Chapter 19

Strengthening the United Nations

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Introduction

The environment arrived late on the United Nations' policy agenda, occupies limited institutional space within the convoluted United Nations system, and has traditionally been considered an issue of low politics in intergovernmental relations. It is thus unsurprising that the calls to strengthen the environmental mandate and, indeed, the corresponding capacities of the United Nations (hereafter UN) are as old as the UN's engagement in environmental policy itself.

The UN's involvement in environmental issues can be traced back to the emerging concern of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the "biosphere" in the 1960s. More pronounced engagement in the environmental realm is generally attributed to the United Nations Conference on the Human Environment (UNCHE). This was convened in Stockholm in June 1972 and brought about the United Nations Environment Programme (UNEP), which ultimately proved to be the conference's most visible and lasting achievement.

UNEP was formally established by Resolution 2997 (XXVII) of the UN General Assembly later in 1972 and took up its work in 1973, almost three decades after the establishment of the UN's principal organs and major specialized agencies (UNGA 1972). Deliberately designed as a subordinate program of the UN Economic and Social Council (ECOSOC) and with a "small secretariat" that is located in Kenya's capital Nairobi, that is, remote from UN hubs in New York and Geneva, UNEP epitomizes the late, limited, and low standing of environmental matters in the UN system. At the same time, it represents "the closest thing there is to an overarching global institution for the environment" (DeSombre 2006: 9).

There is a considerable gap between the high expectations that the UN's environmental institutions find themselves confronted with and their limited capability

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to deliver. Still, the UN has evolved into the foremost arena of global environmental governance. At its center, UNEP has been reaffirmed time and again to be the international community's

leading global environmental authority that sets the global environmental agenda, that promotes the coherent implementation of the environmental dimension of sustainable development within the UN system and that serves as an authoritative advocate for the global environment (Nairobi Declaration; see UNEP 1997: paragraph 2).¹

Indeed, the dynamic growth in multilateral environmental institutions has largely occurred under the auspices of the UN, with many of the corresponding treaties being administered by UNEP. These include, *inter alia*, the 1992 Convention on Biological Diversity (CBD), the 1985 Vienna Convention for the Protection of the Ozone Layer and its 1987 Montreal Protocol on Substances that Deplete the Ozone Layer, the 1973 Convention on Trade in Endangered Species, and a host of chemicals-and waste-related conventions, as well as treaties pertaining to specific biodiversity-related issues and regional seas (Bauer 2009b).²

Moreover, UNEP has played a key role in raising governmental awareness around desertification and climate change. As a result, international efforts to tackle these issues are now both addressed by genuine UN conventions, that is, the United Nations Framework Convention on Climate Change (UNFCCC) and the United Nations Convention to Combat Desertification (UNCCD) respectively (Bauer 2009b). These environmental issues are thus provided with an elevated status within the UN system and a direct link to the UN Secretary General and General Assembly (Bauer *et al.* 2009). Many of these multilateral environmental agreements enjoy close to universal membership, which lends them global legitimacy and political clout, at least in theory.

In addition, several conventions relating specifically to the marine environment are governed through the International Maritime Organization (IMO), that is, one of the UN's oldest specialized agencies (Campe 2009). It is thus fair to conclude that the UN really is *the* arena for global environmental governance and international climate policy, yet still inadequate for solving the multiple environmental crises that humankind is facing.

A virtually "permanent state of reform" (Elliott 2005: 37) notwithstanding, the UN's expectations—capabilities gap has not been fundamentally addressed since the UNEP first took up its work. In fact, the apparent inefficacy of its environmental institutions has "in some respects served to erode the legitimacy of the UN and dilute its brand value because of the persisting gaps between rhetoric and commitments and implementation" (Weiss and Thakur 2010: 221). Meanwhile an increasing awareness of the ecological limits of growth-driven human development and a tendency to "securitize" key environmental problems such as water scarcity or climate change have created a sense of urgency, but have yet to prompt commensurate action. Indeed, it took 40 years for the 2012 United Nations Conference on Sustainable Development to seriously attempt to redress the UN's overall institutional framework at the nexus of environment and development (UN 2012a: section IV). To what end the ensuing reform decisions will eventually be implemented remains to be seen.

Any institutional reform will inevitably be appraised against the abundance of calls for a UN with stronger environmental capabilities that have amassed in the past

decade alone (see *inter alia* Andresen 2001; WBGU 2001, 2011; Brack and Hyvarinen 2002; Tarasofsky 2002; Haas 2004; Biermann and Bauer 2005; Chambers and Green 2005; Najam *et al.* 2006; Swart and Perry 2007; Biermann 2012). From within the UN system itself the Secretary-General's High-Level Panel on System-Wide Coherence in the Areas of Development, Humanitarian Assistance, and the Environment acknowledges that:

We possess fairly comprehensive knowledge and understanding of what we individually and collectively need to do to reverse these trends [of environmental degradation] – all spelled out in reports, declarations, treaties and summits since the early 1970s. While we have made significant advances within the UN framework, what is needed now is a substantially strengthened and streamlined international environmental governance structure, to support the incentives for change required at all levels (UN 2006: paragraph 31).

This chapter traces the evolution of institutions and concepts pertaining to global environmental governance by and through the UN, next discusses the structural obstacles that so far hinder a fundamental strengthening of environmental policy within the UN system, and concludes by sketching the prospects for environmental multilateralism in the wider context of shifting geopolitics and global aspirations for sustainable development.

Environmental Policy in the UN System: Key Concepts and Institutions

Societal concern for the environment naturally originated at local and national levels. It manifested itself in notions of nature conservation and ecological stewardship that are much older than the first inklings of international environmentalism. Yet they provided the basis on which political concern for the "human environment" was eventually elevated to the intergovernmental realm in the 1970s (see McCormick 1989; Caldwell 1996). As such, however, desires to conserve nature and to address transboundary pollution of air, land and water sources were perceived as a rather luxurious concern in large parts of the world that had only recently gained independence from colonial oppression and that were eager to advance on socio-economic scales by any means.

This sentiment was famously coined into a phrase by the then Indian prime minister Indira Gandhi (1972) when she rhetorically asked the United Nations Conference on the Human Environment "Are not poverty and need the greatest polluters?" It persevered as a quintessential point of reference around which the structural dichotomy between "the North," that is, rich industrialized countries, and "the South," that is, poor developing countries, revolved until the apparent contradiction between environment and development was formally overcome by aligning conflicting objectives under the conceptual formula of sustainable development.

Defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs," the concept of sustainable development was first introduced by the World Commission on Environment and Development (WCED) in its 1987 report *Our Common Future* (also known as the Brundtland Report, after the commission's chairwoman, Gro Harlem

Brundtland; WCED 1987). To reflect both the socio-economic and the ecological context of development, the commission further emphasized

the essential needs of the world's poor, to which overriding priority should be given; and the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs (WCED 1987).

The commission's definition of sustainable development was subsequently adopted in the Rio Declaration of the 1992 United Nations Conference on Environment and Development (UNCED). It has since proved paradigmatic for virtually all development activities of the UN, framing policy agendas in areas as diverse as multilateral aid, health care, food security, education, corporate social responsibility. and, not least, environmental regulation. The language of the UNFCCC and the CBD that were both adopted at the UNCED testify to the instant paradigmatic quality of the sustainable development concept. This is even more obvious in the case of the UNCCD, which was initiated at the Rio summit and eventually adopted in 1994 (see Bruyninckx 2005: 287–290; Johnson *et al.* 2006). Accordingly, any discussion of the UN's role in international environmental governance and, indeed, a strengthening of its corresponding institutions will need to be firmly placed in a context of sustainable development.

This is not to say that the principal North–South divide has been overcome. The inherent tension "between the sovereign prerogative of states to exploit, utilize, and develop resources within their jurisdiction ... and the global impact of deforestation, stock depletions, desertification and atmospheric pollution" (Weiss and Thakur 2010: 208–209) prevails. Simply put, aspirations for inclusive growth tend to conflict with imperatives of sustainable resource use. Different interpretations of sustainable development thus continue to reflect the different priorities and interests of developed and developing countries and their ongoing struggle to balance the concept's three pillars of economic development, social development, and environmental protection (see also Chasek and Wagner 2012). Controversies about environmental governance within the UN thus continue to be characterized by mutual suspicion and a strong emphasis on the alleged trade-offs between developmental and environmental objectives.

If further proof was needed regarding the trade-offs that have dominated debates over sustainable development, the negotiations preceding the Rio+20 United Nations Conference on Sustainable Development in 2012 were marred by a stark North–South fault line. This prevailed throughout the summit, even as the South's traditional negotiating block of the "G77 and China" appeared more heterogeneous than ever. Its ubiquity and pervasiveness notwithstanding, sustainable development ultimately remains a contested concept. While virtually everybody can subscribe to sustainable development as a slogan and to the lofty aspirations attributed to it, it hardly lends itself to on-the-ground policy-making (see also Bruyninckx 2005; Weiss and Thakur 2010). Hence, whenever push comes to shove, negotiators utilize the conceptual vagueness of sustainable development as they see fit.

Strategic use of sustainable development's vagueness was particularly obvious at the World Summit on Sustainable Development (WSSD) that convened in Johannesburg in 2002. Rather than reaching substantive decisions to remedy the

capabilities—expectations gap, governments evoked broad voluntary commitments that hurt no one, enthusiastically embraced public—private "Type II" partnerships as a solution to the problem of sustainable development, downplayed the relevance of environmental protection, and even watered down pre-existing multilateral outcomes in pertinent sectors such as water, health, and agriculture (see Andonova and Levy 2003; Pallemaerts 2003; Weiss and Thakur 2010).

As the UN now seeks to pick up the pieces after the Rio+20 United Nations Conference on Sustainable Development, it is helpful to recall that the WSSD was widely acknowledged to have failed to deliver, especially from an environmentalist viewpoint (e.g. Pallemaerts 2003; Speth 2003; Wapner 2003). To grapple with this realization the Rio+20 summit turned to notions of a "green economy" and their potential to facilitate sustainable development and poverty eradication (see UNEP 2011). In the event, however, the conference remained lukewarm about this latest addition to the global environmental governance lexicon and especially reflected developing countries' reluctance to subscribe to it (UN 2012a: section III).

In conjunction with the green economy debate, states were expected to finally reform the institutional framework for sustainable development to actually strengthen the UN at the nexus of environment and development and to complement the existing Millennium Development Goals with a new set of Sustainable Development Goals in the wake of the Rio+20 conference. On both counts some progress has been achieved even as its tangibility will be subject to intergovernmental interpretation and brinkmanship. However the implementation of corresponding decisions turns out, it will be vital to understand the key institutions that constitute the UN's environmental architecture so far and that have subsequently been the focus of reform debates. Of these institutions, the most notable are UNEP and the Commission on Sustainable Development.

United Nations Environment Programme

UNEP was conceived to provide the international community with leadership and guidance on global and regional environmental matters by assessing and monitoring the state of the environment and by serving as a norm-building catalyst for international environmental policy and law. Moreover, it was formally mandated to coordinate all of the UN's environmental activities (UNGA 1972; see also Ivanova 2007, 2010; Bauer 2009b). Its organizational set-up and governance structure, however, foresaw no autonomous role vis-à-vis other agencies and institutions within the UN system, many of which are superior to UNEP either hierarchically or politically. UNEP is thereby effectively prevented from living up to its assigned coordinating function.

UNEP's original mandate deliberately precluded it from having operative capacity beyond the promotion of environmental law. This has always been reflected by a relatively small budget and professional staff. The Environment Fund that technically determines UNEP's core budget relies on governments' voluntary pledges for replenishment and has over the years typically fluctuated somewhere between US\$30 million and 60 million per annum. This makes for a meek resource base, even as UNEP's overall budget has grown to some US\$200 million per annum (UNEP 2012). This is largely due to earmarked contributions from individual

member-states, designated trust funds that are administered through UNEP, and increased access to operative funds, notably by virtue of UNEP being an implementing agency of the Global Environment Facility (GEF), and a partial expansion of its mandate through the Bali Strategic Plan on Technology Support and Capacity Building (UNEP 2004; see also Bauer 2009b and Ivanova 2012 for further details).

It is all the more remarkable against this background that UNEP, by and large, has been rather successful in acting as the UN's environmental consciousness and, indeed, as a catalyst for environmental action. As such it has played a proactive role in the facilitation of several pivotal multilateral environmental agreements, in the promotion of environmental law at international, regional, and even national levels, and in raising general awareness for the environmental challenges facing the international community. Ironically, UNEP's success in facilitating issue-specific multilateral environmental institutions is somewhat clouded by the concomitant proliferation of separate decision-making bodies, notably conferences of the parties (COPs) to distinct environmental treaties such as the CBD or the Montreal Protocol (see Andresen and Rosendal 2009; Bauer 2009a). Ultimately, the decision-making processes of these institutions are out of UNEP's reach, which further exacerbates the difficulties UNEP faces regarding the coordination of international environmental governance.

The dynamic proliferation of multilateral environmental agreements has intensified the pace, density, and complexity of international environmental governance (see also Depledge and Chasek 2012). Transaction costs are thereby multiplied not only for the UN, but also for member-states who are burdened with ever more meetings and concurrent reporting requirements. The meetings of the UNFCCC, CBD, and UNCCD and their respective subsidiary bodies alone consume up to 230 meeting days per year, triggering "treaty fatigue," and not only in developing countries whose capacities are easily stretched thin (Müller 2010: 164; see also Muñoz *et al.* 2009).

United Nations Commission on Sustainable Development

In 1992 the institutional landscape of the UN environmental architecture was expanded with the establishment of the Commission on Sustainable Development (CSD) and a corresponding Division for Sustainable Development at UN headquarters to serve as the commission's secretariat following the UNCED (UNGA 1992). Like UNEP, the CSD reports to the General Assembly via ECOSOC. It comprises 53 states that are elected by the General Assembly for three years and in accordance with a quota that warrants regional representation according to the UN's five regional groups. Moreover, the CSD stands out for "pioneering innovative arrangements for civil society participation" (Mingst and Karns 2007: 223) that facilitate input from nine Major Groups as called for in Agenda 21, the action plan for achieving sustainable development as established at the first Rio Conference in 1992 (UNCED 1992: chapter 23).

The CSD does not take legally binding decisions, but was tasked with monitoring and reporting on the implementation of the Rio decisions as spelled out in Agenda 21. Governments thus effectively mandated the CSD to engage with the environmental policy domain. While this reflected the paradigm shift towards sustainable development institutionally, it further blurred the delineation of competences between agencies dealing with environmental and development affairs without actually

mainstreaming environmental and development objectives (Bauer 2009b: 184; see also Imber 1993; Elliott 2005). Rather than improving interagency coordination, the CSD evolved into a cumbersome and often politicized platform for fundamental North–South debates in which socio-economic concerns tend to take precedence over the interpretation of sustainable development, even as government delegates typically represent environmental ministries rather than ministries of finance, economy, or trade.

The CSD's status was formally reaffirmed when it was further tasked with monitoring the implementation of the Johannesburg Plan of Implementation after the 2002 World Summit on Sustainable Development. Its meeting format was concomitantly modified to address specific thematic complexes in biennial work cycles, such as water, sanitation, and human settlements in 2004/2005 and agriculture, rural development, land, drought, and desertification in 2008/2009 (see DeSombre 2006: 33 for an overview). The first year of the two-year cycles have been dedicated to evaluating the progress made regarding the respective policy themes. The ensuing year is then intended to galvanize implementation in the corresponding policy fields. While this has helped to streamline the CSD's agenda, it did not solve the controversies underlying much of its work, for instance, regarding reporting requirements of developed and developing countries.

On balance it seems fair to say that the CSD's major achievement as a legacy of the UNCED has been to increase multi-stakeholder dialogue through institutionalized participation of the Major Groups, even as their subsequent influence has remained ambiguous. Overall, however, the genesis and record of the CSD and its evident incapability to strengthen the UN's performance in environmental governance suggest "that it was created as a way to avoid, rather than institutionalize, action" (DeSombre 2006: 35).

International Environmental Governance at Country Level

With neither UNEP nor the CSD commanding significant operative capacities, an appraisal of the UN's role in environmental policy would be incomplete without considering the entities that do. Indeed, UNEP has shown a particular propensity to engage in interagency cooperation simply for the sake of increased involvement and visibility at country level, thereby circumventing to some extent the formal restrictions of its non-operative mandate (Bauer 2009b: 178).

Environment-related policies of specialized agencies and programs like the World Health Organization, the United Nations Industrial Development Organization (UNIDO), or UN-HABITAT notwithstanding, the United Nations Development Programme (UNDP) stands out as the UN's foremost operative actor at country level. As such, UNDP enjoys access to a wide range of multilateral environmental funds, including the Montreal Protocol's Multilateral Fund, the Global Environment Facility, and Capacity 21 funds that were specifically designated to build developing country capacities pertaining to the objectives of Agenda 21 (Murphy 2006: 270–271). Moreover, many issues in the UNDP's traditional portfolio, such as water management or energy provision, inherently relate to environmental policy.

The joint Poverty-Environment Initiative of UNDP and UNEP is arguably the most tangible undertaking so far regarding an operative UN program to support

"country-led efforts to mainstream poverty-environment linkages into national development planning" (UNDP and UNEP 2011). Formally initiated in 2005, it was expanded after a five-year pilot phase (2004–2008) and is now up and running in 17 developing countries, providing "financial and technical assistance to government partners to set up institutional and capacity strengthening programmes" pertaining to each country's particular poverty-environment context (UNDP and UNEP 2011). The joint initiative mobilized an average of roughly US\$4 million per annum in the pilot phase, and has since more than doubled its annual expenditure to US\$8 million in 2009 and US\$10 million in 2010 (UNDP and UNEP 2011).

Such efforts notwithstanding, the relationship between the UNDP and the UNEP – formally on equal footing in the UN hierarchy – has remained one of unequal siblings. In spite of numerous efforts to enhance constructive cooperation both in the field and at program level, joint initiatives are often marred by conflicting institutional interests and ensuing turf battles over competences, resources, and, not least, the attention of state principals (Biermann and Bauer 2004; see also Mee 2005). Any meaningful reform of the UN's environmental performance will also have to address the counterproductive side-effects of this uneasy competition and the general mode of cooperation between constituents of the United Nations Development Group, chaired by UNDP, and the Environmental Management Group, chaired by UNEP. With a reform of the UN development architecture representing an uphill struggle in its own right, this is of course easier said than done (see Weinlich 2011). It thus bodes poorly for the envisaged revamping of the Institutional Framework for Sustainable Development that the outcome of the United Nations Conference on Sustainable Development hardly considers these institutional realities and, in particular, the pivotal role of UNDP.

Another complex task facing, *inter alia*, the UN is the task of downscaling the global objectives negotiated under multilateral environmental agreements to meet the domestic needs of individual countries. Such a global–national-scale shift is intended to take place, for example, through the National Action Programmes of the UNCCD, or the National Adaptation Programmes of Action under the UNFCCC.³ These instruments are critical to realizing effective multilevel governance and typically rely on the Global Environmental Facility and other multilateral funds that are often jointly administered by UNDP, UNEP, and other implementing agencies including the World Bank (e.g. Biermann 1997; Andler 2009; Horstmann and Chandani Abeysinghe 2011). Although considerable efforts are made to promote coherence and synergies regarding the implementation of multilateral environmental agreements, for instance in a Joint Liaison Group of the three "Rio conventions" – the CBD, UNCCD, and UNFCCC – the political reality seems more adequately characterized by institutional fragmentation and political competition.

Institutional fragmentation is not a direct outgrowth of UN institutions as such, but a result of member-states' readiness to create ever-new institutions rather than to redress or dissolve existing ones and their tendency to retain principal control through earmarked contributions. While institutionalist research suggests that interinstitutional disruption and conflict typically emerge as unintended side-effects rather than deliberate strategizing, they nonetheless inhibit efficient implementation (see also Gehring and Oberthür 2008).

Global Policy Dimensions: Ambitions and Obstacles Regarding a Substantive Strengthening of the UN's Environmental Governance Architecture

At the heart of the obstacles that have so far prevented a substantive strengthening of the UN's environmental architecture lie the very same fundamental issues that explain its current weakness: the North–South fault line that pervades global policy-making, the environment as a latecomer in international politics, and a limited institutional space within the UN that reflects governments' perception of a low, albeit growing, salience of global environmental problems.

Indeed, the UN Charter does not address the management of natural resources, even though the UN has always had a profound impact on how natural resources were perceived and addressed internationally (Schrijver 2007). Much less did the UN's founders conceive of concepts such as environment, ecology, or sustainability. In the absence of a "charter moment" that would correct this and other anachronisms of the UN system at the root, academic and public policy debate on the need for a specialized agency on the environment, indeed a world environment organization, has been thriving for some time.

In the mid-1990s this occurred at least partially in response to a management crisis at the helm of the UNEP secretariat, the emergence of the CSD in the wake of the UNCED, and an increasing awareness of the effects of economic globalization and the World Trade Organization's potential impact on environmental policy (Bauer and Biermann 2005). It has gained further momentum after the Global Ministerial Environment Forum's 2002 "Cartagena Package" decision on international environmental governance and the unsatisfactory outcomes of the WSSD. Together these factors have gradually galvanized intergovernmental consensus on incremental reform measures during the past decade. In 2005, the government of France even constituted a "Group of Friends" to push for a United Nations Environment Organization as a full-fledged specialized agency to replace UNEP. While this initiative was in itself unsuccessful, it did keep a potential "upgrade" of UNEP on the international agenda and provided a basis for a formalized intergovernmental consultation process in the context of Kofi Annan's broader reform agenda on system-wide coherence and the Rio+20 summit of 2012.

Named after the locations of key meetings, this consultative process is now referred to as the Belgrade process and the Nairobi–Helsinki process respectively (see Simon 2011, for further details). Compared to previous reform debates its outcomes are remarkable for their expedience and broad consensus on key areas of reform, which were also reflected in the original negotiating text that preceded the eventual outcome document of the 2012 United Nations Conference on Sustainable Development.⁴ With an overall sense to make form follow function, the intergovernmental consultative process explicitly focused on pragmatic consensus-building regarding five functional objectives (see CGIEG 2010 and Simon 2011: 23 for further background):

- creating a strong, credible, and accessible science base and policy interface;
- developing a global authoritative and responsive voice for environmental sustainability;

- achieving effectiveness, efficiency, and coherence within the UN system;
- securing sufficient, predictable, and coherent funding;
- ensuring a responsive and cohesive approach to meeting country needs.

The politically delicate questions of whether and how the UN's environmental institutions should be strengthened in these ways were thus effectively circumvented. However, they are certain to resurface once tangible decisions on institutional competences, mandates, and resources pertaining to either of the desired functions are to be formally adopted.

At the Rio+20 summit, hopeful aspirations regarding a "double upgrade" that would transform UNEP into a UNEO specialized agency on the one hand and the CSD into an elevated Sustainable Development Council on the other hand were halfway met at best. The summit's general decisions to strengthen UNEP with universal membership and "secure, stable, adequate and increased financial resources from the [UN] regular budget" (UN 2012a: paragraph 88) and to replace the CSD with a "universal intergovernmental high-level political forum" (UN 2012a: paragraph 84) are yet to be implemented. Whether they actually strengthen the UN's "environmental pillar" ultimately depends on how this will be done. As always, the proof of the pudding will be in the eating.

Leaving the significance of pending institutional reforms aside, the predominance of socio-economic policy within the UN system and the concurrent North–South divide remain substantive obstacles to a major breakthrough on environmental institutions. This is true even as developing countries' interests appear far more heterogeneous than on previous occasions. Besides, political and economic powerhouses on both sides of the North–South divide, notably including the United States, China, India, and Russia, have always been skeptical regarding a substantive institutional strengthening of UNEP in particular. Thus far, it is hard to see what might prompt them to endorse more ambitious reform options or, for that matter, what price reform proponents like the European Union are actually willing to pay to get skeptics to align. Against this background, even adamant supporters of further-reaching institutional reform would seem well advised not to consider the formal status of a specialized agency as an end in itself, but to focus on strengthening the functional capacities required for effective international environmental governance (see also Najam 2005; Ivanova 2012).

Meanwhile, as any major reform of the UN system ultimately depends on the political will of its member-states, the UN can, to a certain extent, succeed in strengthening itself. As principals are generally hesitant to strengthen their agents, international organizations have often sought creative ways to improve their lot (Hawkins *et al.* 2006). Indeed, the role of international bureaucracies as drivers of incremental yet significant changes to the UN's performance in environmental governance increasingly warrants scholarly attention (see Bauer 2006; Biermann and Siebenhüner 2009).

The very decision to strengthen UNEP by granting its Governing Council universal membership (as opposed to the exclusive status quo with 58 members) provides a case study in endogenous institutional change (Bauer 2009b: 176–177). While states sought to avoid turning UNEP into a specialized agency, the UNEP secretariat managed to muster sufficient support to establish a Global Ministerial

Environment Forum (GMEF), thereby achieving *de facto* universal membership through the backdoor long before governments finally consented, at the Rio+20 summit, to accordingly expand the Governing Council's membership (see UN 2012a: paragraph 88(a)).

Since the GMEF was first invited to Malmö in 2000, it has become established practice to convene it as well as recurrent "special sessions" of the UNEP Governing Council in the intervals between the latter's biennial regular sessions. Moreover, the GMEF has since been routinely called to convene back to back with regular Council sessions. Though the Governing Council, with its restricted membership, continued to be *de jure* the decision-making body of UNEP, it could hardly ignore any substantive output from the GMEF. In the absence of a formal strengthening this was not insignificant as a measure of the UNEP's political clout, even though the GMEF cannot make formal decisions. The GMEF thus proves both the UN's internal potential to generate authority and the structural limits it is facing in redressing the fundamental parameters that ultimately determine its weakness.

The proliferation of ever more institutions and forums (like the GMEF) and the global interaction of ever more actors (notably non-state actors such as international bureaucracies, transnational civil society organizations, and multinational private businesses) demonstrate the growing fragmentation of international policy-making. While this is hardly exclusive to environmental governance, institutional fragmentation has proved particularly dynamic in international environment and climate policy (Biermann *et al.* 2009). Again, while synergetic and cooperative fragmentation are possible, empirical analysis suggests that fragmentation in global environmental policy, notably regarding climate change, is often conflictive and thereby undermines prospective organizational advantages of functional differentiation and redundancy (see also Keohane and Victor 2010; Zelli 2011). This is especially the case, since the complexity of institutional fragmentation and issue linkages in environmental governance is additionally enhanced by a recent phenomenon that has aptly been described as "climate change bandwagoning" (Jinnah and Conliffe 2012).

The dynamic development of environmental and climate institutions under the auspices of the UN alone, to say nothing of their inherent linkages with development policy, thus raises broader questions on the prospects for international cooperation and, indeed, organization. The 2012 United Nations Conference on Sustainable Development did not answer them, even as it extensively considered the institutional framework for sustainable development and corresponding means of implementation (UN 2012a). While it has reached some noteworthy decisions on long-pending issues of institutional reform – including the fate of the Commission on Sustainable Development, which is to be superseded, and the status of UNEP, which is to be strengthened, however half-heartedly – ensuing changes will yet again prove incremental rather than radical.

The prevailing sentiment in the wake of another lackluster UN summit thus is one of advanced skepticism. Even the most ardent advocates of the UN have to grapple with the notion that the current state of multilateralism seems to defy far-reaching institutional reform: "It is possible to add new organizations, forums or processes to the existing maelstrom, but it is impossible to shift what is already there in any fundamental way" (Halle 2012: 2).

Conclusions and Global Policy Implications: The Prospects for a Strengthened UN

The UN is often referred to as a proxy for "the international community" and, as such, it has taken to referring to "Our Common Future" (WCED 1987). If Earth Sciences are right, however, the international community's prospects in the nascent "anthropocene" are hardly commensurate with "The Future We Want" (UN 2012a; see also Biermann *et al.* 2012; Brito and Stafford Smith 2012). Indeed, the substance of the Rio+20 summit's outcome document and the tenacious stalemate of international climate negotiations reflect rather poorly on the ability of global institutions to tackle environmental challenges. Even as there have been considerable achievements since the environment first appeared on the UN's agenda, the overarching sense of the international community's response to global environmental change and the risks it entails for an already unstable world remains one of ineptitude, failure, and frustration (Falkner and Lee 2012).

As the glaring gap between the international community's expectations and the capabilities of global environmental institutions prevails, "the United Nations" is easily scapegoated. Nonetheless, a convincing alternative forum for addressing the dangerous trends of global environmental change in a manner that can claim universal legitimacy has yet to be found. In the absence of an effective and democratic world government, the UN with its universal membership remains unmatched for the provision of global vision and leadership, international legitimacy, and an indispensable convening power that is instrumental for mobilizing multilateral action. No issue could highlight these comparative advantages of the UN better than the quest for sustainable global development (see also Weiss and Thakur 2010).

If the international community is stuck with the UN to organize multilateral responses to universal challenges, how might it better incorporate the notion of "planetary boundaries" within the UN's historical domains of security, development, and human rights? One way forward in this respect would be to adjust the "uneven institutionalization" of environmental policy within the UN by standing it on four legs rather than its "two rear legs" (Conca 2010). That is to say that the normative and operative integration of environmental concerns must no longer be confined to the realm of sustainable development and international law, but also permeate the UN's activities regarding peace and human rights.

Indeed, the securitization of climate change and specific environmental issues, such as water scarcity or land degradation, and a discernible trend among non-governmental organizations and advocacy groups to pursue environmental agendas with human-rights-based approaches may point in that direction. It is no coincidence, for instance, that a proven and tested primer on the UN addresses environmental governance in a chapter on "Human Security" rather than in its chapter on "Economic Development and Sustainability" (Mingst and Karns 2007). Whether such approaches may help to further the environmental capacity of the UN is an open question, as both security policy and human rights law are highly politicized. Securitizing the environment, in particular, is a double-edged sword that may sideline precautionary approaches to environmental degradation and divert resources as much as it raises political awareness for socio-ecological interdependencies and

the tangible problems caused by environmental degradation (see, for instance, Brock 1997; Detraz and Betsill 2009).

Any meaningful strengthening of the UN will have to respond to broader geopolitical trends. While the inner dynamics of the UN as we know it continue to be driven by a North–South antagonism largely fueled by global inequality, the terms of debate may be changing. The fragmentation of actor constellations in the environmental and climate policy arena, where the so-called BASIC countries and other emerging economies are ostensibly drifting away from their "traditional" G77 base, is suggestive of burgeoning tectonic shifts in world politics. As much as it has by now become a "commonplace" (Falkner and Lee 2012) to observe these shifts, it is not trivial to anticipate their implications for the UN. Whether and how states deal with the attendant material changes at the international level as well as at their respective domestic levels will determine the future role of the UN in world politics and, indeed, global environmental governance.

On the one hand, a realist reading of changes in North–South relations would suggest a renaissance of power politics with more conflictual fragmentation in which multilateral "forum shopping" further undermines the grasp of the UN and "reinforces the power of the strong" (Hurrell and Sengupta 2012). Indeed, the emergence of, and public interest in, the G20 may be seen as a case in point. Its global relevance was particularly evident in the handling of the financial crisis of 2008/2009 and, even in general terms, it may be expected to play a significant role in a globalized world. Still, it is unlikely the G20 can sideline the UN on matters of global environmental change and the development of effective and legitimate policy. For all of club governance's undeniable benefits, it also comprises considerable political disparities between its heavy-weight members, including China and the USA. While these same differences have so far also prevented progress on major global issues such as climate policy or, for that matter, UN reform, they also diminish the challenge that the G20's motley crew poses to multilateral efforts at tackling global environmental issues.

Rather than a return to power politics, a liberal reading of the global interdependencies that are as evident as they are complex suggests rather the possibility of synergetic polycentrism and enhanced multilateral cooperation. This could occur in a suitably strengthened UN with commensurate regulatory and coordinative competences as well as enhanced participatory mechanisms. This would arguably require a *de facto* qualification of sorts to the key principle of international law, that is, sovereignty, even as the latter has long been identified as a construct of "organized hypocrisy" (Krasner 1999). A deliberate qualification of sovereignty will be particularly hard to come by both for established powers that seek to preserve their status in world politics and for emerging powers that have long aspired to exploit the full potential of their sovereignty. Yet, the delegation of power and authority has been the essence of international organization ever since and was quintessential in the "constitutional moment" that brought about the UN after the Second World War. Ultimately, adjusting the UN to the geopolitical and socio-ecological realities of the anthropocene will require another constitutional moment.

Amending the UN Charter must not be off limits in the pursuit of a strengthened UN, although it appears politically prohibitive to negotiate any such amendment in the short run. A case in point, the Rio+20 summit failed to even commit to an explicit normative vision along these lines. Still, it can be argued that its "The

Future We Want" outcome document was consensually adopted by the world's governments at the summit and thereby provides at least a tangible vantage point and implicit legitimization for future intergovernmental consultations on that matter. A fundamentally restructured UN would have to acknowledge the planetary boundaries of human development as a guiding principle for all UN activities to finally place environmental sustainability on a par with the pursuit of peace, security, human rights, and welfare. It may then eventually overcome the expectations—capability gap that has thus far marred four decades of international environmental governance.

To sum up, as far as a genuine strengthening of the UN's environmental capabilities is concerned, the situation today is not entirely different from the assessment made more than a decade ago by the former administrator of UNDP and chair of the United Nations Development Group, James Gustave Speth, as the international community braced itself for the World Summit on Sustainable Development: "There is no great mystery about *what* must be done. What does remain a great mystery is *how* we get on that path" (Speth 2002: 26; original emphasis). That mystery in turn will hardly be solved unless "member states will recognize that they gain more than they lose by empowering the United Nations to carry out tasks that individually they have no prospect of fulfilling" (Kennedy 2006: 284–285).

Notes

- 1 For similar reaffirmations see *inter alia* the 2000 Malmö Declaration and 2010 Nusa Dua Declaration of the Global Ministerial Environment Forum (GMEF 2000; UNEP 2010) or the report of the Secretary-General's High-Level Panel on System-Wide Coherence in the Areas of Development, Humanitarian Assistance, and the Environment (UN 2006), and, most recently, the Rio+20 summit's outcome document (UN 2012: paragraph 88).
- 2 For detailed accounts of these and other multilateral environmental agreements and their relation to the UN see, for instance, Tolba and Rummel-Bulska (1998) or Chasek *et al.* (2010). For an overview of global multilateral environmental agreements, including their corresponding host institutions, number of member-states, and year of adoption, see Müller (2010: 165–166).
- 3 For a conceptual overview on scale and scaling in international environmental institutions see Gupta (2008); for illustrative case studies on the UNCCD's National Action Programmes see Bruyninckx (2004) and Pearce (2006).
- 4 Refer to the Co-chairs' "Zero Draft" Outcome Document of January 10, 2012 for the United Nations Conference on Sustainable Development, New York (UN 2012b).

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