



Annual meeting of the Environment Management Group
Hosted by the World Health Organization at its Headquarters
Geneva, 8 October 2007
9:00 a.m.-6:00 p.m.

Background Note

on issues related to the future work of the EMG
(Agenda items 5-6, EMG Annual Meeting, 8 October 2007)
Draft 18 October

Summary:

This note provides background information and some initial thoughts and views on several organizational structural issues related to the future work of the EMG. The aim is to share these with EMG members and to receive their preliminary ideas and observations for a more substantive discussion and a possible decision at the next annual meeting of the EMG in 2008. The issues include: criteria for the selection of EMG issues; the EMG relationship with and reporting to other interagency and intergovernmental bodies; the EMG TOR; membership; and the support structure.

History:

The General Assembly, when it established the EMG in 1999 (resolution 53/242), requested the Secretary-General, in consultation with Member States and UN agencies through ACC (now CEB), to develop: 1) a mandate; 2) terms of reference; 3) appropriate criteria for membership; and 4) flexible and cost-effective working methods and to submit these to the General Assembly for its consideration at its next session. After a process of consultation within the then Inter-Agency Committee on Sustainable Development (IACSD)¹, only the terms of reference (TOR) for EMG were endorsed by ACC in 2000. The TOR (included in an annex to this note) were only approved by the GA a few years later at its 59th session (A/res/59/226 in 2004), when it approved the report of the eighth special session of the UNEP Governing Council/Global Ministerial Environment Forum(GC/GMEF), to which the TOR were attached as an annex. Since then, no particular action has been taken by the Group to define and approve a common and agreed understanding on the membership and working methods of the EMG. The agreed TOR, however, did address some of those issues (albeit only generically), including the criteria for the selection of issues.

¹ IACSD ceased to exist in 2001.



The key issues for consideration:**1) The EMG Terms of Reference**

By establishing the EMG, the Secretary-General aimed to achieve a set of interlinked objectives relating to environmental coherence and coordination within the UN system. In view of this aim, the EMG was originally tasked to:

- assist its member organizations to achieve a more rational and cost-effective division of labour with respect to their growing and often overlapping environmental functions and objectives
- adopt a problem-solving, results-oriented approach that would enable UN bodies and their partners to share information, consult on proposed new initiatives and contribute to a planning framework
- provide a forum and a mechanism to enhance complementarities between the analytical and normative activities of UNEP and the operational role of UNDP
- assist intergovernmental bodies working in the area of environment and human settlements, in particular the UNEP Governing Council and the Commission on Human Settlements, with the preparation of coordinated inputs to intergovernmental fora, notably the CSD.
- establish time-bound task forces or working groups covering clusters of issues through which representatives of the main institutions involved in a particular issue can work together to solve important problems quickly

All of these objectives are widely agreed upon and are interlinked and complementary, but their achievement requires priority-setting, a strategic focus, effective means of implementation, the ownership of stakeholders, effective communication and an efficient support structure and reporting. The TOR should clearly outline and address these elements to ensure the success of the EMG's programme of work.

The present TOR address only a few of the above elements and only in a broad manner. These elements include the mandate, objectives, membership, modus operandi, participation and reporting. The purpose here is not to challenge the TOR but to highlight some of the critical elements which are missing or which need to be reconsidered, given EMG experiences and lessons learned and the current needs and future priorities of the Group.

2) Working methods: "The issue-management approach"

The issue-management approach has proved to be an effective way of addressing the most pressing environmental issues and of solving problems in a bottom-up, collective and substantive manner. This approach has served to substantiate the relevant policy decisions of the EMG and to enhance a sense of common responsibility and ownership. For the continuing success and improved results of this approach, the Group should consider ways and means to support the work of the issue-management groups (IMGs) as well as the EMG Secretariat. For instance, the EMG Secretariat can serve these groups in much the same fashion as the United Nations



Development Group Office services the United Nations Development Group's substantive working groups. The Group may also consider developing TOR for the IMGs which would help to define the roles and responsibilities of the participating members and the role of the Secretariat.

3) Criteria for the selection of issues

The TOR of the EMG do include some general criteria for the selection of issues. However, these need to be improved by further specifying the requirements and conditions for an issue to qualify for consideration by the Group. The selection of issues is key to determining the level of participation and ownership of members and their contribution to the work of the EMG. The following suggestions can be considered as a starting point for further developing the criteria:

- a) The issue needs to be identified as a priority by at least 2 EMG members;
- b) The issue needs to be concrete, consisting of a definable problem with a concrete resolution (i.e. results/outputs) within a specific, limited time period;
- c) The EMG process needs to provide some value added to the issue other than that which could be provided by one or more agencies acting on their own. Such value added might include:
 - i) The lack of a clear mandate for any one member to undertake a task, despite agreement that the task is necessary (e.g. the EMG exercise on carbon-neutrality or sustainable procurement);
 - ii) A qualitative and quantitative improvement resulting from tackling certain issues together as opposed to individually (e.g. the collective response to the Nairobi Work Programme on Adaptation);
 - iii) Given the mandate of the EMG, agencies can probably be more innovative and experimental when working through the EMG than when working through their own mandated programmes alone.
- d) The issues should be presented to the annual Senior-level EMG meeting for consolidation into an EMG work programme;
- e) The CEB, as the ultimate coordinating body in the UN, should provide strategic guidance to the EMG which will have a significant bearing on the work plans to be developed by the EMG.

4) Membership

The SG's Task Force on Environment and Human Settlements (1998) suggested that the EMG would include, as core members, the main United Nations entities concerned with environment and human settlements. Specific meetings would involve additional United Nations entities, financial institutions and organizations outside the United Nations system with experience and expertise relevant to the issues on the agenda. The Task Force added that the Group should include Convention secretariats among its participants when needed and should act to ensure appropriate linkages between activities implemented by Conventions and relevant activities elsewhere in the international system.

The current TOR have defined the membership of the EMG as including "specialized agencies, programmes and organs of the United Nations including the Secretariats of the MEAs". Elsewhere, under the participation of non-members, the TOR provide that the representatives of relevant sectors of civil



society and of international non-governmental organizations with specific expertise may also attend the meetings of the issue-management groups.

The EMG is set up as a United Nations system-wide mechanism, but one that allows for the inclusion of the views of non-United Nations partners through its issue-management groups. This approach is deemed to be valuable if the Group can strategically draw on non-United Nations views when these are relevant to the specific substantive issues being addressed. The EMG may therefore wish to consider the following to better define the membership of the Group at both the policy and the working levels:

- 1) Development of criteria for membership both at the decision-making and working levels
- 2) Definition of the core and non-core members (those with direct and indirect links to environmental issues)
- 3) Definition of a special profile for the MEAs
- 4) Discussion of the role of the UN regional commissions
- 5) Definition of the procedures for the participation of representatives of the private sector, civil society and academia, as well as IGOs, both at the policy and the working levels.

5) Reporting

The efficient functioning of the Group requires that it have a clear relation with inter-governmental processes, while retaining its inter-agency nature, and that it enjoy a clearly defined reporting relationship with the General Assembly, GC/GMEF, the Commission on Sustainable Development, governing bodies of EMG member agencies and other fora in the United Nations system. Reporting as defined in the TOR is mostly limited to internal reporting within the EMG. In other words, reporting is between the issue-management groups, leading agencies and the Chairman. However, the TOR mention that where the results of the meetings of the IMGs or the Group have a bearing on the UN system's work on sustainable development, the Chairman will inform the ACC (now CEB) and the EMG Secretariat will communicate the relevant report to the IACSD (which no longer exists).

There is no clear decision or defined legal parameters for external reporting - i.e. reporting by the EMG to the UNEP GC, the UN GA and UN bodies.

The practice thus far has been that the reports of the EMG have been submitted to the GA through the GC of UNEP. This practice is based on an interpretation of GA Resolution 58/209 of December 2003, which requested the EMG (in the context of the implementation of the UNEP Bali plan on capacity-building and technology transfer) to make available the reports of its work (on capacity-building) to the 59th session of the GA through the GC of UNEP. The EMG has continued this practice and provided its reports to subsequent sessions of the GA through the GC of UNEP.

There is thus no clear decision on how the EMG should report, and to whom. The GA - the body which established the EMG - does not receive an individual report clearly associated with the EMG, since the EMG report is simply an annex to the UNEP/GC report. In addition, there is no provision which would allow the EMG to provide its report to the governing bodies of EMG members other than UNEP. EMG's communication/interaction with other inter-agency frameworks such as CEB, HLCP, HLCM, UNDG, UN Water, UN Oceans and UN Energy also needs to be defined.



6) EMG Support Structure

Neither GA Resolution 53/242 nor the TOR provide a clear definition of the support structure for the EMG. The TOR only provide limited guidance, mentioning that “UNEP will be providing the Secretariat of the EMG”. The support structure can be considered in terms of its substantive and financial, administrative and human resources aspects. The TOR could define the required support from members and their contribution to the functioning of issue-management projects - e.g. substantive support for the work of the IMGs, the secondment of staff, the generation of a sense of ownership through regular symbolic or assessed financial contributions to a core administrative fund of the EMG, co-chairing and hosting the EMG meetings and activities.

5) Follow up suggestions

The EMG may wish to request its Secretariat to establish an open-ended issue group to collect inputs from members and to prepare revised TOR for consideration at the next EMG meeting in 2008.