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Institutional arrangements to follow up the United Nations  
Conference on Environment and Development

Report of the Secretary-General

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## INTRODUCTION

1. The Commission on Sustainable Development first considered chapter 38 of Agenda 21 on international institutional arrangements at its second session in 1994. The review at the time consisted of sketching the general framework of structures following the United Nations Conference on Environment and Development (UNCED), particularly at the United Nations, and at inter-agency and national levels. The present document provides a factual overview in table form of progress made since the Conference in the institutional arrangements within the United Nations system, by bilateral organizations, regional organizations and financial institutions. Additional explanation on the tables as well as information on progress made at the national level are contained in the background document to the present report. Post-UNCED institutional changes undertaken by major groups are reflected in the report of the Secretary-General on the role of major groups (A/CN.17/1996/12). The present report is largely descriptive in character, but it may provide the factual basis for analytical assessment of post-UNCED institutional arrangements for 1997 overall review. The institutional entities presented in the annex follow the order in which they appear in chapter 38.

2. The Commission may wish to take note of the present report and the background document as a basis for more detailed review in 1997.

## INSTITUTIONAL STRUCTURE

### A. General Assembly

3. The General Assembly has reviewed policy recommendations contained in the report of the Commission on Sustainable Development at every session since 1993. At its forty-ninth session, the General Assembly called upon the Commission on Sustainable Development, in accordance with Chapter 38 of Agenda 21 1/ to develop close and clear relationships with other relevant international organizations and entities, such as the conferences of parties to the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity, and the United Nations Convention to Combat Desertification and the Global Environment Facility, in order to increase its effectiveness in monitoring the implementation of Agenda 21 and other decisions of the United Nations Conference on Environment and Development.

4. At its fiftieth session, the General Assembly adopted resolution 50/113 entitled "Special session for the purpose of an overall review and appraisal of the implementation of Agenda 21". The Assembly plans to hold a special session in June 1997 at the highest possible level. In this regard, it requested the Commission on Sustainable Development and its Ad Hoc Open-ended Inter-sessional Working Group to prepare for the session. The General Assembly also requested contributions to the special session from Governments, the Governing Council of the United Nations Environment Programme (UNEP), relevant regional and subregional organizations, all other relevant organizations and bodies of the United Nations system, conferences of parties or other regulatory bodies of the Rio conventions, and major groups. Furthermore, the Assembly requested an

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effective and coordinated system-wide response through the Inter-Agency Committee on Sustainable Development to the preparation of the special session.

B. Economic and Social Council

5. The Economic and Social Council reviews reports of the Commission on Sustainable Development, one of its functional commissions, and endorses its recommendations as appropriate.

6. The Economic and Social Council, in its agreed conclusions adopted at its substantive session in 1995 on coordinated follow-up by the United Nations system and implementation of the results of the major international conferences organized by the United Nations in the economic, social and related fields, 2/ decided to promote a coordinated and integrated follow-up to and implementation of major international conferences in the economic, social and related fields. In this regard, the Council decided to carry out a review of cross-cutting themes common to major international conferences and to contribute to an overall review of the implementation of the programme of action of a United Nations conference. In the follow-up to United Nations conferences, the Economic and Social Council also decided to ensure the harmonization and coordination of the agendas and work programmes of the functional commissions by promoting a clearer division of labour among them and providing clear policy guidance to them.

7. In the agreed conclusions on coordination of the policies and activities of the specialized agencies and other bodies of the United Nations system related to science and technology for development, 3/ adopted at its substantive session in 1994, the Council stated that it should be strengthened as a forum for coordination among all United Nations policy-making bodies concerned with science and technology for development. In this regard, it was recommended to more systematically review and compare, on a periodic basis, the policies adopted and actions advocated by all relevant policy-making bodies of the United Nations organizations in the field of science and technology, giving special attention to the Commission on Science and Technology for Development and the Commission on Sustainable Development and their interactions with the regional commissions.

C. Commission on Sustainable Development

8. The Commission on Sustainable Development, established as a functional commission of the Economic and Social Council, meets annually for two to three weeks and reports to the Council. The Commission has been reviewing the progress made in the implementation of Agenda 21, following the multi-year thematic programme of work adopted at its first session in 1993. Each session has had a high-level segment, attended by a large number of ministers and high-level decision makers from all over the world, which is increasingly taking the form of dialogue on priority issues of concern.

9. Commission activities are not limited to its annual sessions. The Commission provides a framework for a larger process of inter-sessional meetings, the outcomes of which it subsequently reviews and analyses. It has

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also established two ad hoc open-ended inter-sessional working groups that hold sessions prior to the meetings of the Commission in order to prepare its discussions on specific agenda items. Duration of those ad hoc working group meetings, as well as subjects to be discussed, are determined by the Commission at its consecutive sessions and remain flexible but harmonized with its programme of work. These year-round activities are coordinated by the Bureau of the Commission, which meets regularly in order to take the best advantage of the above-mentioned events while preparing for the main session of the Commission.

10. At the third session of the Commission, an open-ended ad hoc Intergovernmental Panel on Forests was established, 4/ with the mandate to pursue consensus and formulation of coordinated proposals for action aimed at combating deforestation and forest degradation and promoting management, conservation and sustainable development of all types of forests. The Panel will submit a progress report to the 1996 session of the Commission and its final report to the 1997 session. Secretariat support to this Panel is being provided by a small team under the Department for Policy Coordination and Sustainable Development.

11. To be noted also is the active participation of major group representatives in the deliberations of the Commission. The major groups not only interact directly and substantively with Commission delegates during the sessions, but have also organized quite a few side events on particular aspects of topics under consideration by the Commission.

#### D. Rio conventions

12. The United Nations Framework Convention on Climate Change entered into force on 21 March 1994 and has received 142 ratifications. The first session of the Conference of the Parties decided to establish the "Berlin Mandate Process" to strengthen the commitments of developed countries and those with economies in transition for the period beyond 2000, through the adoption of a protocol or another legal instrument. This will initially involve analysis and assessment, aimed at the negotiation of a protocol or other legal instrument to be adopted at the third meeting of the Conference of the Parties planned for 1997. The secretariat is due to move to Bonn by July/August 1996.

13. The Convention on Biological Diversity entered into force on 29 December 1993 and has received 128 ratifications. The first Executive Secretary of the Convention took up his appointment on 1 September 1995. At the second meeting of the conference of the Parties, held in Jakarta in November 1995, it was decided that the secretariat of the Convention would be established in Montreal. According to its programme of work, the Conference will consider at its third meeting its contribution to the special session of the General Assembly in 1997.

14. The United Nations Convention to Combat Desertification was opened for signature in Paris in October 1994. It has been signed by 112 countries and ratified by 8, and will enter into force 90 days after ratification by 50 countries, probably in the course of 1996. The Intergovernmental Negotiating Committee is still meeting to prepare for the first Conference of the Parties

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(tentatively planned for 1997) and to review the status of ratifications, implementation of the resolution on urgent action for Africa, actions in other regions, and other matters related to implementation. The next session of the Committee is scheduled for February 1996 in Geneva.

15. Pursuant to the mandate emanating from Agenda 21, UNEP has convened three meetings (March 1994 and May and July 1995) on the coordination of secretariats of environmental conventions in the interest of promoting the coherent coordination of the functioning of such conventions and their secretariats, with a view to improving the effectiveness of implementation. The machinery and modalities that are agreed upon at these meetings are aimed at and are beginning to result in: (a) improving the effectiveness in the implementation of international actions to protect the environment through enhanced coordination of activities of international conventions and in approaching issues common to those conventions; (b) cost-effective administration of the UNEP-administered global and regional convention; and (c) a synergy of substantive activities undertaken by convention secretariats and UNEP.

16. Agreement relating to Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks: The Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, was adopted in August 1995. On 4 December 1995, the Agreement was opened for signature. It will enter into force after ratification by 30 countries. The Agreement seeks to ensure the long-term conservation and sustainable use of straddling and highly migratory fish stocks, and responds to problems identified in Agenda 21.

#### E. Inter-agency coordination

17. The Inter-Agency Committee on Sustainable Development (IACSD) was established in October 1992 by the Administrative Committee on Coordination (ACC) pursuant to the recommendation of UNCED. It meets twice a year. The work of IACSD and its system of task managers received support both from the ACC, as well as from Governments during previous sessions of the Commission and at the forty-ninth session of the General Assembly. As recognized by the Economic and Social Council in its agreed conclusions 1994/1, they have provided an effective and, at the same time, flexible mechanism for system-wide coordination in the follow-up to UNCED, implementation of Agenda 21, and in sustainable development work in general.

18. In accordance with the decision of the ACC, the IACSD has launched a review of its functioning in 1994. This review is expected to lead to a full assessment of the United Nations system response to Agenda 21 in preparation for 1997 overall review.

19. IACSD is now moving beyond its initial phase of activities related to procedural and organizational discussions and reporting arrangements. It is devoting more time to conceptual and policy-oriented aspects of coordination in the field of sustainable development. Likewise, an increasingly important function of the task managers is recognized to be the development of joint

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programmes and approaches for implementation at country level. IACSD agreed at its sixth session in July 1995 that greater reliance on the Task Managers for more concrete forms of cooperation would also assist the Committee in promoting a more focused approach to coordination within a concrete context, and in elaborating action-oriented recommendations on main policy and cooperation issues.

20. ACC at its second regular session of 1995 endorsed the initiative of the Secretary-General calling for a more coordinated follow-up to the implementation of commitments and plans of action emanating from recent international conferences. In this connection ACC established three task forces to carry forward the work on this issue: (a) the enabling environment for social and economic development; (b) employment and sustainable livelihoods; and (c) basic social services for all.

#### F. High-level Advisory Board on Sustainable Development

21. The High-level Advisory Board on Sustainable Development consists of 21 eminent persons knowledgeable about sustainable development, who are appointed by the Secretary-General in their personal capacity for a two-year term of office. The Board serves as a source of expert advice for the Secretary-General in formulating policy proposals, elaborating innovative approaches and courses of action and identifying emerging issues to be brought to the attention of relevant intergovernmental and coordinating bodies of the United Nations system.

22. The first Board members completed their term of office on 30 June 1995. At its fourth session, they welcomed the Secretary-General's intention to continue the Board as a "think-tank", an independent advisory body, and a group of influential people able to serve as "ambassadors" for the United Nations in the field of sustainable development.

23. At its fifth session, the Board, in its new composition, agreed to contribute to the preparatory process for the 1997 special session of the General Assembly.

#### G. Secretariat support structure

24. The secretariat function for the Commission on Sustainable Development is carried out by the Division for Sustainable Development under the Department for Policy Coordination and Sustainable Development (DPCSD). The Division is composed of Energy and Natural Resources Branch, Human Development Institutions and Technology Branch, Economics and Finance Branch, National Information Analysis Unit and the secretariat for the Intergovernmental Panel on Forests. A Small Island Developing States Unit has also been established.

H. Organs, programmes and organizations of the United Nations system

25. Most of the organs, programmes and organizations of the United Nations system have undertaken institutional, policy and programme changes in order to better respond to Agenda 21 and to further its implementation within the realm of their respective mandates. The overview of these major changes and some examples of inter-agency cooperation are provided in the annex to this report while more detailed explanations for each organ, programme and organization is given in the background document. The mandate and major policy changes of UNEP are highlighted below, particularly as they have special relevance to the work of the Commission and the Inter-Agency Committee.

United Nations Environment Programme (UNEP)

26. The UNEP Governing Council, at its seventeenth session, concluded that virtually all of UNEP's activities are addressed in Agenda 21, and that the general thrust of Agenda 21 did not alter the mandate of the Council as established by the General Assembly in 1972. Rather, it reinforced UNEP's mandate and stimulated constructive change in UNEP's programme emphasis in support of sustainable development. The Governing Council also reviewed in detail UNEP's programme for the bienniums 1992-1993 and 1994-1995 to ensure that it provided maximum support to Agenda 21. In its decision 17/32, adopted in 1993, the Council noted that the UNEP programme was in transition and would require further development to fully incorporate the results of UNCED.

27. It was felt that change would be needed in UNEP's focus and priorities, its relationship with other partners and its institutional base. In response, the UNEP secretariat engaged in a broad consultative process about the future of UNEP. The secretariat presented to the Governing Council at its eighteenth session a policy and programme framework for the 1996-1997 biennium that laid the basis for an effective approach to the requirements for organizational effectiveness: a firm institutional setting, a sound scientific base, a broader constituency, a capacity to catalyse action, a sound financial footing, a role in conflict prevention and resolution, and a more focused, prioritized and fully integrated, issue-oriented approach.

28. Chapter 38 of Agenda 21 established priority areas for UNEP action. Those priorities have been grouped into three functional response categories: assessment, policy and management. UNEP's Governing Council, at its eighteenth session, in decision 18/2 of 26 May 1995, decided to review, at its nineteenth session, the governing structures of the Programme with a view to taking action or, where necessary, recommending to the General Assembly to take action to modify and streamline those structures to produce greater efficiency, effectiveness and transparency.

29. At its seventeenth and eighteenth sessions, the Governing Council decided to create a strong regional representation, in line with Agenda 21, and adopted a plan of action to strengthen the regional and liaison offices. Changing the role of the Regional Offices within UNEP was seen by the Governing Council as a prerequisite for success. By those decisions, 17/28 and 18/38, the role of regional offices has been strengthened: (a) to be equal partners with

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headquarters in design and delivery of programmes; (b) to be the coordinators of the overall programme portfolio of UNEP's resources and services intended to respond to the specific needs of each region; and (c) to build strong outreach programmes, partnerships and networks in their regions.

30. The key internal measures to institutionalize the changes in the role of regional representation are expected to be fully carried out by the end of the 1994-1995 biennium, and the full impact will be felt in the coming 1996-1997 biennium. They include: new regional director reporting relationships; new regional director core functions; regional programme consultations requirement; new management strategy.

31. At its eighteenth session, on 26 May 1995 the Governing Council adopted decision 18/7 entitled "Environment and sustainable development: relationship between the United Nations Environment Programme and the Commission on Sustainable Development", the text of which is contained below:

"Recalling General Assembly resolution 2997 (XXVII) of 15 December 1972, which gives the Governing Council a mandate, inter alia, to promote international cooperation in the field of the environment, to recommend, as appropriate, policies to that end and to provide policy guidance for the direction and coordination of environmental programmes within the United Nations system,

Recalling chapter 38 of Agenda 21 and, in particular, the statements therein that the United Nations Environment Programme is the principal body within the United Nations system in the field of the environment, that there will be a need for an enhanced and strengthened role of the United Nations Environment Programme and its Governing Council after the United Nations Conference on Environment and Development and that the Governing Council should, within its mandate, continue to play its role with regard to policy guidance and coordination in the field of the environment, taking into account the development perspective,

Reaffirming that the United Nations Environment Programme was established to protect and promote the enhancement of the human environment and that the quality of human life must constitute its central concern,

Having considered the report of the Executive Director on environment and sustainable development, 5/

1. Takes note of the report of the Executive Director;
2. Stresses the need for the United Nations Environment Programme to focus on those system-wide activities of the United Nations system for which it has been assigned a special responsibility by Agenda 21, and the major policy issues and challenges in the field of the environment, as determined by the Governing Council;
3. Emphasizes the need for the United Nations Environment Programme, in accordance with its mandate and in implementation of Agenda 21, to continue to provide effective support to the work of the Commission on

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Sustainable Development as the high-level policy forum for the discussions to follow up the United Nations Conference on Environment and Development, inter alia, through the provision of scientific, technical and policy information and advice on the environment;

4. Requests the Executive Director to inform the Commission on Sustainable Development of the present decision."

32. Furthermore, in its decision 18/3 of 26 May 1995, the Governing Council requested the Executive Director to ensure:

"that the work under the subprogramme 'Globalization and the environment' includes activities which the United Nations Environment Programme was invited to undertake by the Commission on Sustainable Development in its decisions on trade, environment and sustainable development and consumption and production patterns adopted at the second and third sessions of the Commission. In so doing, the United Nations Environment Programme should cooperate with all relevant international organizations."

33. Apart from playing its role and assisting in furthering the inter-agency arrangements, UNEP has established the Inter-Agency Environment Group pursuant to Governing Council decision 17/9 of 21 May 1993. The Group is recognized by the Council as "a flexible consultative and advisory body, meeting as and when required, to enable the United Nations Environment Programme to discharge effectively its coordination mandate". The Group is to "focus on assisting the Executive Director in coordinating the activities of the United Nations system in addressing the major challenges, as set out in the programme of work for the biennium 1996-1997". The Council further stressed, in decision 18/14 of 26 May 1995, that "in determining the terms of reference and future activities of the Group, full account should be taken of the role, responsibilities and work of the Inter-Agency Committee on Sustainable Development".

34. The Governing Council also decided, in its decision 18/1, that UNEP should concentrate its activities in the following major areas:

"(a) Assessing and addressing existing and emerging critical issues in the field of the environment;

(b) Promoting international cooperation in the field of the environment and recommending as appropriate policies to this end;

(c) Acting as a catalyst to address major threats to the environment;

(d) Monitoring the status of the global environment through gathering and dissemination of reliable environmental information;

(e) Facilitating the coordination of the activities of all United Nations bodies on matters concerned with the environment, ensuring through cooperation, liaison and expert participation, that environmental considerations are taken into account in their activities;

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(f) Supporting, upon request, environment ministries and other national environmental authorities, in particular in developing countries and countries with economies in transition, in the formulation and implementation of their environmental policies, and related capacity-building activities;

(g) Furthering the development of international environmental law;

(h) Providing expert advice on the development and use of environmental economic concepts and instruments;

(i) Developing regional programmes for the environment."

#### I. Regional and subregional cooperation and implementation

35. In Agenda 21 it was recommended by UNCED that the regional commissions, within their respective agreed mandates, should contribute to enhancing regional and subregional cooperation in three ways: (a) by promoting regional and subregional capacity-building; (b) by promoting the integration of environmental concerns in regional and subregional development policies; (c) by promoting regional and subregional cooperation, where appropriate, regarding transboundary issues related to sustainable development. In this regard, the commissions were urged to review the need for modification of ongoing activities in the light of Agenda 21. The annex to the present document contains information provided by the regional commissions regarding: (a) institutional/policy changes undertaken; (b) examples of capacity-building efforts; and (c) examples of cooperation with other bodies.

36. A meeting of regional institutions was held in New York from 6 to 7 December 1995 attended by representatives of the five regional commissions, regional offices of UNEP and some regional development banks. The need for a regional focus for sustainable development was stressed, as well as the actual and potential role of the regional institutions in this regard. Ministerial level meetings have been held in all of the regions as follow-up to UNCED and as a means to identify regional priorities for programmes. The policy directives of the ministerial conferences are generally aimed at promoting institutional development and capacity-building at the national level.

#### J. International financial organizations

37. The annex to this report also provides an overview of the institutional, policy and programme changes undertaken by international and regional financial organizations. More detailed information on these organizations is also contained in the background document.

Notes

1/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II, chap. 38.

2/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 3 (A/50/3/Rev.1), chap. III. sect. A.

3/ Ibid., Forty-ninth Session, Supplement No. 3 (A/49/3/Rev.1), chap. III, sect. A.

4/ Official Records of the Economic and Social Council, 1995, Supplement No. 12 (E/1995/32), chap. I, sect. D.5, para. 204.

5/ UNEP/GC.18/27 and Corr.1.