

Post Johannesburg The Future of the UN Commission on Sustainable Development

*By Felix Dodds, Rosalie Gardiner, David Hales,
Minu Hemmati and Gary Lawrence
Stakeholder Forum for Our Common Future*

Paper # 9

November 2002

WHAT Governance Programme

*A Joint Initiative of the World Humanity Action Trust (WHAT), Stakeholder Forum
for Our Common Future and Global Legislators Organisations for a Balanced
Environment (GLOBE) Southern Africa*

WHAT Governance Programme

Contact: Rosalie Gardiner *Project Manager*
Stakeholder Forum

5 Holyrood Street, London Bridge, London, SE1 2EL

Phone: +44 (0) 207 089 4301 Fax: +44 207 089 4310

Email: rgardiner@earthsummit2002.org

Web: www.earthsummit2002.org

Post Johannesburg

The future of the UN Commission on Sustainable Development

Table of Contents

- 1. Introduction**
- 2. Background**
 - History
 - Assessment
- 3. Johannesburg and the CSD**
- 4. Proposals for CSD reform**
 - WEHAB Plus
 - Time limited Commissions
 - Involving stakeholders
 - Bureau
- 5. Institutional integration**
 - Relationships with other UN Bodies
 - A New Inter Agency Committee on Sustainable Development
- 6. Future CSD Programme of Work**
- 7. Closing summary**
- 8. References**

1. INTRODUCTION

The agencies of the United Nations system play an essential role supporting work for a more sustainable future for everyone. This paper addresses opportunities for improving the effectiveness of the Commission on Sustainable Development (CSD), a functional commission of the UN Economic and Social Council (ECOSOC).

In support of the UN's mission and goals Stakeholder Forum undertakes research on enhancing the UN's efficiency and effectiveness. Based on extensive consultations with different stakeholders (1) in recent years, Stakeholder Forum has concluded that strengthening existing intergovernmental structures, and in particular the CSD, is of vital importance if the UN is to achieve its sustainable development goals. As part of our consultations, Stakeholder Forum's International Advisory Board sponsored a discussion regarding the future of the CSD in Johannesburg during the World Summit on Sustainable Development. At this meeting, former Chairs of the CSD and others candidly discussed the history of the CSD and considered possible ways in which it could be strengthened and refocused.

We hope that this paper, based on our research and dialogues, will inspire discussion about how to make the CSD more effective in promoting Agenda 21 and the Johannesburg World Summit on Sustainable Development's (WSSD) Plan of Implementation. Our research indicates that the core tasks in this effort includes five broad areas, some of which were alluded to in the Plan of Implementation:

1. Ensuring an overarching and balanced commitment to sustainable development
2. Focusing attention on a few priority global issues – those issues that would benefit most from integrated consideration at the international level
3. Finding ways to address important but difficult and divergent issues, typically less well addressed at the CSD
4. Creating new governance systems, including organizational relationships and mechanisms of interaction
5. Ensuring more meaningful engagement of stakeholders at all levels, and enabling more effective relationships among national governments and other stakeholders

No other UN institution tries to examine head-on the inter-linkages between environmental, social, economic, and political arenas at the global scale. If ongoing investment in the CSD is to produce results - results that are more substantial than merely interesting debate - a number of things will need to change. The agenda will need to address fewer and critically important matters at greater detail. It will also need to focus much more on implementation. Governments will need to measure their success based on their ability to improve implementation, through discussions of lessons learned, capacity-building, and the fostering of new partnerships that focus on implementation of commitments and goals. They will need to make sure that stakeholder groups, especially those who undertake implementation, are effectively involved in the discussions. A more concerted multi-stakeholder and multi-level format would present a much better chance of fully understanding the problems and priorities, as well as in identifying potential remedies and areas for joint action. If the CSD makes such changes, it may actually have a chance of being seen by its future constituency as an institution that really matters. We believe that the CSD must really matter.

2. BACKGROUND

History

The principal product of the Earth Summit in 1992 was Agenda 21, a set of findings, goals, objectives and actions that addressed environment and development issues. In the preparatory process there were many views about how progress in implementing Agenda 21 should be monitored. In the end it was

agreed that a new functional Commission of the UN Economic and Social Council (ECOSOC) would be set up. Chapter 38 identifies the setting up of the Commission on Sustainable Development (CSD); it says *“In order to ensure the effective follow-up of the Conference, as well as to enhance international cooperation and rationalization the intergovernmental decision making capacity for the integration of environment and development issues and to examine the progress of the implementation of Agenda 21 at the national, regional and international levels, a high level Commission on Sustainable Development should be established in accordance with Article 68 of the Charter of the UN.”* Agenda 21

The General Assembly met in the autumn of 1992 to debate the establishment of the CSD. It resolved that:

- ECOSOC was requested to establish a high level Commission as a functional council body
- Representatives of 53 states would be elected by the Council for up to three-year terms
- The Commission would meet once a year for two or three weeks, as a functional ECOSOC commission with a full time secretariat based in New York.
- Relevant intergovernmental organizations and specialized agencies, including financial institutions, would be invited to designate representatives to advise and assist the Commission, and to serve as focal points for the Member States and Secretariat of the Commission between sessions

The Rio Earth Summit witnessed an unprecedented involvement of stakeholders, in the preparatory process and the Summit itself. Agenda 21 contains nine chapters dealing with the role of stakeholders, or as it calls them “Major Groups” (2). In the Commission's mandate governments recognised the important role that Major Groups would have in the realisation of Agenda 21. The mandate of the CSD also gives the Major Groups the greatest opportunity for involvement of any UN Commission. The CSD's mandate (Resolution 1993/207) is:

- To monitor progress in the implementation of Agenda 21 and activities related to the integration of environmental and developmental goals by governments, NGOs, and UN bodies
- To monitor progress towards the target of 0.7% GNP from developed countries for Overseas Development Assistance
- To review the adequacy of financing and the transfer of technologies as outlined in Agenda 21
- To receive and analyse relevant information from competent NGOs in the context of Agenda 21 implementation
- To enhance dialogue with NGOs, the independent sector, and other entities outside the UN system, within the UN framework
- To provide recommendations to the General Assembly through the ECOSOC

Organizational and management services to the Commission are provided through a secretariat (the Division for Sustainable Development) located within the Department for Social and Economic Affairs (DESA). DESA also has the Secretariats for the commissions on Social Development, Status of Women, Population, and Statistics. At its inception, the Economic and Social Council stated that the CSD Secretariat should:

- Have an identified entity, with highly qualified and competent staff
- Aim for geographical and gender balance among the staff
- Draw upon the expertise, method and structure of the preparatory process leading to Rio
- Have additional staff by secondment from other relevant bodies, including UNEP, UNDP and the World Bank, while not “negatively affecting the work programmes of those organizations”
- Call upon members of national governments and appropriate specialists on limited term contracts.

- Receive funds from the regular UN budget and depend to the maximum extent possible upon existing budgetary resources

The mandate of the Commission and the structure of the Secretariat make it clear that the CSD is intended to be a “soft forum” in that it does not itself have the authority to develop new multi-lateral agreements. However, in summary the CSD is charged to:

- Objectively and transparently monitor the implementation of Agenda 21
- Address difficult and complex issues
- Assess what is and is not working
- Recommend strategies for overcoming barriers to achieving Agenda 21 goals

These are also the key elements by which the CSD should be assessed and judged on its progress.

Assessment

In its first ten years, the CSD has had a number of achievements (Box 1). However there have also been a number of problems that have emerged over this period, identified by governments and stakeholders that highlight the need for reform within the CSD. Several of these issues are outlined below. These problems also provide the remit of this paper to make its proposals for reform.

Why reform the CSD?

The CSD has undergone a number of changes to try and enhance its effectiveness but nevertheless it has come under criticism from various quarters. The institution has been called a “talk-shop” on more than one occasion. Some have even sought its closure. Box 2. summarises some of the main problems that have been identified over the two key phases of the CSD, between 1994 -1996 and 1998 - 2002.

3. JOHANNESBURG AND THE CSD

The WSSD has made some further proposals for institutional reform. The Plan of Implementation, in particular, has added depth to many areas. It specifically addresses “Strengthening the institutional framework for sustainable development” at all levels, including “The role and function of the CSD”. It calls for strengthening the CSD in several key ways. It says the CSD should:

- Review and evaluate progress and promote further implementation of Agenda 21
- Focus on cross-sectoral aspects of specific sectoral issues and provide a forum for better integration of policies, including through interaction among Ministers dealing with the various dimensions and sectors of sustainable development through high level segments
- Address new challenges and opportunities related to the implementation of Agenda 21
- Focus on actions related to implementation of Agenda 21, limiting negotiations to every two years
- Limit the themes addressed each session

Box 1. CSD Achievements

- 3
 - Recommended a legally binding status for the Prior Informed Consent procedure (1994)
 - Called for coordinated consideration of trade and environment issues (1995)
 - Established an Inter-Governmental Panel on Forests (1995) an International Forum on Forests (1997) and, finally, in the General Assembly a UN Forum of Forests (2000)
 - Set a firm date of 2002 for governments to produce their National Sustainable Development Strategies (1997)
 - Added, in effect, three new chapters to Agenda 21 on Energy, Transport and Tourism (1997)
 - Set up multi-stakeholder dialogues at the UN as part of its official meetings (1998)
 - Agreed changes to the UN Consumer Guidelines to include Sustainable Development (1999)
 - Supported the Washington Declaration on the Global Programme of Action for the Protection of the Marine Environment from Land Based Activities (1999)

Box.2 Problems with the CSD

1994 – 1996 (CSD sessions 2 – 4)

- **Heavy agenda** - In the first few sessions of the CSD (CSD 2-4) the agenda was vast with delegates trying to cover all 40 chapters of Agenda 21 over a three-year cycle. This heavy agenda led to theoretical and unfocused debates leaving neither time for meaningful discussion about specific sustainable development problems nor the opportunity to review the more controversial chapters.
- **Disconnected cross-sectoral issues** – Crosscutting issues (e.g. finance, capacity building, technology transfer, information, sustainable production and consumption patterns) were addressed every year of the CSD without being linked to the specific issue areas. Governments therefore haggled over language that did not result in concrete proposals for specific sectors. The debate would have benefited considerably from attaching the issues to specific thematic areas.
- **Lack of time** - The length and scope of the negotiations did not allow sufficient time to debate and resolve problems relating to substantive issues e.g. climate change or toxic wastes. A total of two days were given to address highly complex areas.
- **Conflict resolution** - CSD procedures provided little space for frank and focused sharing of concerns between conflicting parties.

1997 – 2001 (CSD sessions 6 – 10)

After the UNGASS in 1997, governments sought to try and tackle some of these problems and refocus the agenda of the CSD's programme of work by addressing fewer issues each year. However, further problems remained despite these changes.

- **Re-negotiating principles and past agreements** - The session on CSD 6, focusing on Freshwater, provides a good example. Over the five days of intercessional negotiations time was consumed by issues which had already been agreed in ch.18 of Agenda 21, as well as during discussions at the previous year's UNGASS, such as whether water was a social and economic good. As a result, discussions were unable to progress beyond arguments around fundamental principles, towards a more strategic debate on furthering implementation. Even in the WSSD preparations all governments were in agreement that they did not want to see a re-negotiation of Agenda 21 and yet we saw negotiators move the debate backwards into the territory of the Rio Principles and core objectives. It seems that throughout the 10 years negotiators have struggled with making the shift from abstract debate to strategic implementation.
- **Failure to recall previous agreements** – Often negotiators appeared unaware of what had been agreed previously and in other fora. Whilst countries should be allowed to reopen agendas where it is appropriate, this failing led to inconsequential and repetitive discussions, as well as backtracking, preventing political and real progress. It also resulted in inconsistencies between old and new decisions and a lack of clarity regarding which should take precedence.
- **Space to address barriers to progress** – Although there is some debate on successful case studies in the sessions, there was virtually no space in the debate to discuss barriers or obstacles to progress. If the discussion were to take place however, it would need to take place informally to allow for open airing of the inherent problems.
- **Multi-stakeholder dialogues** – The MS dialogues that were introduced at CSD 7, whilst interesting and useful in terms of information sharing, did not clearly impact on the governmental process. The dialogues remained tied to the effectiveness of the chair to ensure that governments receive the conclusions of the dialogues. Their effectiveness was further limited by governments unable, or unwilling, to fully engage in the dialogues themselves.
- **Monitoring financial contributions** - Based on its mandate, the expectation of many developing countries after Rio was that the CSD would be an effective body to monitor progress towards the target of 0.7% GNP for ODA, as well as the effectiveness of the financing and of transfer of technologies. Instead, the CSD looked at issues such as finance and technology transfer in isolation from thematic issues that might have supported arguments for new funds.
- **National progress** - Countries and stakeholders expected the CSD to effectively monitor countries' progress toward sustainability. However, national reports were limited in detail, not all countries were able to report nor consistently undertook stakeholder consultations in their countries about the reports, and they often lacked proposals for national improvement in the future (DESA 2002 b.).
- **Report back** – Despite agencies and governments being asked to report on their progress on the key issues being addressed at each CSD session there was no mechanism for follow-up after the debate has taken place. For example, two years after a task manager / UN Agency has been requested to undertake a particular policy they should be invited to present their progress in the interim time or at a minimum outline their plan for making the necessary changes for progress.
- **Ministerial representation** - In most CSD meetings participation by (non-environment) ministers with social, financial, economic and development portfolios was minimal, which served to further marginalize the debate in the CSD and limit its impact and follow-up.

Source: IISD Linkages Journal 1998 Vol 3. No. 2 with additions from Stakeholder Forum

WEHAB Plus

In May 2002 the UN Secretary General introduced the WEHAB framework to give a coherent structure to the WSSD. *“The Johannesburg Summit aims to find practical ways for humanity to respond to both the challenges - to better the lives of all human beings, while protecting the environment. The Summit also aims to move from commitments - of which we have had plenty, 30 years ago and 10 years ago - to action. I see five specific areas where concrete results are both essential and achievable.”* . He identified five critical areas:

- **Water and Sanitation**
- **Energy**
- **Health**
- **Agriculture Productivity and food security**
- **Biodiversity and Ecosystem Management**

The CSD work programme could accept this as a framework for a more focused agenda, as well as a guide in its selection of issues for future sessions. The **WEHAB** areas are central to the Johannesburg Plan of Implementation, the UNGASS Outcome and Agenda 21, as well as the Millennium Declaration. The **WEHAB** framework enables governments to focus their attention on making progress in a few key global priorities.

Cross-sectoral issues such as poverty, sustainable consumption and production, globalisation, finance, technology transfer, capacity building, the role of stakeholders and governance, should be applied as core elements in the analyses of each issue. For example, during a CSD session focusing primarily on water, governments would report on how, in the water sector, they are addressing finance, technology transfer, as well as the implications of proposed their activities towards poverty eradication. Additionally, a country's report could focus on their national /transboundary water strategy and how as it fits into their broader, crosscutting national Sustainable Development Strategy. Stakeholders could also contribute to the debate, through Multi-Stakeholder Dialogue (MSD) sessions and discussions on partnerships (see the following section).

Two of the WEHAB issues, Water and Energy, do not have an 'institutional home' like the other issues. This might be detrimental to an effective and coordinated process of reporting and developing recommendations. One suggestion has been to create small coordination bodies to address these issues more effectively, mainly through re-organising existing structures, such as has been modelled by UNAIDS, which is widely regarded as a highly effective UN body (Dodds 2002).

New and emerging “plus” issues could also be addressed as they are identified through the various review processes. These issues would be additional to the WEHAB agenda and would be areas that require particularly focused international debate. Recalling that the emphasis of the discussions should be less about normative issues, and more addressing how to further implementation.

A future programme of work for the CSD could seek to cover these issues in a range of different ways. For example it could address two WEHAB issues in the first few CSD sessions and then turn to new and emerging issues, or alternatively it could examine one WEHAB issue plus one emerging issue per session.

It is important to state that work on WEHAB issues should be additional to the CSD regularly conducting reviews of progress in implementation towards contributing to the Johannesburg, Millennium and Rio Targets, and in fulfilling other elements of its mandate. Regardless of the approaches that are selected however, this thematic agenda will need to be agreed by the eleventh session of the CSD in 2003 in order to give people sufficient time to prepare for the new schedule.

CSD discussions.

Time-limited Commission Panels

A key proposal for institutional enhancement is the idea of creating ministerial-led time-limited “Commission Panels” to report to the CSD. The Commissions could help to focus policy discussions on furthering implementation in specific issue areas that are more challenging to take forward in an inter-government setting. The commissions would look like something similar to the World Commission on Dams, or the Commission on Macroeconomics and Health. They would be set up in an independent format and requested to prepare, within a specified timeline, and a detailed analysis of specific thematic areas. They would produce reports to the CSD outlining some of the more fundamental constraints that are preventing further the achievement of sustainability in particular issues and present recommendations to try and tackle the major blocks.

Looking at more this proposal in more depth, it includes ideas such as each “commission panel” being managed by a small group of active Ministers (not necessarily drawn from the CSD's 53 members but reflecting the need for balance), and include the participation of officers from relevant intergovernmental organizations at the highest level. The groups could also include a small number of technical experts of the highest quality and interest groups, drawn from various stakeholder groups, to give the commission a more balanced and independent investigative capacity. The composition of each group would need to be agreed through the CSD Bureau during a CSD session.

The commissions could also adopt an outreach policy similar to that of the Brundtland Commission or the World Commission on Dams, through convening public hearings. This might occur around meetings of the UN Regional Economic Commissions to help feed in regional perspectives, as endorsed at the Johannesburg Summit.

The commissions should be supported by a secretariat staff, which could report back to the CSD sessions, in order to help monitor the process more transparently. The staff should be funded from non-UN general fund sources (e.g. foundations, additional government funds) to avoid reducing existing funds for existing core activities elsewhere.

The outcome of the commissions should include a focused discussion document that would already carry wide support from a range of groups. A future CSD session would then examine these outcomes.

However, it is important to note that the CSD should also continue to review the general progress towards delivering Agenda 21, UNGASS (Rio +5), and Johannesburg commitments. Combining these two tasks, section 6. outlines a possible work programme for the CSD from 2003-2015.

Stakeholder Forum believes that the Commission Panel concept could be a useful tool in support of strengthening the existing structure and that, if established, the commissions should definitely include representatives of relevant (according to the issues addressed) stakeholders, in order to help give the commissions greater scope, independence and investigative power.

Box.3 Examples of tools to help add value

Session Plan – The debate would benefit significantly from addressing crosscutting issues through the lens of a thematic area. Also each thematic session would be better focused by utilising a strategic plan during the negotiations, touching upon:

- Problem definition – scale and causalities of the problem
- Goals and objectives – key areas where progress is needed
- Analysis of who is working on aspects of the problem – local to global actors
- Barriers and opportunities to progress
- Strategies to obtain objectives – outlining specific steps and cross-cutting needs
- Monitoring results – Identify who, how and when monitoring will occur, including reporting requirements and indicators

Document Management – In discussions on furthering implementation, the CSD should avoid renegotiating decisions that have been arrived at previously and in other fora. One way to help avoid inconsistencies and backtracking one solution could be to develop an easily accessible and searchable database that includes key agreements from the cycle of UN Summits, Conventions and Commission decisions etc. As well as consider the possibility of including other non-UN agreements e.g. WTO agreements.

Involving Stakeholders

The Johannesburg Summit process was inadequate in addressing two important areas of stakeholder involvement:

- Participation in decision-making
- Collaborative stakeholder action (Partnerships with or without government or agency involvement)

The CSD will have to face up to these challenges as it moves forward toward supporting effective implementation. The key components of progress will need to include stakeholder involvement in: Political debate; policy making on emerging issues; and the effective use of implementation tools, of which partnership initiatives are but one approach.

A. Stakeholder Involvement in Decision-Making

The CSD has provided some opportunities for Major Groups (stakeholders) to develop their relationships with the United Nations and amongst each other. Each year the level of involvement of Major Groups in the CSD process has increased (Box 4). Some of this progress is due to the increased involvement of Major Groups in the implementation of other UN Conference agreements, particularly the Habitat II Conference (1996) where stakeholders were allowed for the first time to enter suggestions of text amendments.

The Dialogues for 1998 were also noteworthy for the Secretariat's advance preparation and an agreement that negotiations would *not* take place during the Dialogues. Stakeholder papers were given out as UN background papers before the CSD Intercessional so that governments would have time to reflect on them as they prepare for and enter into discussions. One of the very important by-products of this approach for all stakeholders is that it caused 'peer group' review inside the stakeholder group. Another important outcome was that comments, which in the past were made by a group to governments in the corridors, could now be made in a more "interactive" forum where governments could learn more about the reasoning behind different arguments.

The need for greater reform in stakeholder participation was underscored in the challenges that the Secretary General had outlined in his report to the 2nd Summit PrepCom, saying that the CSD stakeholder dialogues were an important mechanism but suffered two main shortcomings: lack of participation of women and representatives from developing countries (para 169), and that "stakeholder participation is rarely allowed in actual decision-making" (para 170). The lessons of these events, as well as experience in

Box 4. CSD and Major Groups

1993	Allowed into informal and formal meetings and invited to speak.
1994	Able to ask their governments questions on their national presentations in front of their peer group.
1995	The introduction of 'Day on a Major Group'.
1997	The introduction of the Dialogue Sessions - as a series of 5 half-day Major Group presentations.
1997	All Major Groups given a slot in the Heads of State meeting of UN General Assembly Special Session - a first at the UN.
1998	The Dialogues developed into interactive two-day discussion among governments and certain stakeholder groups on a specific topic.
1998	The setting up of the first multi-stakeholder process to follow up a CSD decision (on voluntary agreements and initiatives on industry).
1999	The Dialogues outcomes given higher status as they are put on the table with Ministerial discussion and CSD Intercessional document for governments.
1999	The setting up of the second multi-stakeholder process to follow up a CSD decision (on tourism).
2000	The setting up of the third ongoing multi-stakeholder process to follow up a CSD decision (on sustainable agriculture, facilitated by FAO); following joint lobbying and statements by a coalition of Major Groups (women; business; farmers; trade unions; Indigenous Peoples).
2001	The first Preparatory meeting for the Johannesburg Earth Summit had presentations by all nine Major Groups.
2001	The PrepCom agrees that there will be MSD at PrepCom 2 and 4 and at the Summit.
2002	The Summit had Round Table discussions between Heads of State and some stakeholders.

other fora, such as the Bonn International Freshwater Conference in 2001, have underscored common elements of successful stakeholder participation in MSDs:

- Sufficient preparation time
- Meetings between stakeholder representatives before the Dialogue to agree the framework for the MSD
- Use of a trained facilitator
- Relatively equal division of the time for debate between governments and stakeholders
- The Chair (Facilitator) enabled to draw some of the key outcomes from the MSD into the official text and/or using other pre-determined mechanisms of linking stakeholder contributions into intergovernmental decision-making
- Ensuring predictable funding for effective participation, and a transparent nomination mechanism for the allocation of such funding.

The absence of these key elements from the MSDs in the Summit process led to deep concern on the part of stakeholders, many of who have put an enormous amount of work into consultation within their perspective groups and then into the Dialogues themselves, without seeing much impact on the Summit outcome documents. The establishment of appropriate processes of engagement will give a clear indication of the degree to which the UN and governments take stakeholder participation as seriously as they have frequently stated – and as the Secretary General's report on UN reform has challenged them to do.

B. Stakeholder Collaborative Action - Partnerships and Initiatives

Coalitions of the willing

The Johannesburg Summit recognised partnerships as “voluntary and of a self-organizing nature” and noted that they are of great importance as mechanisms of implementation. In the context of the “Type II” partnership discussions, and the guidelines for submission prior to the Summit, the explicit linkage of partnerships with specific commitments was considered a key aspect. In relation to the future of the CSD they offer a means by which successful partnerships for implementation can be anchored to international commitments such as the Johannesburg Plan of Implementation and the Millennium Development Goals.

The final guidance note by Summit Preparatory Commission Vice-Chairs Kara and Quarless (June 2002) called for partnerships to be multi-stakeholder, transparent and accountable, and for tangible results to be delivered as contributions to implementing international agreements and achieving the Millennium Development Goals.

Limiting policy negotiations to every two years may actually create an opportunity to evaluate the effectiveness of the “Type II” agenda, and identify areas for strengthening existing partnerships, as well as creating new ones. During alternative non-policy years discussions on partnerships and initiatives could be incorporated into an in-depth review of progress. In the CSD years there could be a report back on partnership implementation, and on the problems faced in meeting commitments.

The CSD should also aim to confidently build on the full range of experiences with stakeholder participation, encouraged by the amount and quality of existing partnerships, as well as those submitted to the Summit. The CSD format should focus on partnerships (and initiatives) at a range of levels, from local to global, as an integral component of monitoring progress. A document-oriented approach will need to be complemented by people-orientated and action-oriented approaches.

Consistent monitoring of the results of partnerships, as an integral component of the CSD's mandate to monitor and assess progress toward sustainability, could help establish the necessary baseline for assess-

ment of the effectiveness of partnerships. This would probably work best through voluntary self-assessments but based upon agreed guidelines e.g. WSSD guiding principles. A common reporting framework also would help make comparisons, to learn what works, as well as encourage replication and development of new initiatives elsewhere, helping partnerships grow beyond pilot projects, into ongoing and solid programmes of change.

Many stakeholders are indeed ready to engage in joint action to achieve real results. This approach will be crucial to harness their energy, creativity and commitment to change, while seriously testing the Type II partnership model's effectiveness and efficiency. However, in recognising some of the concerns raised at Johannesburg about shifting the burden of responsibility, the partnerships need to be backed-up by clear government policy, resources, and activities.

The CSD should encourage a new range of participants and practitioners to enter into the process. This will require establishing new, participatory mechanisms of preparation, better and more realistic time frames for stakeholder engagement, and enhanced facilitation of meetings oriented towards concrete outcomes. Session components to be considered should include, for example:

- Reporting along a common, user-friendly format, to be agreed in consultation with Major Groups and those engaged in partnerships
- Joint learning exercises to identify factors of success and failure
- Consultations to develop concrete recommendations for future efforts in particular areas
- 'Market places' of exchange, promotion and matchmaking

Bureau

The Regional Government blocks elect a CSD Bureau made up of one representative from each regional block. The next session of the CSD could include Chairs of the Bureau from regional blocks in the following order: Africa, Europe and North America, South America and the Caribbean, Eastern Europe and Asia. This order would obviously need to be discussed by countries to consider various aspects. For example, if Asia were to be the host for another Summit in 2015 the Bureau cycle would need to be timed to Chair the Bureau for that Summit.

The Bureau should be elected for the two-year period between each CSD. It would therefore oversee a CSD session, that might pursue assessment and monitoring tasks, allow involvement in substantive and fundamental issues via special studies, e.g. the commission panels, and in the partnerships, as well as a negotiating session. The first meeting of a new Bureau should be held along with the outgoing Bureau in order to allow for an exchange of knowledge and experience between the old and new bodies. The Chair of the previous CSD could be an ex-officio member of the Bureau, to help further retain some of their experience gained over the previous two years.

5. INSTITUTIONAL ISSUES

Relationships with other UN bodies

The Department of Economic and Social Affairs (DESA), has five UN Commissions within its sphere. The integration of work between these commissions needs to be further strengthened. A review of how the Secretariats of these Commissions currently operate and work together would be a good start. Having these five commissions within the same Department, however, while helpful, does not begin to address the difficulties of intra-UN policy coordination regarding sustainable development. Of the many difficulties that need to be overcome, we believe that the two following aspects are critical:

1. Many other UN Agencies have responsibility for areas of policy which need to be considered by the

CSD, in an integrated way, in order to fulfill the GA mandate. Often these agencies are not constructively engaged in CSD deliberations.

2. Environment or Foreign Ministers normally represent CSD Member States even when the issues being considered may actually be more relevant to the brief of other Ministers within their own governments.

Both of these circumstances inevitably lead to the same problem — that those attending the CSD to identify the problems and opportunities are not the people with the responsibility, resources and/or the instruments to properly address the matter of concern, thus treatment of these fundamental issues remains largely superficial. This also highlights the need to restructure the CSD agenda to make the CSD more useful and relevant to those groups that actually do work on the ground.

There has been much discussion about how to better integrate government thinking about UN Agency and inter-programme coordination. One way to assist this could be to convene future high-level segments of the CSD (that consider reports from study commissions) alongside other relevant bodies' high-level segments. For example, a CSD that focuses on health and sustainability could be held in Geneva at the same time as the WHO World Health Assembly. Such joint sessions could encourage high-level Ministerial meetings with greater interaction between of ministers from different fields (in the CSD/WHO case Environment, Finance and Health ministers).

A New Inter-Agency Committee on Sustainable Development

The setting up of the Inter Agency Committee on Sustainable Development (IACSD) was a direct result of Agenda 21:

“To ensure effective monitoring, co-ordination and supervision of the involvement of the United Nations system in the follow up to the Conference, there is a need for a co-ordination mechanism under the direct leadership of the Secretary General. This task should be given to the Administrative Coordination Committee (ACC) headed by the Secretary General.” Agenda 21

The IACSD was a subsidiary body of the UN Administrative Coordinating Committee (ACC), which acts as a kind of 'cabinet' for the Secretary General. The IACSD was chaired by Under Secretary General Nitin Desai and was made up of senior level officials from nine core members of the ACC - FAO, IAEA, ILO, UNDP, UNEP, UNESCO, WHO, World Bank and WMO. Officials from other UN bodies, intergovernmental agencies and representatives from Major Groups could be asked to attend by invitation. The IACSD was set up in the aftermath of Rio and asked by the ACC to focus on four areas:

- Streamlining the existing inter-agency coordination machinery
- Allocating and sharing responsibilities for Agenda 21 implementation by the UN system
- Monitoring the new financial requirements of UN system organizations that relate to Agenda 21
- Assessing reporting requirements that are related to the implementation of Agenda 21 and making recommendations on streamlining

The IACSD had two Sub-Committees, which reported through it, these being the ACC Sub-Committee on Oceans and Coastal Areas and the ACC Sub-Committee on Water Resources.

Commenting in 1998, Joke Waller Hunter, Director of the Division on Sustainable Development, said that the involvement of the UN Agencies in task management for different chapters of Agenda 21 ensured a more co-operative approach to reviewing the work of the agency. Indeed the CSD does offer one of the few places where it is possible to review the work of different agencies outside of their own Governing Bodies.

In 1997, at the UN General Assembly Special Session to Review Agenda 21, it was recognised that the

IACSD had served its purpose very well and it was agreed to:

“Strengthen the ACC - IACSD and its system of task managers, with a view to further enhancing system wide inter-sectoral cooperation and coordination for the implementation of Agenda 21 and for the follow up to the major United Nations conferences in the area of sustainable development.”

The IACSD had some success in the first five years after Rio in integrating the work of different UN agencies. Over time, however, there has also been opposition from UN bodies who take a less than positive attitude to the CSD making suggestions about the work that agencies should be engaged in, or in analysing and monitoring their effectiveness. Nevertheless, while the agencies have their own governing bodies and are not responsible in any direct sense to the CSD, the nature of Rio demands an integrated approach to sustainable development throughout all bodies.

In 2000, the entire inter-agency advisory structure of the UN was reformed from the top down as part of the reorganization after the Millennium Summit to facilitate the implementation of the Millennium Declaration Goals. The Administrative Committee on Coordination was renamed the Chief Executives Board (CEB) for Coordination and all of the various ACC sub-committees were also reformulated.

In October 2001, the CEB decided that coordination should be pursued through more informal and flexible mechanisms rather than formal subsidiary bodies, so they reorganized all of the subcommittees. The IACSD is now the Inter-Agency Meeting on Sustainable Development (IAMSD) <http://ceb.unsystem.org>.

In spite of statements from the UN regarding the importance of the WSSD, during the preparatory process for Johannesburg, inter-agency coordination was extremely ineffective. Individual agencies directly lobbied individual governments on single issues that were important to them individually. There was no comprehensive, coordinated drafting and lobbying process.

Replacement of the IACSD with the “Interagency Meeting” has left something of a vacuum in interagency coordination. After Johannesburg, there is no clear mechanism within the UN system with sufficient responsibility to encourage the Agencies to work together to implement Agenda 21, UNGASS and the Johannesburg Plan of Implementation. The lack of coordination and communication during the Johannesburg Summit process demonstrates why this problem must be solved.

A new and revised IACSD should report to the CSD periodically about interagency activities in the issues being addressed at a particular CSD session, to help enable governments to keep abreast of progress in

Box 5. Example of a possible future CSD cycle

- | | |
|------|--|
| 2003 | Organization Session of the CSD/ Creation of Study Commissions for 2003 (water*) and 2005 (energy*) |
| 2004 | Implementation Sessions: Focus on reviewing and progressing implementation and partnerships around issues related to Water* |
| 2005 | Policy session: Report of Study Commission (water*). Review progress in achieving goals and commitments |
| 2006 | Implementation Sessions: Focus on reviewing and progressing implementation and partnerships around issues related to Energy* |
| 2007 | Policy session: Report of Study Commission (energy*). Review progress in achieving goals and commitments. Selection of Study Commissions for 2007 (health*) and 2009 (agriculture*) |
| 2008 | Implementation Sessions: Focus on reviewing and progressing implementation and partnerships around issues related to Health* |
| 2009 | Policy session: Report of Study Commission (health*). Review progress in achieving goals and commitments. Selection of study commission 2012 (biodiversity*) |
| 2010 | Implementation Sessions: Focus on reviewing and progressing implementation and partnerships around issues related to Agriculture* |
| 2011 | Policy session: Report of Study Commission for 2010. Selection of Study Commission for 2012 |
| 2012 | Implementation Sessions: Focus on reviewing and progressing implementation and partnerships around issues related to Biodiversity* |
| 2013 | Policy session: Report of Study Commission for 2012 (biodiversity*). Review progress in achieving goals and commitments |
| 2013 | Earth Summit 2015: PrepCom 1 and Regional Meetings |
| 2014 | Earth Summit 2015: PrepComs 2 and 3, and Regional meetings |
| 2015 | Earth Summit 2015: PrepCom 4 and Summit (Millennium Declaration Review and Johannesburg and Rio Review) |

* Suggested issue cycle

would also help identify barriers to progress in implementation and these issues could then be addressed at future CSD meetings.

However, it is important to point out that reporting should make use of all kinds of information sources, not only from government and agencies reports but also those from stakeholders, such as takes place within the UN Convention for the Elimination of Discrimination Against Women.

6. FUTURE CSD PROGRAMME OF WORK

Taking many of these ideas into account Box 5 outlines a possible structure for the future CSD cycle. The “implementation” sessions would serve as an exchange of TYPE II experiences of implementation - positive and negative, governmental and non-governmental – in a specific field and would help also inform the following year’s policy discussion.

This proposed cycle could be adapted in a number of ways. Firstly, regarding the number of commission panels established, two or more commissions could be established at one time and requested to report back in two years. This would allow a quicker turn around of issues but might put greater pressure on governments and stakeholders, as they would have to address a larger agenda when the commissions report back. Alternatively, governments could convene commission panels only when a particularly complex issue emerges. Thus the issues addressed by the commissions need not necessarily focus on WE-HAB areas. These specific issues could be identified through the policy review process and by the ministerial team that establishes and supports the commission panels. The process of issue selection is significant in terms of ensuring wide support to make progress in a specific area, and it needs to be transparent how and why a particular issue has been chosen. The 11th session of the CSD in 2003 will provide an opportune time to clarify the modalities and agenda covered in the 14-year cycle bringing us to 2015.

The future CSD schedule could open up the space to monitor the contributions of partnerships, to identify good practice models, support ongoing work and to initiate further efforts, broadening partnerships, replicating them and initiating new ones. For that to happen, different formats of meetings need to be developed. Thought needs to be given to scheduling, structure of facilitated dialogues, and the use of new technology such as videoconferencing, to better deliver effective knowledge building, as well as allow for innovation and initiation of further implementation projects. It could also include new elements like a forum for expert-to-expert capacity building such as the Summit Institute for Sustainable Development (<http://sustainability.si.edu>).

7. CLOSING SUMMARY

In a brief summary the CSD was created in Rio to: Champion Agenda 21 and subsequent expressions of UN and member-state commitment to a more sustainable world; to monitor progress; and to inform the UN system and member states regarding areas where greater progress is needed. In this role, the CSD has been a great disappointment in that it is currently a fairly ineffective champion of sustainable development, with a scattered and overly simplistic approach, too inclined to pursue institutional harmony over the pursuit of accountability.

To build up a strong constituency for its long-term success the CSD needs to:

- Clarify its purpose
- Become more focused and better informed
- Involve more experts of all types in its work
- Develop stronger partnerships within the UN system, including through re-instigating the inter-agency coordination committee
- Develop stronger partnerships with institutions outside the UN system

- Embrace greater stakeholder involvement
- Encourage and enable all sectors of society to effectively manage the conflicts and synergies among society's environmental, economic, political and social systems.
- Recognise the over-riding importance for sustainable development of making progress in the reform of governance systems.

Within policy discussions and review of implementation the CSD should:

- Identify points of leverage for key issues, e.g. within the WEHAB themes and new and emerging issues
- Monitor and report on progress against goals and commitments transparently and objectively
- Engage relevant ministers, UN agencies and non-UN bodies according to the issues being addressed
- Facilitate greater understanding of the complex inter-relationships between governments, and between governments and other stakeholders e.g. through stakeholder roundtables (see below)
- Seek policy recommendations and solutions to take issues forward

Issue-focused commissions:

- Consider the implications for establishing and possible structure of Time-limited commissions which would focus on enhancing implementation in specific issues
- Where established, ensure the commissions consist of a balanced and representative group of stakeholders, with clear and relevant interest in the themes being addressed
- Focus the commissions around priority issues, such as within the WEHAB themes, as well as new and emerging issues, with recognition of the inter-relationships between those themes.
- Collate, assess and present the reports of the Commissions to the CSD
- Ensure effective feed-back and incorporation of the commissions' findings within the official CSD sessions

Multi-stakeholder Dialogues / Roundtables during the CSD policy sessions should ensure:

- Adequate preparation time and resources for stakeholder groups and governments
- Open agreement of the framework of the dialogue between stakeholder representatives before the Dialogue
- Introduction of a trained facilitator
- Relatively equal division of the time among governments and stakeholders
- Use of the Bonn Freshwater Conference Model to facilitate drawing out the key outcomes from the MSD and bring them to the attention of the governmental process

The CSD should facilitate the Type II partnerships through:

- Reporting along a common, user-friendly format, to be agreed in consultation with Major Groups and those engaged in partnerships
- Joint learning exercises to identify factors of success and failure
- Consultations to develop concrete recommendations for future efforts in particular areas
- Establishing a 'Market places' of exchange, promotion and matchmaking of ideas and activities

In conclusion, the principle basis of this paper's analysis and recommendations is the belief that reform of the CSD is essential to improve its chances of success. By "success" we mean that we do not need to reform the CSD for its own sake but in order to ensure that it actually has a positive contribution to make towards sustainable development. As the UN's home for sustainable development the CSD must embrace the goals that have been established in international forums, such as the WSSD and the other international meetings and processes.

However, in focusing attention on the CSD and on our shared interest in making sustainable development a more effective tool, it is possible to overlook an important point. The purpose of sustainable development and the purpose and mission of the United Nations along with most of its sovereign members is essentially the same – is to establish societies that are sustainable and just, and make a real commitment to a better future for all. We must take care that the relegation of sustainable development to a subgroup of ECOSOC does not diminish its potency as a powerful tool through which all the UN's mission and programs could be realized. Sustainable development should be the fundamental lens through which all of the UN's activities – indeed those of the international community – are developed, carried out and evaluated. The CSD must assist that task, not only as a monitoring or oversight body, but also as an objective and committed enabler, bringing an integrated perspective across the broadest range of actors and actions.

8. REFERENCES

- Annan, K (2002) *Towards a Sustainable Future*. Speech at the American Museum of Natural History's Annual Environment Lecture - Washington
- Brown, D.A. (1998) *Making the CSD work*. IISD Linkages Journal 1998 Vol 3. No. 2 p 2-6
- Earth Summit '92 (1992) *International institutional arrangements*, Agenda 21, Chapter 38, Section 3, p231, The Regency Press, London
- Dodds, F (2002) *The Context of Global Governance*. In: Multi-Stakeholder Processes for Governance and Sustainability. By Minu Hemmati. London: Earthscan. Ch. 3, pp. 35
- Osborn, D and Bigg, T (1998) with forewords by Tony Blair and Nitin Desai *Earth Summit II - Outcome and Analysis*, Earthscan, London, p64.
- UN (1997) *Report of the UN General Assembly Special Session Programme for the further Implementation of Agenda 21*, New York, UN
- UN (2001) *The UN Secretary Generals Report to the 2nd Preparatory Committee for the World Summit on Sustainable Development*, New York, December 2001
- UN DESA (2002) *The WSSD Plan of Implementation*, United Nations, New York
- UN DESA. b. (2002) Country experiences with national reporting to the UN CSD. Division for Sustainable Development. August 2002 http://www.un.org/esa/agenda21/natlinfo/wssd/nfp_final.pdf
- Upton, S. (2002) *The International Framework for Action - Is the CSD the best we can do?* London, IIED.
- Upton, S. (2002 b.) *Did Johannesburg chart a new way ahead for the CSD? And does it matter?* (2002), To be published

Footnotes

1. Stakeholders are defined as those who have an interest in a particular decision. This includes people and organizations that influence a decision or can influence it, as well as those affected by it.
2. The Major Groups in Agenda 21 are: Youth, Women, Farmers, NGOs, Local Government, Business, Academics, Indigenous People, Trade Unions the relevant chapters are 24 to 32.