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Models for Local Government Organizations (LGOs) involvement in a strengthened UNEP

1. Executive Summary

Rio+20 in June 2012 provides the rare opportunity to address sustainable development issues in a unique global setting. In order to address the complex, severe and interconnected challenges that the world is facing, all actors must work together. This paper makes concrete proposals how to involve Local Government Organizations (LGOs) in a strengthened UNEP.

LGOs have significant power in environmental matters and thus can help to implement global agreements, shape policy, and ultimately contribute to safeguarding global common goods. Each Local Government can only act locally, but when united and working together through global LGOs, the accumulated impact is significant and should be harnessed by the UN and its members states by meaningfully involving LGOs in a strengthened UNEP. A summary of the proposals made in this paper can be found in the conclusion.

2. Introduction and context

2.1 The Charter of the United Nations (UN) states that the "Economic and Social Council may make suitable arrangements for consultation with Non-Governmental Organizations (NGOs) which are concerned with matters within its competence", (Chapter X, Article 71). As a result, NGOs have been involved in the work of the UN since its foundation. This reflects the recognition that in order to accomplish the mission of the United Nations, national governments have to work with other relevant forces at the local, national and global levels.

While governments are crucial actors for environmental issues at local, regional and national levels -- and the UN Environment Programme (UNEP) plays an important role on the global scale these bodies cannot effect all necessary actions alone. Civil society and the private sector have crucial contributions to make, especially in the implementation of decisions and action on the ground.

"Our times demand a new definition of leadership - global leadership. They demand a new constellation of international cooperation - governments, civil society and the private sector, working together for a collective global good."

UN Secretary-General
Ban Ki-moon, Speech at
World Economic Forum,
Davos, Switzerland (29
January 2009)

2.2 The 1992 UN Conference on Environment and Development adopted Agenda 21, which includes a section on “*Strengthening the roles of Major Groups*”.

The Nine Major Groups that are recognized in Agenda 21 are:

- Business and Industry
- Children and Youth
- Farmers
- Indigenous Peoples
- Local Authorities
- NGOs
- Scientific and Technological Community
- Women
- Workers and Trade Unions.

2.3 The Secretariats of the three ‘Rio Conventions’ – the UN Convention to Combat Desertification (UNCCD), the UN Convention on Biological Diversity (UNCBD) and the UN Framework Convention on Climate Change (UNFCCC), together with UNEP and the UN Commission on Sustainable Development (CSD), all recognize a similar structure of nine Major Groups, with some small modifications. One example of such a modification is that the UNFCCC recognizes the Major Group of “Local Governments and Municipal Authorities” rather than “Local Authorities”. Despite such variations, the structure of having nine Major Groups remains a constant. Furthermore, UNEP in its work on Major Groups and Stakeholders, also gives the opportunity for participation to Major Groups that do not fall under one of the above mentioned nine groups (e.g. faith groups and elderly people).

2.4 With regard to local and sub-national governments, the UNFCCC COP16 in 2010 adopted for the first time the term “**Governmental Stakeholders**” when referring to local and sub-national governments as opposed to non-governmental stakeholders, including NGOs, civil society, business and others (FCCC/SBI/2010/L27, para.143 and FCCC/CP/2010/Add1, para 7). It recognizes the unique nature, role and status of sub-national governments in global UN settings.

2.5 Whilst the involvement of Major Groups has enriched the debates at various UN platforms and brought relevant voices to the table, the current structure demonstrates clear limitations: indeed, these nine Major Groups are very **distinct and different** from each other in their **constituencies, capacities and roles and mandates**, yet they are being treated equally in the UN governance system.

2.6 Many of the current Major Groups represent a collectivity of individuals in a certain part of their role or identity: For example, a person may be a youth, a farmer, and a woman. Many of these groups are organized as NGOs locally, nationally or sometimes globally, but an effective organization ensuring full legitimacy, representation and ability to act at the global level is challenging at best. Yet **global civil society**, composed of these groups and others, is vital for global environmental matters. Ensuring an effective model for civil society involvement in a strengthened UNEP is therefore key in order to effectively address global environmental issues.

2.7 One current Major Group is “Business and Industry”, which refers to what is often called the **private sector** in other settings. ‘Business and Industry’ is fundamentally different to all other Major Groups. It is organized in corporations, where the company rather than an individual is at the centre and should be plugged into UN processes. We are used to hearing that “money makes the world go round”, and regardless of



what we think about that, it is undeniable that in today's world the way business acts has a significant impact on the world. The private sector should therefore be brought more effectively into global environmental fora such as a strengthened UNEP.

2.8 Local Governments (LGs) are different yet again, being in charge of certain aspects of governing a defined territory and population. **The LGs** are the level of governments closest to the people and local issues. Typically they have the mandates to deal with issues such as energy, water and sanitation, land use and many more which are of direct relevance to the local environment. Cumulatively, LGs can make a relevant impact on global environmental matters. The combined expertise and viewpoint of the Local Governments should be better linked to global environmental policy-making.

2.9 LGs are organized nationally, regionally and globally as **Local Government Organizations (LGOs)**. While each individual Local Government focuses on its local issues, LGOs are familiar with global issues relevant to LGs and can therefore help to build a bridge between local and global policy makers.

Among the major global LGOs are:

- **United Cities and Local Governments (UCLG)**
UCLG is an association representing and defending the interests of local governments and their national representations on the world stage, regardless of the size of the communities they serve. UCLG's mission is to "be the united voice and world advocate of democratic local self-government, promoting its values, objectives and interests, through cooperation between local governments, and within the wider international community." Over 1,000 cities across 95 countries and 112 Local Government Associations are members of UCLG.
- **ICLEI – Local Governments for Sustainability (ICLEI)**
ICLEI is an association with over 1,200 members from 74 countries and is the largest association of local governments committed, in particular, to sustainable development. ICLEI's mission is to "build and serve a worldwide movement of local governments to achieve tangible improvements in global sustainability with special focus on environmental conditions through cumulative local actions".
ICLEI is the focal point, or **organizing partner, for the Local Authority Major Group** or Local Government and Municipal Authority Major Group in UNEP, UNCSD, UNFCCC, and while no such role officially exists in UNCCD and UNCBD, ICLEI habitually fulfills such functions there as well. Thus, in particular in the field of environment as part of sustainable development, ICLEI helps to bridge local and global policy. ICLEI has also been the main advocate towards nations to seek recognition and support for local and sub-national governments as "Governmental Stakeholders" in the UNFCCC.
- **Metropolis**
Metropolis is the World Association of Major Metropolises and manages the Metropolitan Section of UCLG. Metropolis, with its more than 100 members from across the world, operates as an international forum for exploring issues and concerns common to all big cities and metropolitan regions.
- **C40 Cities Climate Leadership Group (C40)**
C40 is a network of large and engaged cities from around the world committed to implementing meaningful and sustainable climate-related actions locally which will help address climate change globally. C40 is a thematic network



of 58 cities and until now it is not legally constituted. Many members of the C40 are also ICLEI members.

2.10 In February 2010, the UNEP Governing Council established the Consultative Group of Ministers, or High-level Representatives on International Environmental Governance (decision SS.XI/1), which built on the previous Belgrade Process. Among the groups' conclusions outlined in the so-called **Nairobi-Helsinki Outcome** is that enhancing UNEP is among the "potential options for strengthening the form of the environmental pillar in the context of sustainable development and achieving effective international environmental governance".

It is believed that one organization dealing with the environment in a comprehensive manner, including consideration of inter-linkages and taking care of the finite natural resource base at the global level, will be better placed to relate to and discuss important decisions with those organizations regulating the global economy and aiming to ensure social well-being. As detailed in more concrete terms in the next chapters, it is proposed that local and sub-national governments as recognized "Governmental Stakeholders" would be given a stronger formal role, status and responsibility as well as be involved in the **decision-shaping mechanisms of the new structure** that concern, in particular, sustainable development and the greening of our economies.

2.11 As the **level of government closest to the people** and often democratically elected, LGs often know best, or see first, which problems are being faced by their citizens. LGOs help to accumulate the information from hundreds of LGs, thus helping to highlight topics which merit global attention. With over half of the global population living in cities, urban areas are also causing environmental problems. Around 80 percent of total global greenhouse gas emissions stem from urban areas, for example. Today's cities are designed as extracting, resource-consuming systems and are often organized in a way which is not environmentally sound. Low urban density leads to large distances having to be covered, and often the infrastructure entices people to use cars to move around cities.

Designing cities more densely would allow for more environmentally-friendly modes of transportation like walking, biking and public transport. **Urbanization** as such is not new, but its increasing speed and scale have turned it into an emerging global issue. While in 1950 less than one-third of the world's population lived in cities, by 2050 over two-thirds of the world population will be living in urban areas.

3. Models for increased Governmental Stakeholder participation

3.1 Agenda setting, early warning and Assessment

3.1.1 Urban Observatories

The impacts of some environmental crises are first or most directly faced by LGs. LGs should be heard in global discussions around environmental assessments, early warning and agenda setting in order to ensure such issues are captured. Moreover, LGs can play an active role in early warning. This could be done via a network of **urban observatories**, which **can serve as UNEP's "urban sensors"**, reporting new issues and threats to UNEP, and can serve in UNEP's role as global environmental authority with a mandate to keep the global environment under review. The environmental departments of local governments are usually very well aware of local environmental



challenges and efforts. LGOs and their associations can serve as a link between these local knowledge hubs and UNEP as the global knowledge hub. ICLEI's members, for instance, gather globally every three years at the ICLEI World Congress.

3.1.2 GEO-5 for Local Policy Makers and LGOs in the Science Committee

UNEP is due to release its Global Environmental Outlook 5 (GEO-5) report in 2012. For the first time in GEO history, there will also be a brief "**GEO-5 for Local Policy Makers**" to explain to local policy makers how the findings of GEO-5 are relevant for them and what LGs can do to contribute to reaching global targets. While this is a step in the right direction, the content of "GEO-5 for Local Policy Makers" is constrained by the available data, since GEO-5 data was not broken down to the local level. In order to have one global comprehensive assessment including all levels, it may be beneficial to include LGOs in future GEO decisions.

Since there is no dedicated GEO governance structure, this could be achieved by consultations between the secretariat of a strengthened UNEP and LGOs such as ICLEI, as has happened in order to produce "GEO-5 for Local Policy Makers". A more structured model is also possible and may be preferable. Among the proposals for strengthening UNEP is the creation of a **Permanent Science Committee**. LGOs should be included in such a Committee, for example, by including a permanent seat for LGOs which could be taken up by a different LG or LGO representative depending on the issue at hand.

3.2 Policy making

3.2.1 Increased status and role for Governmental Stakeholders At UN meetings

A disconnect between negotiators/negotiation and implementer/implementation should be avoided in future. Since Governmental Stakeholders are increasingly important implementers, they should also be increasingly included in policy-making, in order to achieve better and 'more implementable' policies.

If LGOs as part of Governmental Stakeholders are consistently given a **more significant role**, these representatives may contribute even more effectively at meetings of the governing bodies of a strengthened UNEP. More reliable speaking slots would be very helpful in order to ensure their continued involvement and cooperation. That means LGO interventions must last for significantly more than one or two minutes and cannot habitually be cancelled at the last minute. One could also consider the inclusion of possibly five LG leaders (Mayors / Governors) as Associate Members in the UNEP Governing Council (or its successor).

At the same time, Governmental Stakeholders should only be involved in the Institutional Framework for Sustainable Development and Global Environmental Governance in those cases and on those topics where they can play a meaningful role in conceptualizing, policy-making or implementation. In other words, Governmental Stakeholders should have a "**tailored role**". Areas where LGOs have relevant capacities and expertise include climate, biodiversity, desertification, integrated water management and sanitation, waste prevention and management, energy supply, energy saving and renewable energy, construction and building design as well as mobility and public transportation.

The limited capacity for global engagement of Governmental Stakeholders should thus be used in the most political, strategic and relevant cases with an overall focus on comprehensive implementation of global decisions. The CBD Conference of the



Parties 10 in October 2010, for example, adopted the 2011-2020 CBD Plan of Action on Cities, Local Authorities and Biodiversity.

3.2.2 Improved participation of Governmental Stakeholders

An improved model for participation which better reflects the particularities of the current Major Groups is more appropriate and will lead to better outcomes. As the quote by the UN Secretary General at the beginning of this paper shows, it is common to refer to governments, civil society and the private sector. The participation of these three groups needs to be improved in line with their capacities and mandates.

Therefore, it is suggested to have the following **Stakeholder Groups: “Governmental Stakeholders” (GS), “Business”, and “Civil Society”**, including indigenous people, women, science, farmers, youth, trade unions and NGOs.

By the fact that the UN brings together the sovereign national governments of the world and given the **line of governmental implementation** from the national, sub-national to the local levels, the role of Governmental Stakeholders is of a different nature than that of Business or Civil Society, and consequently should be presented as such.

The following actions are suggested for improved participation of Governmental Stakeholders:

- a) Information and Attendance: **Access to information** is an important issue and a pre-condition for effective participation in decision-shaping and policy-making. Practical steps to improve access to information could be including GS in relevant distribution lists and making relevant background documents such as meeting minutes available to GS.
- b) The **Committee of Permanent Representatives** meets up to twice a week in Nairobi. While not all topics being discussed are relevant for LGOs, and LGOs do not have the capacity to have a Permanent Representative who would attend meetings twice a week, tailored involvement of LGOs is recommended. This could take the form of special sessions with Governmental Stakeholders, a Liaison Person who is part of the Committee being appointed to link up with Governmental Stakeholders regularly, relevant minutes being distributed to Governmental Stakeholders with a chance to comment, or Governmental Stakeholders being asked to join for relevant sessions or agenda items via remote video participation.
- c) Ministerial Roundtables at the Global Ministerial Environment Forum (GMEF): Governmental Stakeholders should continue to be included in the ministerial **roundtables at UNEP Governing Councils/GMEF** (or their successors). For those issues where Governmental Stakeholders play an important role they should always be present and given the floor. Under the current structure with nine Major Groups, the presence of Local Authority representatives at the round tables is dependent, firstly, on the number of seats being granted to Major Groups and, secondly, on Local Authority being granted one of these seats in the consultations among the nine Major Groups. Instead of this system, one seat at each round table should always be reserved for Governmental Stakeholders when issues of relevance to local and sub-national governments are being discussed.
- d) Decision-Making: Governmental Stakeholders should be included in decision-making through **“obligatory consultation”**. Such a model can be found in the arrangement of the Committee of Regions of the EU, which



is obligatory to consult on any new piece of proposed EU legislation that may have an impact on local or regional governments within EU Member States, including funding programs and their implementation. As of late 2011, the Europe 2020 Strategy on a smart, green and inclusive economy is undergoing such a consultation. Other cases include the Covenant of Mayors to help implementing the European Climate and Energy package at local and regional governmental level within the EU.

3.3 Implementing global decisions

3.3.1 Rapid multilevel implementation

An increased and improved involvement and participation of Governmental Stakeholders should be considered foremost in the implementation of global decisions.

In particular, LGOs and LGs can shortcut timelines of ratification and transformation of Multilateral Environmental Agreements into national legislation, and of national laws into implementation rules, by “**voluntary direct implementation**”. Thus, while national governments refine legal frameworks, sub-national and local governments can already start rapid implementation on a voluntary but organized basis; an approach one may call “**rapid multilevel parallel implementation**”. Past experiences for such voluntary direct implementation exist in the climate change field where it took 13 years for national governments to move from the adoption of the UNFCCC to the entry-into-force of the Kyoto Protocol. Cities on the other hand, rapidly united and initiated ICLEI’s Cities for Climate Protection (CCP) campaign with the voluntary adoption of CO₂ reduction targets and action plans. Cities embarked upon the CCP campaign only eight months after the adoption of the UNFCCC. Over 1,000 local governments worldwide took part in the CCP campaign globally. In Australia, for example, 233 councils participated, representing about 84 percent of the Australian population. Between 1998 and 2008, CCP Australia resulted in 18 million tons CO₂-eq being abated.

At the time, there was no framework to coordinate this voluntary “rapid multilevel parallel implementation”. With a **better framework** for rapid multilevel implementation such experiences could be enhanced to a better use of existing potential. The framework should serve to enable, encourage and empower those who can act to act, while keeping an overall coordination in place. It should provide the basis for an ‘implementation alliance’ which uses the capacity and willingness of Governmental Stakeholders to act when this capacity and willingness is given. Appropriate references to “rapid multilevel parallel implementation” should be included in relevant global decisions, including those by the Governing Bodies of a strengthened UNEP.

3.3.2 Process elements for rapid multilevel implementation

With a view to achieve rapid multilevel implementation, the Governmental Stakeholder group will need to act together through a joint governance decision of all constituency members. Input can be coordinated with the help of the Organizing Partner, so that the UN and its members would have an easy way of communicating with all members of this Stakeholder Group.

Furthermore, as part of the “rapid multilevel parallel implementation”, governmental stakeholders should provide **standardized reporting** from the Governmental Stakeholder group to a strengthened UNEP, such as a UNEO/WEO, and/or to other UN platforms such as UNFCCC and UNCBD.



In recent years the **UN Development Assistance Frameworks** (UNDAF) have been used by the UN as the strategic programme framework that describes the collective response of the UN system to national development priorities. Where appropriate, UNDAFs could include the Governmental Stakeholder Group in establishing the UNDAF as well as in implementing it in order to ensure that local and sub-national priorities are adequately considered.

3.4 Monitoring

3.4.1 Voluntary Review Mechanism

One of the proposals for a strengthened UNEP is the establishment of a **voluntary review mechanism for the implementation of Multilateral Environmental Agreements (MEAs)**. If such a mechanism is established it should include Governmental Stakeholders in its structure.

Local and regional governments should also be asked to **report and monitor** their relevant actions and performance, for example, as they are increasingly doing with their climate actions and greenhouse gas emissions. Such an increase in available information and transparency allows other actors and the public to become active and can react to the information provided, thereby contributing to existing soft enforcement of multilateral environmental agreements.

Such LG monitoring and enforcement should be strategically linked to and coordinated with efforts by national governments and others. Therefore, the UN and its member states should support a **coherent local and sub-national governments reporting and monitoring framework**.

In the climate mitigation field, the Bonn Center for Local Climate Action and Reporting (carbonn), developed by ICLEI and jointly with UNEP, and its prime service, the "carbonn Cities Climate Registry" as well as the Global Cities Covenant on Climate ("Mexico City Pact") are current examples of such voluntary mechanisms for Governmental Stakeholders to politically commit to emissions reduction and to use technical tools to monitor and report their performance. These efforts should be supported by the UN and its members, and should be further built upon.

4. Conclusion

Cities matter in terms of population, economy, and environment. While in 1950 less than one-third of the world's population lived in cities, by 2050 over two-thirds of the world population will be living in urban areas. Cities are hubs of the global economy: the 100 largest cities alone produce 30 percent of the global GDP, while in OECD countries 86 percent of GDP is produced in cities. It is therefore of crucial importance to bring cities to the global table even more effectively than has happened so far.

Local Governments, united as LGOs, have some capacity and willingness to engage with global matters. On those issues where cities matter, **LGOs should be more formally and effectively included** in the Institutional Framework for Sustainable Development, including a strengthened UNEP.

The UN and its member states should draw on the expertise and possibilities of local and sub-national governments, in particular, for rapid implementation. Rio+20 in June 2012 provides a rare opportunity to make the desired and necessary changes, such as the strategic inclusion of Governmental Stakeholders.



In summary, the models for LGO involvement proposed in this paper are:

- **Rapid multilevel parallel implementation:** A strengthened UNEP should entail this approach to enable fast implementation of global decisions. A coherent global framework for “rapid multilevel parallel implementation” and references to it in the appropriate decision-making of the governing bodies of a strengthened UNEP are recommended.
- **Urban observatories and the science-policy interface:** Urban observatories can serve as a strengthened UNEP’s ‘urban sensors’ to detect emerging issues early on. Global data and science for policy-making should also be made accessible and available to local policy makers to enhance their capacity to act accordingly.
- **A “tailored role” for LGOs in global environmental policy-making:** LGOs should be more meaningfully involved in global policy-making by an increased status at UN meetings, enhancing access to information, participation in the Committee of Permanent Representatives and the roundtables during governing body sessions, and obligatory consultation mechanisms.
- **Contributing to global monitoring:** By being included in a new voluntary review mechanism as well as via a coherent local and sub-national governments’ reporting and monitoring framework, LGOs should contribute to implementing multilateral environmental agreements.

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