank, further complicates efficient communication and coordination. Security concerns in Nairobi have also increased and proven an obstacle to attracting and retaining top personnel. Local political support by the government of Kenya is sometimes uneven. Even the difficulties of local transportation can complicate holding large international conferences at UNEP headquarters despite the relatively high quality of its conference facilities.

Management difficulties

Observers, drawing on first-hand accounts by UNEP staff, claim that in the past few years the internal management environment in UNEP has suffered. The most intensive review of UNEP's management is a sharply critical assessment prepared by the Office of Internal Oversight Services

(UN 1997b). It reports a range of management problems, including confusing organizational structures, inadequate attention to performance indicators, poor relations between senior management and staff, inefficient hiring practices, and lack of transparency in decision-making processes. While the report notes other factors hindering UNEP's effectiveness (including several of those outlined in this section), it is striking in the degree to which it singles out uneven management practices as accentuating current problems. While the tone of that particular report appears overly strident, it is widely accepted that UNEP faces management problems.¹⁰

While it is not possible to judge the cause of UNEP's current management difficulties, it is worth noting that at least some of the blame lies in the history of the organization, especially its initial and long-standing reliance on charismatic leaders. Tolba, by far the longest-serving ED, established an environment in which UNEP's greatest results, and even its day-to-day operation, were highly dependent on his energy, charisma, and intellect rather than on a set of management practices or an organizational culture that could endure beyond his inevitable departure.¹¹ Dowdeswell attempted to introduce regularized and transparent management practices but ultimately could not resolve all the outstanding difficulties, many of which continued to worsen. Her rejection of the Tolba model of personally dominating the organization met with initial success, but the management structure she put in place did not, in the opinion of some observers, resolve all the problems of confusing organizational structures, inadequate attention to performance indicators, inefficient hiring practices, or the organization's lack of a clear mission and focus.

Yet in some ways, many of these difficulties can be traced to management problems endemic throughout the UN system or to UNEP's location, its precarious financial situation, and the lack of a clear mission and commitment assigned to it by the international community. It will be major challenge for the current ED, Töpfer, to address these structural and interrelated problems. Moreover, it is unclear if he can solve the management issues without the full support of the international community in addressing the budget issue and articulating and supporting a clear role for UNEP.

Why UNEP is worth saving

These challenges impede UNEP's ability to contribute to the development and implementation of international environmental policy, and could even threaten its continued existence.¹² Although it is rare for

international organizations, especially UN bodies, to disappear, this remains a possibility for UNEP. Its status as a “programme” gives it an unusually weak claim on financial resources. As noted, the CSD now has responsibility for some of UNEP’s agenda, and many other bodies, such as the UNDP and the World Bank, have radically strengthened their environmental activities so that UNEP’s claim to fulfilling a unique functional role has diminished. All these features make it easier to imagine governments letting UNEP disappear today, whereas it would have been an implausible alternative only five years ago.

For that reason it is worth exploring where UNEP has played an especially important role in helping manage environmental problems. This would allow a case to be made for keeping the organization alive. By now a conventional wisdom has emerged regarding UNEP’s contribution. Two functions in particular dominate this consensus – collecting, analysing, and disseminating environmental data, and serving as a catalyst for environmental cooperation.¹³

Collecting and disseminating environmental information

From the beginning, UNEP was designed to play an important role in collecting data on environmental change, monitoring long-term trends, and assessing the state of critical natural resources. Some of UNEP’s most influential activities in this area include establishing the Global Environment Monitoring System (GEMS), which collects environmental data; creating the International Referral System (INFOTERRA) to help disseminate environmental information; and operating the International Register of Potentially Toxic Chemicals (IRPTC) to promote effective regulation of hazardous chemicals.

UNEP routinely receives high marks for carrying out these information-related functions.¹⁴ The IRPTC was instrumental in helping to improve the way hazardous chemicals are managed in developing countries, and in facilitating the adoption of a prior informed consent (PIC) regime governing the export of such chemicals. GEMS (now known as “State of the Environment Reporting”) has not fully lived up to its potential, but the shortcomings are attributable almost entirely to low levels of funding. The need for such information remains high and no other organization has stepped in to collect it.

UNEP also participates in and publishes its own periodic overviews of environment indicators (UNEP 1997). On a smaller scale, UNEP has emerged from time to time to assist in the collection of more specific environmental data when other organizations were unwilling to do so. It provided funding for the European Monitoring and Evaluation Programme (EMEP), originally created by the OECD and which collects

data on acid rain in Europe, after the OECD decided to cease its participation. This was vital in keeping EMEP alive long enough for other actors to realize their interest in it. Indeed, EMEP is recognized as playing a vital role in European efforts to manage acid rain.¹⁵

Serving as a catalyst for international environmental cooperation

Since Stockholm, UNEP has played an important role in several complicated issue areas by helping the international community create and expand international treaties that, by all accounts, have produced better collective management than if they had not existed. UNEP had a direct role in promoting the creation of a series of efforts to protect regional seas, one of the most influential being the Mediterranean Action Plan. A total of 10 regional seas programmes were created under UNEP's auspices, and the initiative is widely considered a success.¹⁶

UNEP also played a key leadership role in catalysing and coordinating international efforts to create and expand the Montreal Protocol and other international agreements to protect stratospheric ozone, widely considered one of the most effective international responses to an environmental problem.¹⁷ UNEP helped to initiate international action as early as 1977 by calling for and coordinating a series of scientific and political meetings that set the international agenda, functioned to build consensus on the existence and seriousness of the problem, and became the procedural foundation for creating the regime.¹⁸ UNEP then sustained international activity when interest in ozone depletion waned significantly during the early 1980s.

In the late 1980s and 1990s, UNEP acted as a facilitator, making it easier for states to conclude individual agreements by creating and maintaining a particular structure to the negotiations and providing organizational assistance that reduced transaction costs. UNEP also functioned as a negotiation manager, actively pushing negotiators toward a robust regime by offering strong control proposals, undercutting the arguments of regime opponents, building consensus, and applying political pressure. Finally, UNEP has become an important contributor to regime administration, performing valuable organizational tasks, helping to implement regime rules, and managing the review process.

Other conventions in which UNEP played a prominent role include the 1973 Convention on Trade in Endangered Species of Wild Fauna and Flora (CITES), the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal, and the 1992 Convention on Biodiversity. Currently, UNEP is attempting to manage negotiations aimed at creating a global treaty regulating persistent organic pollutants (POPs).¹⁹

This catalytic role results from efforts by UNEP's Governing Council, which meets every other year, and by the Secretariat, especially the ED. The Governing Council's main role in this regard is to identify critical issues for international attention and mandate negotiations or discussions that can lead to treaties. While environmental treaties do not require such intervention from the Governing Council to come into existence (the UN Framework Convention on Climate Change was the result of a UN General Assembly resolution, for example), having the Governing Council meet regularly to identify gaps and set priorities meets a clear need of the international system. No other body engages in this kind of agenda-setting. Although the CSD does have some overlap, it has not played the same kind of role.²⁰

The ED's role is more idiosyncratic. Stories are legion of Tolba's leadership skills and their instrumental effects at key junctures in various environmental negotiations. When the Montreal Protocol negotiations seemed stalled in early 1987, for example, Tolba convened a meeting in Warzburg, Germany, in which key scientists were asked for the first time to apply a common dataset to competing models of ozone depletion. When the results converged much more closely than had prior model runs, Tolba used the information to undermine opposition to cutting CFC production and to move the negotiations forward.²¹

Clarifying UNEP's role: Options for change

If UNEP's past actions prove it can make a positive contribution but the challenges it faces make UNEP's current configuration untenable, then what options appear most promising for moving forward? At the broadest level, two distinct strategies can be identified. One option is to refocus UNEP more narrowly, emphasizing those functions for which it has a proven comparative advantage and shedding others. In this option, much of UNEP's structure remains unchanged but its role is more clearly articulated and its operations focused around a much smaller set of functions. The other broad strategy would be to alter UNEP's structure fundamentally and increase its financial resources and decision-making power by significant amounts.

Creating a more focused UNEP with clearly defined functions within international environmental affairs

There are three main candidates for inclusion in a streamlined UNEP: environmental information, negotiation management, and international coordination and catalysis.

Environmental information

UNEP is not the only organization collecting, disseminating, and assessing environmental information. However, it is the only one with the responsibility for approaching these tasks with regard to the entire range of environmental issues as faced by all nations of the world. Other bodies participating in these tasks adopt a narrower focus, whether sectorally or geographically. For issues where national governments or international organizations are sufficiently mobilized, environmental information tends to be collected without UNEP's help. However, there remains a need for an international organization that takes the big picture into account, collecting baseline information before widespread concern develops, and with coverage that is global, not concentrated in spots of already-high capacity.

One prominent example is water. Several assessments have pointed to safe drinking water as one of the most pressing environmental issues facing the world.²² Yet there are very poor data on access to water and water quality. The best water quality data are UNEP's, yet these are severely limited in coverage and comparability. Even for such a high-profile issue as deforestation, the availability of comparable, comprehensive data is quite spotty.

Given adequate resources, a reorientation of its staff, and improved technical capabilities, UNEP could fulfil its environmental information mandate far more effectively. Doing so would meet all the relevant criteria for what a streamlined UNEP ought to focus on – UNEP is good at it, the world needs it, and no one else is doing it.

Negotiation manager

As discussed above, UNEP has proven effective in initiating and managing the creation and expansion of international environmental agreements. If such roles were formalized, UNEP would become the acknowledged UN unit with responsibility for initiating and sustaining international negotiations, for facilitating agreements by lowering transaction costs, for managing negotiations toward stronger agreements, and for overseeing administration of the agreements by the individual secretariats. By focusing on treaty development and eliminating many other activities, UNEP could build upon past strengths and provide clarity within the international community regarding which organization would be responsible for these tasks.²³

Global environment coordinator and catalyst

The international system clearly needs a greater degree of coordination with regard to the international environmental agenda than is currently

being provided. The benefits from improved coordination would include the following.

- Systematic assessments of how well the international agenda meets global needs. The status quo favours attention to a few high-profile conventions (especially the UNFCCC) without regard to the merits of contending issues.
- More efficient division of labour among international agencies. The status quo encourages redundancy as agencies compete with each other for a share of limited resources.
- Exploration of potential zones of agreement that cut across issues. The status quo has the potential for individual issues to reach dead ends.
- Consideration of potentially useful linkages across sectors in the international system (for example, linking trade, aid, and environment). The status quo makes such linkage hard because environmental issues cannot compete on equal footing with economic issues.

UNEP possesses the potential to play a greater role in providing such coordination than it has in the past. The Internal Oversight Services assessment concluded that helping to coordinate the activities of the various convention secretariats should be a major focus for UNEP. More ambitiously, the Brundtland Commission in 1987 explicitly concluded that “UNEP’s catalytic and coordinating role in the UN system can and should be reinforced and extended” (WCED 1987, 321). The recent revision of UNEP’s governance structure, which created a “High-level Committee of Ministers and Officials in Charge of the Environment,” is a step in the right direction.²⁴ This new body, which will meet once a year to provide guidance to the Governing Council and the ED, will give member states a more direct role in UNEP’s steering function and permit UNEP to play a more direct role in coordinating the international environmental agenda. Finally, the 1998 Report of the Secretary-General’s Task Force on Environment and Human Settlements called for the establishment of a UN system-wide Environmental Management Group to be chaired by the ED of UNEP, a system that could enhance UNEP’s coordinating influence (UN 1998a).

However, there are other pressures mitigating greater levels of coordination, and UNEP should therefore enter such waters cautiously. Coordination appeals to actors who focus on overall public goods and who consider the sorts of benefits enumerated above to be paramount. However, actors with narrower interests at stake often dominate the environmental agenda. For many national governments and international agencies, public interests compete with private interests, most of which centre around competitive pressures for influence and shares of resources. For that reason, governments and agencies often undermine efforts at effective coordination because it would threaten their ability to reap

private benefits.²⁵ Indeed, there are signs that some governments and agencies may not want significantly greater coordination. They place the secretariats of new international conventions far apart. They lodge few complaints regarding the failure of the CSD to develop a workable agenda. And they blithely accept the creation of new international bodies (such as the GEF and the CSD) when concern for coordination would dictate more caution about avoiding redundancy and overlap.

It could be a mistake, therefore, for a streamlined UNEP to devote the bulk of its resources to serving a coordinating and catalytic role without a clear, strong, and well-financed consensus within the UN system and the international community as a whole that it should do so. There are things UNEP can and should do in this area without such a commitment but it is probably close to the limit of its potential, especially as compared to the information and negotiation-management functions.

Creating a "super-UNEP" or "World Environment Organization"

The rationale for radically reshaping UNEP into a body with much greater financial resources, with the ability to make broad policy decisions more easily and effectively, and with more clout among national governments and other UN agencies has gained adherents over the past few years. Sometimes this proposal appears explicitly as a recommendation for converting UNEP into such an organization (UNEP 1996c). Other times the proposal envisions a new organization to which UNEP would be subordinate.²⁶ In terms of evaluating the merits of such an organization, the two variants can be considered together. While there are non-trivial strategic considerations involved in choosing between a "super-UNEP" or a new "World Environmental Organization," these considerations have more to do with the political calculus of how best to arrive at a powerful environmental organization. Both variants of this proposal envision a similar organization fulfilling similar functions.

Proponents of this vision believe that there are significant benefits in greater coordination. They also find UNEP incapable of providing those benefits as currently structured because it is too weak to contend successfully with more powerful pressures resisting coordination. Therefore, the logical route to effective coordination lies in the creation of a much stronger environmental body. This argument is not without merit.

At the same time, however, there are good reasons to believe that a super-UNEP or World Environmental Organization would fail to live up to the expectations of its proponents. These reasons can be understood by some explicit reflection about the Bretton Woods institutions that are in many ways a model for such proposals. Two key factors help explain the effectiveness of the Bretton Woods institutions. First, there was and

continues to be a rough consensus on both the goals of these institutions (Western-style economic development) and the means to achieve them (following precepts of neoclassical economics). To be sure, there is disagreement and debate over these issues, but when looking at the big picture it is striking how much agreement exists. Second, political power is not divided equally in these institutions, but instead concentrated in the wealthiest nations (mainly by linking decision-making power to the size of financial contributions).

Any World Environmental Organization would lack these facilitating conditions. There would probably be no operating consensus on either goals or means. Instead, as is clear to many observers of efforts to implement Agenda 21, there would be continued disagreement over an enormous range of issues, masked only superficially by a bland common commitment to "sustainable development." And it is virtually unthinkable that any new global environmental agency that desired broad membership would be able to adopt a decision-making procedure that did not spread political power more evenly across nations. Taken together, these two conditions would hamstring a World Environmental Organization with a tendency to get bogged down in self-serving disputes over ends and means, and with an inability to make use of effective leadership to overcome stalemates. While creative leaders might make occasional good use of a World Environmental Organization, as Tolba did at times with UNEP, it is clear nonetheless that such an organization would not operate as effectively as the Bretton Woods institutions that inspired its form.

Preliminary judgements: Three requirements for success

As mentioned in the introduction, this chapter does not offer a judgement about which option for change is best, but seeks instead to frame the choices clearly. Each option emphasizes a particular function or package of functions on which UNEP should concentrate while jettisoning others. For the first it is providing policy-relevant information and interpretations of information. For the second it is initiating and managing new agreements. For the third it is steering the international agenda and brokering agreements among weakly coordinated actors. The fourth option encompasses the functions of the first three and adds the additional functions of providing the capacity to produce authoritative collective decisions and provide compliance procedures broadly conceived.

The merits of these and other proposals are likely to be debated for some time. Trial balloons and trial programmes will be developed, but the final resolution of UNEP's status, UNEP's role, and the proper organization of institutions involved in international environmental man-

agement – a system that already includes the CSD, the FAO, the GEF, the UNDP, UNEP, the World Bank, treaty secretariats, and others – will take some time. This debate should be judged by evaluating four specific questions: how serious is the need within the international community for the functions UNEP is asked to perform; how well has UNEP performed those specific functions in the past; how effectively might other organizations be able to provide these functions if UNEP does not; and will UNEP have the full support, clear mandate, and necessary resources to carry out these functions successfully?

Again, although this chapter does not advocate specific policy changes, preliminary evidence suggests that UNEP should narrow its operations to focus almost exclusively on information gathering, dissemination, and analysis; negotiation management; and a quite limited amount of system-level coordination. Focusing on these roles would help clarify UNEP's place within the UN system and could prove the most productive in contributing to the management of global environmental problems. It would also build upon UNEP's existing strengths, its past successes, and its 27 years of institutional momentum, advantages lacking in the CSD, one of UNEP's chief competitors. However, for UNEP to survive and function effectively in any of these roles several changes must occur.

Putting UNEP on a more secure financial footing

Whatever rationale there may have been for restricting UNEP to largely voluntary contributions made on a biennial basis (and that rationale was always weak on merits), this arrangement is clearly counterproductive for any constructive scenario of UNEP's future. Turning UNEP into a specialized agency could have the desired effect of requiring mandatory contributions. However, there will be strong pressures against such a move, as there have been throughout UNEP's history. The other agencies always resisted proposals to put UNEP on a more equal footing, and over the past five years have improved their track records in environmental issues enough to give them strong ammunition to counter any review of the question.

However, it is possible to give UNEP far more financial security without turning it into a specialized agency. The simplest strategy would be to negotiate a legal agreement making members' contributions to UNEP's Environment Fund legally binding. This is a commonly used device. For example, the European Monitoring and Evaluation Programme, a subsidiary body of the Convention on Long-range Transboundary Air Pollution, is financed through a 1984 protocol to LRTAP. While such protocols improve on strictly voluntary contributions by making payments

legally binding, the common practice of countries falling into arrears on required contributions makes it an imperfect strategy. There is talk of creating new, more automatic mechanisms for financing international environmental measures. However, most observers consider their adoption unlikely in the short term, and the specialized agencies will surely fight to obtain their own access to such resources.²⁷

Relocating UNEP headquarters physically or virtually

UNEP was located in Nairobi as part of the political bargain that made its creation possible.²⁸ There was never a strong expectation that such a setting would be a boost to the organization's effectiveness. In fact, some argue that it makes more sense to believe that UNEP's founders, overall, hoped that the Nairobi location would keep the organization marginalized and weak (Von Moltke 1996, 57). There are by now good reasons for revisiting the consequences of that decision. For UNEP to play a more effective role as an information provider, negotiation manager, and coordinating broker among multiple organizations and stakeholders, it must have better communications links (both electronic and transport) and perhaps be physically closer to secretariats and other bodies.

Moving UNEP may be impossible politically and there are significant political benefits in maintaining its headquarters in a developing country. However, any hope of improving UNEP must include a massive improvement in its electronic communications. UNEP should be provided with state-of-the-art satellite communications systems so that it can have easy, reliable, and inexpensive-to-operate data, voice, and visual communications with the rest of the world. The troubles associated with UNEP's current location may or may not be sufficient arguments to move its headquarters, but they are clearly sufficient arguments to upgrade UNEP's facilities.

Developing a clear and accepted mandate

Whatever plan is agreed upon regarding UNEP's future, it will not succeed unless the UN system and the international community as a whole agree on UNEP's new mandate. The new structure must be clear, broadly supported, and fully implementable. This means that UNEP and only UNEP will be primarily responsible for the tasks to which it is assigned. Other institutions will have to accept that UNEP will be given some of their former responsibilities in exchange for assuming some of UNEP's. The Secretary-General and the major donors will have to agree to implement fully and maintain the new organizational structure for a suffi-

cient amount of time to allow evaluation of its impact. Without such full support, any changes to UNEP's operational focus will fail to overcome the challenges facing the organization and UNEP will continue to wither and eventually expire.

Conclusion: UNEP at a turning point

UNEP faces a series of challenges that threaten its continued relevance to international environmental management. These include a tremendous expansion in the agenda and organizational structure of environmental politics; competition from larger, better financed, and more effectively located institutions; the absence of a clear focus and mission; chronic financial shortfalls; problems of location; and management difficulties.

Despite these threats, UNEP's past successes as an information provider and negotiation catalyst and coordinator argue for the value of saving the organization. This chapter does not go so far as to recommend a particular package of reforms. However, the authors believe that preliminary evidence suggests the most productive measures would centre on narrowing UNEP's operations to focus almost exclusively on information gathering, dissemination, and analysis; negotiation management; and a quite limited amount of system-level coordination. Other activities would be jettisoned and new resources and expertise obtained to concentrate on the smaller set of tasks. For this transformation to occur successfully, however, UNEP's facilities would have to be significantly upgraded, its chronic financial difficulties would have to be resolved, and, perhaps most importantly, it would have to receive a clear and broadly accepted mandate from the UN system and the international community.

Notes

1. See, for example, the Report of the UN Task Force on Environment and Human Settlements (UN 1998a; Töpfer 1998); the report of the Secretary-General on implementing conventions related to environment and sustainable development (UN 1998d); the special session of the UNEP Governing Council on the subject in May 1998 (UNEP 1998b, and related information at the UNEP website <<http://www.unep.org>>); and the relevant discussion during the Fifty-third UN General Assembly (UN 1998b; 1998c) and during the Twentieth Session of the UNEP Governing Council in February 1999.
2. General discussions of UNEP and its history include Haas 1995; McDonald 1990; UNEP 1998a; and the information contain on UNEP's homepage <<http://www.unep.org>>. Broader discussions of the management of environmental issues within the UN system as a whole, including UNEP's history and role, include Thacher 1992; Birnie and Boyle 1992, 32–64, especially 39–53; Birnie 1993; French 1995b; Von Moltke 1996.

3. Sixteen countries are from the African Group (the informal name given to UN member states from Africa for the purpose of distributing appointments on a geographic basis), 13 from the Asia and Pacific Group, six from the Eastern European Group, 10 from the Latin America and Caribbean Group, and 13 from the Western Europe and Others Group (which includes Australia, Canada, New Zealand, the United States, and Western European countries).
4. Representative references include McCormick 1989, 110.
5. See, for example, <http://www.unep.org/unep/about.htm> viewed on 18 November 1998.
6. See Pamela Chasek's chapter in this volume.
7. Habitat is also located in Nairobi on the same campus with UNEP.
8. This summary reflects years of private conversations with UNEP officials and other individuals involved in international environmental policy-making and implementation.
9. In addition to Downie's extensive personal experiences in this regard, travel and communications difficulties are a common complaint of UNEP officials and many who interact with the organization. Indeed, officials in different UNEP offices complain about the difficulty and expense of even exchanging faxes with colleagues in North America, South America, Europe, and Asia.
10. In addition to the information obtained in personal communications, examples include the public clashes between UNEP headquarters and the secretariat of the Convention on Biological Diversity, and the regular difficulties approving budgets.
11. This is a common observation about Tolba. See, for example, Imber 1994, 77.
12. Although such comments were once very rare, observers now discuss this as a possibility. See, for one example, Pearce 1997, 11.
13. While claims that UNEP played vital roles in performing these functions are so commonplace as to be practically banal, the authors are not aware of any effort to assess their validity systematically. Certainly enough evidence exists from particular cases, such as the Mediterranean Action Plan, the Montreal Protocol, and efforts to control hazardous chemicals, to make the claims plausible. But it has not yet been demonstrated how different the world would have been if UNEP had not been present to play these roles.
14. See, for example, the assessments summarized in McCormick 1989, 123.
15. For a broader discussion of the European acid rain regime, including UNEP's contribution, see Levy 1993.
16. For a broader discussion of UNEP's regional seas programme see Haas 1991. For a detailed discussion of the Mediterranean Action Plan see Haas 1990.
17. For discussions of the creation, expansion, impact, and reputation of the Montreal Protocol, including details of UNEP's contributions, see Downie 1990; Benedick 1991; Haas 1992; Parson 1993; Downie 1996. A specific discussion of UNEP's role as outlined in this section can be found in Downie 1995.
18. These early efforts helped to produce the "World Plan of Action on the Ozone Layer," the "Coordinating Committee on the Ozone Layer," and, in 1982, the start of formal global negotiations.
19. For information on the POPs negotiations see Downie 1999, and the UNEP Chemicals homepage (<http://irptc.unep.ch/pops/>).
20. See the discussion by Pamela Chasek in this volume.
21. For more discussion see Downie 1996, 286–287 and 348–350; Downie 1995, 178–179; Litfin 1994, 112–113.
22. See, for example, World Bank 1992 or the Comprehensive Freshwater Assessment at gopher://gopher.un.org:70/00/esc/cn17/1997/off/97-9.EN.
23. Such a role would not be without challenges. Many of the previous successes in this area can in some ways be traced to Tolba's influence and it could be difficult, although not

- impossible, to institutionalize successful negotiation management. Also, relationships between UNEP and the individual treaty secretariats have been testy at times. However, such troubles do not eliminate the very real benefits to be gained from a single organization having the responsibility to help coordinate their activities.
24. This change was approved at the nineteenth session of UNEP's Governing Council, which ended on 9 April 1997.
 25. A clear example of this pattern is seen in Connolly, Gutner, and Bedarff 1996.
 26. For example, see the proposal by Brazil, Germany, Singapore, and South Africa, discussed in Deen 1997. For an extended argument for such a body, see Esty 1994, 73–98.
 27. Some mechanisms for automatic financing, for example taxes on international financial transactions, are reviewed in French 1995a and French 1995b.
 28. The Stockholm Conference did not determine where the UNEP Secretariat should be located, instead putting the decision into the hands of the General Assembly. However, third world delegations made it clear that they wanted the secretariat located in a developing country, arguing that no UN agency had yet been headquartered in a developing country. By the time the General Assembly session started in September, five front-runners had emerged (from the 13 countries that had requested to host UNEP): Austria, India, Kenya, Switzerland, and the United States. Developing countries feared that a split between their final candidates would result in the organization being placed in Europe or the United States. As part of the political manoeuvring, the Kenyan government informed India that if India did not withdraw its proposal, Kenya would expel all Indians from Kenya. Since Uganda, under Idi Amin, had taken similar action only a few years before, the threat was taken seriously. India withdrew, and when the issue went to a vote in the General Assembly, the united bloc of developing countries handily overcame the numerically inferior and still split voting bloc of developed countries (McDonald 1990).

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