

TECHNICAL NOTE

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Elevating the Environment in the Multilateral System

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Introduction

The science is clear: human activity is putting enormous pressures on our planet. Our climate is warming towards levels well above 1.5 degrees Celsius; biodiversity is declining faster than any moment in human history; and pollution of our air, land, and water is threatening to destroy the basic resources for human survival.¹ These trends are already having devastating financial, social, and political impacts, with long-term threats to every aspect of our lives. Without a radical change in our relationship with the planet, our collective future is at risk.

The widespread recognition of our planetary emergency has prompted a range of initiatives to reduce our use of fossil fuels, develop net-zero approaches to industry, and accelerate a just, green transition before more critical tipping points are reached. One proposal advanced by the High-Level Advisory Board on Effective Multilateralism (HLAB) is to elevate the environment within the multilateral system, enabling the United Nations (UN) to play a more meaningful role in identifying cross-cutting planetary risks, fostering greater

accountability and transparency around our impacts on the environment (including with the private sector and international finance), and generating the resources and information needed to successfully transition into a sustainable relationship with nature.²

This Technical Note offers an overview of the HLAB recommendations on elevating the environment within the multilateral system. It is informed by the role that UN University Centre for Policy Research played as secretariat to the HLAB and its ongoing research agenda to support the Summit of the Future. The insights offered here are the result of dozens of expert events over the past 18 months, consultations with environmental scientists, and an extensive literature review. The paper has three sections: (1) an overview of the current environmental architecture in the multilateral system and past reform efforts; (2) an explanation of the HLAB recommendations on elevating the environment; and (3) some considerations for how the proposals might be taken forward in the context of the 2024 UN Environment Assembly (UNEA) and the Summit of the Future.

¹ Biodiversity – our strongest natural defense against climate change,” United Nations – Climate Action, last accessed 6 November 2023, <https://www.un.org/en/climatechange/science/climate-issues/biodiversity>; MJ Altman, “How biodiversity loss harms human health,” United Nations Foundation, 18 May 2023, <https://unfoundation.org/blog/post/how-biodiversity-loss-harms-human-health/>.

² High-Level Advisory Board on Effective Multilateralism (HLAB), *A Breakthrough for People and Planet: Effective and Inclusive Global Governance for Today and the Future* (New York: United Nations University, 2023). Accessible at: https://unu.edu/sites/default/files/2023-05/highleveladvisoryboard_breakthrough_fullreport.pdf.

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Today’s Global Environmental Architecture

The global environmental governance architecture refers to the framework of international agreements, institutions, and processes that address environmental issues at the international level. It consists of four main elements: (1) multilateral environmental agreements (e.g., the United Nations Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity, and the Montreal Protocol on Substances that Deplete the Ozone Layer) that establish legally-binding commitments amongst signatory countries; (2) the UNEA, composed of all UN Member States and tasked with providing overarching policy direction for the global environmental agenda; (3) the UN Environment Programme (UNEP), responsible for coordinating international environmental activities and supporting the implementation of treaty commitments; (4) the Intergovernmental Panel on Climate Change (IPCC), established by the UNFCCC to assess the science related to climate change; and (5) regional environmental agreements to address specific environmental challenges (e.g. the European Union’s environmental arrangements).

Structurally, the UNEA is the highest decision-making body on the environment in the multilateral system.³ It is responsible for setting the global environmental agenda and adopting resolutions on environmental issues. Unlike UN organs like the UN Security Council or General Assembly, the UNEA’s decisions are non-binding and advisory. It assesses the implementation of environmental agreements and initiatives, and provides a platform for Member States to review progress, share best practices, and address emerging environmental challenges. The UNEA establishes policies and priorities that guide UNEP’s work.

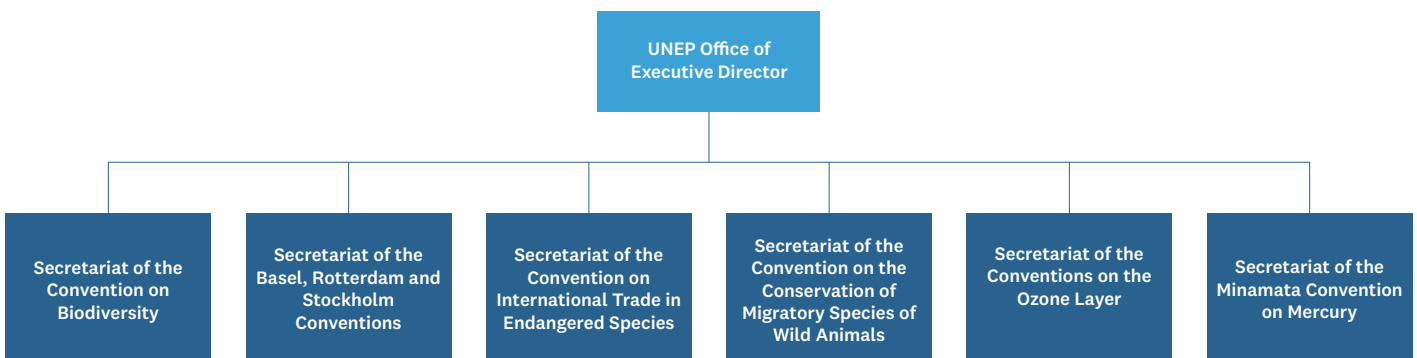
UNEP operates under the authority of the UNEA, which acts as its governing body. UNEP’s mandate derives from the 1972 General Assembly resolution⁴ founding the programme, and includes the following core tasks:

- Promotion of international cooperation and facilitating collaboration amongst Member States to address environmental challenges;
- Monitoring and assessment, providing scientific expertise and public reporting related to climate change, biodiversity, ecosystem health, pollution, and environmental damage;
- Support the development of environmental policies, strategies, and action plans for its membership, and for implementation of multilateral agreements;
- Capacity-building, technical assistance, and knowledge sharing, especially for developing countries, to manage environmental challenges;
- International convenings and negotiations, including on multilateral environmental agreements;
- Public education and awareness, including through reporting and public campaigns and advocacy for sustainable development;
- Coordination of environmental activities across the UN system.

One of the most important roles for UNEP is to act as custodian of the world’s multilateral environmental treaties.⁵

As with other agencies, funds and programmes within the UN, UNEP is primarily funded through voluntary contributions and receives only a tiny fraction of its funding through the UN regular budget. This means that more than 40 per cent of its budget is earmarked for specific projects. This leaves little room for flexible funding to respond to emerging environmental issues.⁶

Figure 1: UNEP Organizational Chart.



3 For a review of the UNEA’s mandate and work, see: <https://enb.iisd.org/articles/unea-role-governance-architect>; <https://www.unep.org/news-and-stories/story/qa-un-environment-assembly>.

4 [United Nations General Assembly Resolution 2997 \(XXVII\)](#) of December 15, 1972, *Establishment of the United Nations Environment Programme*.

5 For a good history of the functions and mandates of UNEP, see https://www.mivanova.com/_files/ugd/d1ec7d_b9a9379309f441e9801df5ea65cb256a.pdf; https://www.mivanova.com/_files/ugd/d1ec7d_a6555f6eb4354249bbad0bc96e7e7aab.pdf.

6 “Check Your Contributions,” UNEP, last accessed 6 November 2023, [https://www.unep.org/about-un-environment/funding-and-partnerships/check-your-contributions#:~:text=The%20UN%20Environment%20Programme%20\(UNEP,UNEP%2C%20and%20of%20earmarked%20funds](https://www.unep.org/about-un-environment/funding-and-partnerships/check-your-contributions#:~:text=The%20UN%20Environment%20Programme%20(UNEP,UNEP%2C%20and%20of%20earmarked%20funds).

HLAB Proposals to Elevate and Strengthen Environmental Governance

The starting point for HLAB's recommendations on environmental governance is the recognition that environmental issues should be addressed with a similar set of mandates and resources as the UN's development, peace and security, and human rights pillars. In sum, **the proposals would empower UNEP and the UNEA to act as a global environmental agency, track interrelated impacts on the environment, consolidate and measure commitments to improve accountability, provide forums to accelerate environmental responses, and condition international financial investments.** Specifically, HLAB recommends:

- **A bolstered monitoring/accountability role.** To uphold the newly recognized right to a healthy, clean, sustainable environment, UNEP and the UNEA should be provided with a special rapporteur group possessing mandates to investigate and report publicly on environmental violations. These bodies should be mandated to issue more regular public reporting on the gaps between international commitments and current trends, including those related to carbon emissions, pollution, and encroachment on protected sea and land areas.
- **Integration with the international financial system.** One of the major shortcomings of today's environmental governance system is its lack of integration. Whereas organizations like the World Intellectual Property Organization, the International Labour Organization, and the World Health Organization have the mandates and ability to integrate across all relevant sectors, UNEP and the UNEA are only loosely linked with a range of unrelated environmental instruments scattered across different legal and administrative bodies. Providing UNEP and the UNEA with an advisory role for the World Bank and International Monetary Fund (IMF) would help to integrate their work with the global financial system. This link could be achieved by agreeing on a set of environmental conditions that international finance would follow when providing resources.
- **A Science-Policy-Action Network for the planet.** UNEP should be resourced with a Science-Policy-Action Network (SPAN) to consolidate information regarding the triple planetary crisis into a coherent, constantly updated, actionable assessment of risks to the planet. Such a body could act as a policy clearing house to draw from existing bodies and generate recommended actions for governments and non-State actors in real time. The SPAN would issue reports on horizon scanning and strategic foresight; trace environmental impacts, including on climate-driven security risks; use behavioral science to

generate global shifts in policies and practices; and offer clear, actionable recommendations for policymakers. Its mandate could include country-specific reports based on national commitments, a facility to feed into policy decision-making, and resources to build adaptation and green technological capacities in developing countries. Drawing on models like the Climate Trace initiative, the SPAN could track a broader range of environmentally-harmful activities, including pollution of air, water, soil, and the seas; deforestation; desertification; destruction of protected habitats; safe production of critical minerals for renewable technologies; and violations of international environmental commitments.

- **A public accountability platform for our planetary commitments.** Across the major environmental conventions, signatories should be held publicly accountable for their commitments and supported in their efforts to reach the core goals of net-zero carbon emissions, biodiversity protection and restoration, and a pollution-free planet. This could be achieved by the establishment of a UNEP-supported platform containing publicly available information, capacity-building for developing countries, information sharing around best practices, and an annual reporting requirement to the General Assembly for all conventions.
- **A forum on the governance of climate-altering technologies.** Recent reports by the IPCC have made clear that, absent far more radical changes to our economies, we are headed well beyond the 1.5 degree threshold. This has led some to consider a range of climate-altering technologies, including large-scale ongoing efforts at Carbon Dioxide Removal. More speculative and potentially dangerous technologies like Solar Radiation Modification (SRM) are also being considered by some actors, though there is widespread scientific consensus that the risks of SRM are far too great to proceed without significant further research based on the precautionary principle. A strengthened UNEP could better support dialogue on the governance of climate-altering technologies, drawing on a global network of scientific experts, and with a commitment from Member States to shape policies based on their findings.
- **A global hub for the conservation, preservation, and dissemination of Indigenous knowledge, and its inclusion in policymaking processes.** Establishment of such a hub supported by UNEP would expand from the Local and Indigenous Knowledge Systems programme, initiated by the United Nations Educational, Scientific and Cultural Organization, and the Local Communities and Indigenous Peoples Platform under the umbrella of the UNFCCC, which helps to amplify Indigenous voices and facilitate their participation in climate negotiation processes.

Importantly, HLAB recognized that the strengthening of UNEP and the UNEA should be accompanied by specific steps by Member States to strengthen legal accountability for the environment. To this end, it recommended:

- That international investment law should be realigned to avoid undermining the climate and environment goals in the Paris Agreement;
- A modernization of the International Court of Justice to better address global environmental issues;
- To codify the human right to a clean, healthy, sustainable environment in a new international treaty or in a protocol to an existing treaty body;
- Inclusion of ecocide in the statute of the International Criminal Court; and
- Member States to codify the right to a clean, healthy, sustainable environment in their national laws.

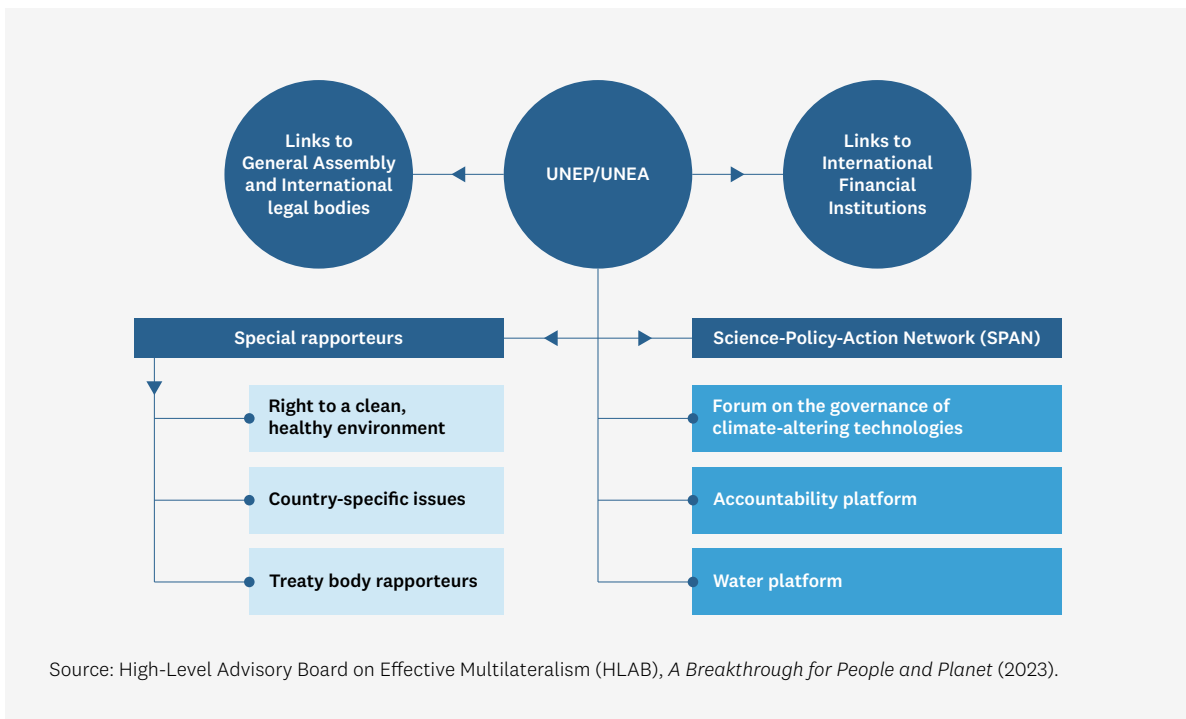
Taken together, these proposals would significantly strengthen the ability of UNEP to advance the environmental agenda globally.

Implementing the HLAB Recommendations

As with any significant reform within the UN system, implementation of the HLAB recommendations will take a combination of political, legislative, and financial action, with some of the most important steps to be taken by the membership of UNEA itself. Some of the most important steps required could include:

1. **A public declaration** in the 2024 UNEA that the planetary emergency requires an elevation of the environment across the UN system, accompanied by a bolstered set of resources for UNEP. This could be accompanied by a public commitment by a group of vanguard Member States willing to increase the financial commitments needed.
2. **Consultations with the President of the General Assembly and the co-facilitators of the Summit of the Future.** As of now, there is no dedicated environmental ‘pillar’ to the Summit of the Future, and there is a resulting risk that the level of environmental ambition will remain low if the issue is subordinated to development. However, following the UNEA in January 2024, the President of the General Assembly, and co-facilitators, could be approached to prepare and negotiate language for inclusion in the Pact for the Future.
3. **A request at/before the Summit of the Future for a UN General Assembly resolution expanding the mandate and capacities of UNEP and the UNEA.** At the Rio +20 Conference in 2012, such a request by a broad group of Member States was followed by a General Assembly resolution that established the UNEA. While there is no decisive venue for such a request prior to the Summit of the Future, it could be prepared so the Summit offered an opportunity for both the request and the General Assembly resolution to take place simultaneously, or for the Summit to initiate a process to inform a future resolution.

Figure 2: Design of an updated global environmental governance system.



Source: High-Level Advisory Board on Effective Multilateralism (HLAB), *A Breakthrough for People and Planet* (2023).

4. **A leadership event amongst the UNEA, UNEP, the World Bank, the IMF, and regional development banks.** Such an event would be geared at agreeing on a common set of conditions and parameters for ‘sustainable environmental investment’ and on providing UNEP with a formal advisory role in upholding these commitments. Such a discussion could open a ‘dotted line’ between UNEP and International Financial Institutions (see above chart).
5. **Develop a budget for the creation of the SPAN, special rapporteur system, and other platforms proposed above.** Consultations with the Office of the High Commissioner for Human Rights on their rapporteur system could helpfully scope the costs and challenges associated with establishing this system.
6. **Advocacy and momentum building at key events and forums.** It will be important that Member States understand and absorb the implications of this set of recommendations,

with sufficient time for capitals to react and take public positions. The November preparatory committee for the UNEA in Nairobi is one such opportunity, but others include COP28, the UNEA assembly itself in January, the World Bank Spring Meetings, the High-Level Political Forum, and the G20 events planned for 2024.

In conclusion, it is important to note that the recommendations on elevating the environment were part of a broader package of environmental proposals made in HLAB’s *Breakthrough* report. Its call for a decarbonization package, a green technology transfer platform, and a far greater level of ambition to end the use of fossil fuels would constitute a significant leap forward and should also be considered alongside this set of more architectural proposals. But even implementation of a standalone set of reforms of UNEP and the UNEA could have an enormous impact.

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