Review of Current Practices of Stakeholder Engagement in Multilateral Organisations

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UNEP

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<u>Disclaimer</u>
The views expressed in the report do not represent those of the United Nations Environment Programme, nor is it an endorsement by the United Nations Environment Programme. The report has not been formally edited.

List of abbreviations

CFS Committee on World Food Security

CITES Convention on International Trade in Endangered Species

COP Conference of Parties

CPR Committee of Permanent Representatives

CSD United Nations Commission on Sustainable Development

CSO Civil Society Organisation

ECOSOC United Nations Economic and Social Council

FAO Food and Agriculture Organisation FPIC Free, Prior and Informed Consent

GC Governing Council

GMEF Global Ministerial Environment Forum

GMGSF Global Major Groups and Stakeholders Forum

HLPE High Level Panel of Experts on Food Security and Nutrition ICCM International Conference on Chemicals Management IFAD International Fund for Agricultural Development

ILO International Labour OrganizationMGFC Major Groups Facilitation CommitteeMGS Major Groups and Stakeholders

MGSB Major Groups and Stakeholders Branch

SAICM Strategic Approach to International Chemicals Managament

UN United Nations

UNAIDS Joint United Nations Programme on HIV/AIDS

UNCCD United Nations Convention to Combat Desertification

UNDP United Nations Development Programme

UNDRIP United Nations Declaration on the Rights of Indigenous Peoples

UNEP United Nations Environment Programme

UNFCCC United Nations Framework Convention on Climate Change UNPFII United Nations Permanent Forum on Indigenous Issues

UN-REDD United Nations Collaborative Programme on Reducing Emissions from Deforestation and

Forest Degradation in Developing Countries

WFP World Food Programme

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Introduction

The purpose of this report is to provide information on stakeholder engagement practices in multilateral organisations. It is meant to inform the discussions on the establishment of new mechanisms for stakeholder engagement that build on practices in multilateral organisations as called for in Paragraph 88h of the Rio+20 Outcome Document and by the Decision 27/2 of the United Nations Environment Programme (UNEP) Governing Council/Global Ministerial Environment Forum (GC/GMEF) at its first universal session in February 2013.

The organisations listed below have been selected for review based on: (i) most commonly cited practices because of their uniqueness (both among stakeholders and Member States); and (ii) progressive practices, which go beyond the mere status of observer and accommodate more constructive engagement with stakeholders.

This report describes current practices with regard to:

- 1. Participation in decision-making bodies;
- 2. Rules and regulations / rules of procedures;
- 3. Accreditation practices and policies;
- 4. Approach to non-governmental actor engagement (e.g. nine Major Groups approach); and
- 5. Access-to-information / information disclosure policies.

The report presents the practices of the following multilateral organisations, including programmes and multilateral conventions:

- Committee on World Food Security (CFS)
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- United Nations Permanent Forum on Indigenous Issues (UNPFII)
- Global Fund to fight AIDS, Tuberculosis and Malaria (GFATM)
- International Labour Organization (ILO)
- International Conference on Chemicals Management (ICCM)
- United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD)
- Joint United Nations Programme on HIV/AIDS (UNAIDS)
- United Nations Commission on Sustainable Development (CSD)
- Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)
- United Nations Convention to Combat Desertification (UNCCD)
- United Nations Economics and Social Council (ECOSOC)
- United Nations Framework Convention on Climate Change (UNFCCC)
- The World Bank
- United Nations Development Programme (UNDP)
- UNEP Partnership on Clean Fuels and Vehicles
- UNEP Finance Initiative

The information contained in the report has been compiled by UNEP, and was verified by the respective agencies and organisations, when possible. So far the following organisations have verified the section presenting their practices: CFS; CITES; UNPFII; GFATM; ILO; ICCM; UN-REDD; UNAIDS; CSD; the Aarhus

Convention; UNCCD; ECOSOC; the World Bank; UNDP; and UNEP Partnership on Clean Fuels and Vehicles.

Therefore, this document presents **work-in-progress** and will be updated continuously until all feedback has been received from the agencies and organisations quoted. For each organisation a description of the practices / mechanisms under review is provided followed by an assessment (with lessons learnt) drawn by the organisation itself. In few instances the organisations did not make that self-assessment.

The document does not cover stakeholder engagement in projects and programme implementation; nor does it provide an *analysis* of the practices listed.

Views expressed in this report do not necessarily represent those of the United Nations Environment Programme.

Note on the terminology used:

Major Groups and Stakeholders

For the purpose of this document, the term "Major Groups and Stakeholders" (MGS) is used to designate all actors of civil society. The term "Major Group" is used, based on the definition provided in Agenda 21, which identified a set of non-governmental actors, relevant in sustainable development. The set of actors have been categorized into nine major groups: Business and Industry, Children and Youth, Farmers, Indigenous Peoples, Local Authorities, Non-Governmental Organisations (NGOs), the Scientific and Technological Community, Women, Workers and Trade Unions.

Stakeholder

For the purpose of this document, the term "Stakeholder" refers to **non-governmental actors** or civil society organisations with a not-for-profit status.

Full participation rights

This refers to the participation in decision-making bodies, including speaking and voting rights.

Current practices

Although the Rio+20 Outcome Document as well as the UNEP GC Decision 27/2 refer to "best practices in multilateral organisations", the present document will use the term current practices.

Organisations accredited to UNEP

As of June 2013, 273 organisations were accredited to UNEP's GC. These organisations are registered according to the nine major groups' categories and stored in a database maintained by the *Major Groups and Stakeholders Branch* (MGSB). The categories contain individual organisations as well as umbrella organisations with sometimes very large constituencies (for example the trade union umbrella organisation International Trade Union Confederation - ITUC, represents 174 million workers in 156 countries and territories and has 315 national affiliates). All organisations accredited to UNEP are not-for-profit organisations legally registered in a given country. Local authorities' individual representatives such as Mayors, etc. cannot be granted accreditation. They have to form part of an association or not-for-profit organisation of local authorities' representatives.

Not-for-profit status

It is a requirement that all organisations have a not-for-profit status. They are organisations that do not make profit, for example they exist to provide educational or health support to those in need. All of the resources earned by such organisations or donated to such organisations are used to pursue the organisation's objectives. Not-for-profit organisations can also be charities or other types of public service organisations. Business and industry corporations can only be accredited to UNEP if they form a larger not-for-profit association together with likeminded business or industry corporations. Individual business or industry corporation cannot be accredited to UNEP.

Part 1 – UNEP's current engagement practices

Rules of Procedures

Rule 69 of the Rules of Procedures of the GC provides opportunities for civil society participation in UNEP:

"International non-governmental organisations having an interest in the field of the environment, referred to in section IV, paragraph 5, of General Assembly resolution 2997 (XXVII), may designate representatives to sit as observers at public meetings of the Governing Council and its subsidiary organs, if any. The Governing Council shall from time to time adopt and revise when necessary a list of such organisations. Upon invitation of the President or Chairman, as the case may be, and subject to approval of the Governing Council or of the subsidiary organ concerned, international non-governmental organisations may make oral statements on matters within the scope of their activities."

Accreditation to the GC/GMEF

Accreditation is granted to organisations which satisfy the below criteria:

- 1. Be an international NGOs having an interest in the field of the environment;
- 2. Be legally constituted and registered in a country;
- 3. Have a proven non-profit-making status;
- 4. Have an international scope of work (e.g. headquarters and regional offices in different countries; projects or programmes that are taking place in other countries; activities that have international implication: for example international water management, desertification on trans-boundary areas, waste management of estuaries that affects a region; activities that have an international scope: for example coordinating regional or international position or work on a specific area); and
- 5. Proof of a minimum of two years of activity.

Additional information to mention:

- Agreements with another organization or membership of an international network; and
- Accreditation to other United Nations (UN) bodies and agencies, including the ECOSOC.

Participation into the GC/GMEF process and all its associated meetings

During sessions of the GC/GMEF MGS have the opportunity to attend the Plenary, the Committee of the Whole and the Ministerial Consultations as observers. Observing means that accredited MGS can circulate written statements to Governments through the UNEP Secretariat and make oral statements during the discussions of the GC/GMEF upon invitation by the Chairperson. Moreover, accredited MGS can participate in the Global Major Group and Stakeholders Forum (GMGSF) and its preparatory Consultation Meetings in the regions; the Ministerial Roundtables of the GMEF; as well as all UNEP meetings and conferences at different levels.

During the development of policy documents and decisions to be adopted at the GC/GMEF, accredited organisations have the possibility to receive unedited working documents of the GC/GMEF and submit to the UNEP Secretariat written contributions to these unedited working documents. Furthermore, they can obtain documents of the Committee of Permanent Representatives (CPR) through the MGSB. Although Rule 69 allows for it, there has been no participation of Major Groups in CPR meetings yet.

Additional mechanisms

At the programmatic level, UNEP delivers its programme of work through projects and activities mainly implemented through partnerships with stakeholders – governmental and non-governmental, civil society and the private sector. Those partnerships include a number of well-known initiatives such as the Partnership on Labour and the Environment, the Green Economy Initiative, the Clean Fuel Partnership, the Finance Initiative, ¹ and Great Apes Survival Partnership to name but few. These partnerships are key in so far as they contribute to leverage more support and visibility for the UNEP and its cause.

UNEP has also adopted a number of policies, such as the Gender Policy, the Tunza Strategy, the Partnerships Policy² and the Indigenous Peoples Policy Guidance.³ For example, the latter covers the programmatic and the policy level engagement of UNEP with one particular major group. The purpose of the Policy Guidance is to initiate and support a

¹ Additional information on these two partnerships attached in Annex 2.

² http://www.unep.org/civil-society/Portals/59/Documents/UNEP_Partnership_Policy_and_Procedures/UNEP_Partnership_Policy_and_Procedures.pdf

³ http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/UNEP_Indigenous_Peoples_Policy_Guidance_endorsed_by_SMT_26_11_12.pdf

process to enhance practices in UNEP for engaging indigenous peoples as an important partner in environmental policy development and implementation on a continuous and organized basis. The Tunza Strategy facilitates youth engagement in stakeholder decision making processes through regular and systematic regional and global conferences, competitions, a youth magazine and website, social networking, and direct interaction with the Tunza Youth Advisory Council comprising youth representatives from all regions of the world. This involvement by young people ensures transparency, access to information and participation in the development of policy.

An additional way for MGS to engage with UNEP is through independently established <u>National Committees</u>. About 31 National Committees exist so far; although they are not very active since the end of 2010 when UNEP decided to revisit its policy and approach to working with National Committees. The Committees regroup a number of civil society organisations at the national level, active in the field of environment, but that do not necessarily have accreditation with UNEP. These Committees have provided support to UNEP in terms of outreach and public information at the national level.

UNEP also has a key role to play in promoting transparency and effective engagement of civil society outside its own structures, as evidenced by the "Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters". UNEP has been engaged in related activities, in particular through the non-binding "Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters", which were adopted by UNEP's GC in Bali in 2010. The application of the Guidelines is seen as an important pre-condition to allow citizens and civil society to participate in a regulated fashion in decision making processes at the national level, and has been further reiterated in Paragraph 99 of the Rio+20 Outcome Document, which directly refers to strengthening the application of Principle 10 of the Rio Declaration at regional, national and sub-regional levels.

Approach to non-governmental actor engagement

UNEP uses the Major Group approach, as per decision SSII.5 of 15 February 2002, which states that "civil society encompasses major groups, that is farmers, women, scientific and technological community, children and youth, indigenous peoples and their communities, workers and trade unions, business and industry, non-governmental organisations."

As UNEP started applying it, the concept was often criticized for leaving out groups of civil society such as the education community, religious groups, the elderly, disabled people, etc. Therefore, since 2004, UNEP uses the terminology Major Groups and Stakeholders to be more inclusive.

Self-Assessment of UNEP engagement practices

Over the past five years, a number of informal practices have been established towards the improvement of MGS participation in the GC/GMEF, namely:

- To facilitate participation of MGS to the GC, UNEP has granted one-time accreditation to organisations, which fully
 comply with the accreditation rules but have not applied for a full accreditation yet and have shown interest to
 participate in a specific session of the GMGSF and the GC. Over the years this has allowed more participation from
 observers who have brought additional expertise to specific sessions;
- Partnerships with MGS have been initiated to encourage and promote the involvement of MGS in the delivery of UNEP Programme of Work and Medium-Term Strategy, e.g. through the Green Jobs initiative with workers and trade unions and business, the Green Economy initiative and the Green Economy Coalition;
- MGS have been invited to participate in Ministerial Roundtables, which are part of the GMEF, since their inception in 2007. Four seats are regularly allocated to MGS who can participate in an interactive dialogue with Ministers on selected themes. The summaries of the Ministerial Roundtables feed into the Summary of the President of the GC. This scheme has provided a meaningful opportunity for MGS to influence the policy debate at the highest-level possible, although no voting is involved in these dialogues. Besides, the Chatham House rules do apply in these dialogues, and MGS have used this opportunity and privilege in a responsible manner so far;
- The Major Group Facilitating Committee (MGFC) has been established in 2007 to facilitate exchanges and inputs to and from the nine major groups. It acts as an advisory body to UNEP through the MGSB and provides strategic information on the views and perspectives of the MGS on different issues. Furthermore, it supports a more systematic engagement of all nine major groups in the GC/GMEF;
- Regional representatives are elected for a one-year term during the Regional Consultative Meetings taking place once a year in each of the regions. The regional representatives also participate in the GMGSF; and

A set of "Guidelines for Major Groups and Stakeholders involvement in Policy Design at UNEP" have been adopted in 2009 to facilitate the engagement of major groups in policy design, and provide a firm background for the work of the MGFC.

Several gaps have been identified:

- Lack of an up to date and comprehensive set of rules and procedures. UNEP does currently not have a set of rules and procedures that govern all relevant aspects of public participation in decision making, policy design and programmatic activities at UNEP. Rule 69 stated above is the only written rule that allows participation in UNEP so far. The "Guidelines for Major Groups and Stakeholders ilnvolvement in Policy Design at UNEP" regulate only certain aspects of their involvement in UNEP's work such as the Major Groups Facilitating CommitteeMGFC and Regional Representation. At the moment, Major Groups and Stakeholders MGS do not participate in the meetings of the Committee of Permanent Representatives (CPR meetings), although they do have the opportunity to provide comments to relevant documents and decisions that are reviewed by the CPR. In most cases, however, due to very short deadlines such commenting does not take place. This often excluded Major Groups and StakeholdersMGS from participation in decisions making on important documents, such as the Programme of Work, the Medium Term Strategy and GC Decisions.
- Accreditation. The requirement to "prove international scope of work", provides a limitation to a number of organisations working in the field of environment. Besides, the focus on environment also limits the spectrum of organisations that are accredited to UNEP, as it excludes organisations that work on broader development issues. The lack of clarity in the rights and obligations of accredited organisations has often been raised. In addition, there has been very few withdrawal of accreditation in the past (especially of organisations that do no longer exist or have not been very active). The ECOSOC aAccreditation from other UN organisations such as ECOSOC is not given enough weight in the UNEP accreditation procedures.
- Lack of an Information Disclosure Policy. Many multilateral organisations have adopted an information information disclosure disclosure policy policy that guides the work of the organization, in respect of the principles of access to information and transparency. UNEP makes publicly available documents that are of interest to Major Groups and StakeholdersMGS on its websites or by direct mailing to accredited organisations. However, UNEP does not have an official public information policy as practiced for example by the World Bank and UNDP. Such a policy would guarantee access to all important documents and ensure the possibility to request additional information or make use of an appeal process.
- Absence of a permanent body that represents civil society in UNEP's decision-making organs. Through the MGFC, UNEP constantly stays in touch with Major Groups and StakeholdersMGS and keeps abreast of their views and demands. Yet, the MGFC is a purely consultative body without any decision-making powers and only represents a few accredited the organisations and MGS accredited to UNEP, and therefore cannot claim to represent a broad range of civil society organisations. Additionally, the role and functions of regional representatives that are selected at the regional level (two per region) currently serving as observers on the MGFC have to be redefined and made more explicit. The main limitations of such a body are: its legitimacy and representativity, the scope of its responsibility, and its lack of formal accountability mechanism.

MGSB/DRC - Working Draft - 30 July 2013

⁷: http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/Guidelines-for-CSO-participation-Aug2609.pdf

Part 2 - Review of practices of decision-making bodies with civil society participation

1. The Committee on World Food Security (CFS)

Name and function: Committee on World Food Security (CFS)

The Committee on World Food Security (CFS) was set up in 1974 as an intergovernmental body to serve as a forum for review and follow up of food security policies. In 2009 the Committee went through a reform process to ensure that the voices of other stakeholders were heard in the global debate on food security and nutrition. The vision of the reformed CFS is to be the most inclusive international and intergovernmental platform for all stakeholders to work together in a coordinated way to ensure food security and nutrition for all. CFS was reformed to address short term crises but also long term structural issues. The Committee reports annually to Economic and Social Council of the United Nations (ECOSOC).

Structure of the CFS

The CFS has a new structure that allows input from all stakeholders at global, regional and national levels. It is comprised of a Bureau and Advisory Group, Plenary, a High Level Panel of Experts (HLPE) and the Secretariat. The CFS holds an annual plenary session, which informs and advises the Membership on the latest food security and nutrition issues at global, regional and national levels. Policy round tables are held to provide policy advice on the most topical issues. CFS also contributes to various food security and nutrition related events and initiatives throughout the year.

Plenary

The Plenary session is held annually and is the central body for decision taking, debate, coordination, lesson learning and convergence by all stakeholders at a global level on food security issues.

The High Level Panel of Experts on Food Security and Nutrition (HLPE)

The High Level Panel of Experts on Food Security and Nutrition (HLPE) was created in October 2009 as an essential part of the CFS reform. The Steering Committee of the HLPE is appointed by CFS and it selects and manages Project Teams that provide scientific knowledge-based analysis and advice. HLPE reports are produced independently from CFS and its findings and recommendations serve as a basis for CFS discussions.

Membership of the CFS

The CFS is made up of Members, Participants and Observers.

- The membership of the Committee is open to all Member States of The Food and Agricultural Organization (FAO),
 The International Fund for Agricultural Development (IFAD) or The World Food Programme (WFP) and non-Member
 States of FAO that are Member States of the United Nations. Member States are encouraged to participate in CFS
 sessions at the highest level possible.
- Participants can be from representatives of UN agencies and bodies, civil society and non-governmental organisations and their networks, international agricultural research systems, international and regional financial institutions and representatives of private sector associations and private philanthropic foundations.
- CFS may invite other interested organisations relevant to its work to observe entire sessions or specific agenda items.

The CFS Bureau and Advisory Group

Bureau

The Bureau is the executive arm of the CFS. It is made up of a Chairperson and twelve member countries. It includes two representatives from Africa, Asia, Europe, the Near East, Latin America and the Caribbean and one each from the South West Pacific region and from North America. The Chair is independent and is elected by Member governments.

Advisory group

The role of the Advisory Group is to share with the Bureau the expertise and knowledge of the broad range of organisations it represents, contributing substantive work and advice. In particular, it will:

- 1. Advise the Bureau and provide the vehicle for participants to contribute regularly in inter-sessional activities of the Committee on the issues identified by the CFS Plenary and by its Bureau. The AG members may also propose issues to the Bureau for consideration;
- 2. Assist the CFS and its Bureau to nurture and maintain linkages with different actors at regional, sub regional and local levels to enable an on-going, two-way exchange of information among these stakeholders during intersessional periods; and

3. Foster ownership by all stakeholders on strategies and actions.

Members of the AG participate in joint meetings with the Bureau as invited by the CFS Chair. AG members will be able to participate freely in such meetings, with the date and agenda for each meeting shared far enough in advance to enable AG members to obtain inputs and contribute to the preparation of meetings. Members of the AG are expected to contribute to the substantive work of the CFS. They may suggest or respond to specific agenda items of joint AG-Bureau meetings and participate in ad hoc working groups formed during those meetings to progress specific issues. Decision-making, however, ultimately pertains to member States. AG members may also be asked by the CFS Bureau to contribute to specific CFS activities

Composition of the Advisory Group

The Bureau invites the different constituencies of CFS Participants to designate their representatives to this Group, which normally will not exceed that of the CFS Bureau in numbers. It is expected that members of the Advisory Group should be able to contribute substantive work and provide advice to the CFS Bureau.

The Advisory group is made up of representatives from the 5 different categories of CFS Participants. These are:

- UN agencies and other UN bodies;
- Civil society and non-governmental organisations particularly organisations representing smallholder family farmers, fisher folks, herders, landless, urban poor, agricultural and food workers, women, youth, consumers and indigenous people (5 members);
- International agricultural research institutions (1 member);
- International and regional financial institutions such as the World Bank, the International Monetary Fund, regional development banks and the World Trade Organization; and
- Private sector associations and philanthropic foundations (2 members).

The Advisory Group helps the Bureau advance the Committee's objectives in particular to ensure linkages with different stakeholders at regional, sub-regional and local levels and to ensure an on-going, two-way exchange of information.

Rules and regulations for participation in the CFS

Observer status

The Committee or its Bureau may invite other interested organisations relevant to its work to observe entire sessions or on specific agenda items. Such organisations or bodies may also apply to the Committee for observer status to participate regularly, periodically or exceptionally on specific issues subject to the decision of the Committee or its Bureau. Such organisations can include:

- Regional associations of countries and regional intergovernmental development institutions;
- Local, national, regional and global CSOs/NGOs, other than those attending as participants, which are active in areas
 related to food security, nutrition, and the right to food, particularly organisations which are linked to a regional or
 global network; and
- Other networks or associative organisations including local authorities, foundations and research or technical institutions.

Participation opportunities

The renewed CFS provides unprecedented participation opportunities for a range of actors, including civil society. This includes both the right to participate in the CFS plenary – intervening, approving meeting documents and agendas, submitting and presenting documents and formal proposals – and within the inter-sessional work, for which the mechanism of the Advisory Group has been established. Additionally, civil society organisations are identified as being fundamentally important to the CFS's links with the different levels – regional, national and local. Civil society representatives have the opportunity to participate in the CFS's work:

- · Across all its different roles;
- Throughout its entire work period (plenary and inter-sessional); and
- At all the different levels ("from the global up to the local").

Civil Society Mechanism (CSM)

A self-managed Civil Society Mechanism (CSM) facilitates the civil society participation in the CFS. The CSM reaches out to hundreds of CSOs in all continents, sharing information with them on global policy debates and processes, promoting civil society consultations and dialogue, supporting national and regional advocacy and facilitating the participation of a diverse range of CSOs at the global level, in the context of the CFS.

The CSM aims to support CSOs in influencing policy processes and outcomes at the global level by facilitating civil society participation in CFS Plenary Sessions, Open Ended Working Groups, Task Teams, the CFS Advisory Group and other CFS mechanisms. The CSM facilitates the broad and regular exchange of information, analysis and experience between CSOs from around the world. It also enables the development of common CSO positions where possible and helps communicate divergent positions where there is no consensus. These functions are performed through the facilitation of face to face and virtual meetings, trainings, consultations, reports and papers, the CSM website, CSM working groups and an annual CSM Forum.

Composition of the CSM

The Coordination Committee is comprised of 41 Members from 11 constituencies (key stakeholder groups) and 17 subregions worldwide. A geographic and gender balance is also ensured; there is a goal of ensuring that half of the Members are women. Members of the CSM can participate in activities through the 11 constituencies and the 17 subregional groups. Through participation in the CSM, members are able to participate in political processes relating to the CFS, have access to information, dialogue with other CSOs and develop common positions and complementary strategies and ways of working.

Selection process of the CMS representatives

A global Coordination Committee (CC), whose members are selected by the membership at large, governs the CSM.

Approach to stakeholder engagement

CFS does not have a specific approach to non-governmental actors' engagement, and does not apply the Major Group approach. CFS is made up of Members, Participants and Observers. The membership of the Committee is open to all Member States of The Food and Agricultural Organization (FAO), The International Fund for Agricultural Development (IFAD) or The World Food Programme (WFP) and non-Member States of FAO that are Member States of the United Nations. Participants of the CFS sessions can be from representatives of UN agencies and bodies, civil society and non-governmental organisations and their networks, international agricultural research systems, international and regional financial institutions and representatives of private sector associations and private philanthropic foundations. CFS may invite other interested organisations relevant to its work to observe entire sessions or specific agenda items.

Self-Assessment

The CFS very much focuses on the interests of those civil society organisations represented on the body (e.g. farmers). Some civil society organisations criticise that due to its composition the private sector and financial institutions dominate the body.

⁹ 11 constituencies: smallholder family farmers, artisanal fisher folk, herders/pastoralists, landless, urban poor, agricultural and food workers, women, youth, consumers, indigenous peoples and NGOs; 17 sub-regional groups: North America, Central America and Caribbean, Andean Region, Southern Cone, Western Europe, Eastern Europe, West Asia, South Asia, South East Asia, Central Asia, Oceania and Pacific, Southern Africa, West Africa, East Africa, Central Africa, North Africa.

2. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Name and function: Standing Committee

The CITES Standing Committee provides general policy and general operational direction to the Secretariat concerning the implementation of the Convention; and oversees, on behalf of the Parties, the development and execution of the Secretariat's budget. Beyond these key roles, it coordinates and oversees, where required, the work of other committees and working groups; carries out tasks given to it by the Conference of the Parties; and drafts resolutions for consideration by the Conference of the Parties [see Resolution Conf. 11.1 (Rev. CoP16) Annex 1].

The 19 members of the Standing Committee are Parties representing each of the six major geographical regions (Africa, Asia, Europe, North America, Central and South America and the Caribbean, and Oceania), with the number of representatives weighted according to the number of Parties within the region [again see Resolution Conf. 11.1 (Rev. CoP16) Annex 1]. The membership of the Standing Committee is reviewed at every regular meeting of the Conference of the Parties.

At the 62nd meeting of the Standing Committee (Geneva, 2012), 350 observers attended the meeting.

Additionally, the Standing Committee systematically includes a representative from:

- The Depositary Government (Switzerland);
- The Party that hosted the previous meeting of the Conference of the Parties (Qatar hosted CoP15 in March 2010);
- The Party that will host the next meeting of the Conference of the Parties (Thailand will host CoP16 in 2013); and
- All Committee members may participate in Committee business but only the regional members or alternate regional
 members shall have the right to vote except in the case of a tie vote, when the Depositary Government shall have the
 right to vote to break the tie.

The members representing the regions elect the Chair, and Vice-Chair. These are currently Norway, United States of America and respectively. All Parties that are not members of the Standing Committee have the right to send observers to its meetings. In addition, the Chairman may invite observers from any country or organization. Usually the Standing Committee meets only once a year, although it does also meet just before and after each meeting of the Conference of the Parties.

Non-governmental organizations may be represented as observers at meetings of the Committee, in accordance with Rule 6 of the Rules of Procedure of the Standing Committee.

Role and mandate of CSOs in the Standing Committee: Rule 6 of the Rules of Procedure of the Standing Committee (SC63 Doc. 4)

- 1. The Chair may invite any person to attend a meeting of the Committee as an observer and may invite anybody or agency to be represented at a meeting of the Committee by observers provided that any such person, body or agency is technically qualified in protection, conservation or management of wild fauna and flora. Such observers shall have the right to participate only during the discussion of specific agenda items determined by the Committee, but not to vote. However, the right of any such observer to participate shall be withdrawn if so agreed by the Committee.
- a) Any body or agency wishing to participate in a meeting of the Committee in accordance with paragraph 1 shall submit a request to the Secretariat at least 30 days before the meeting, or in the case of an emergency meeting at least seven days prior to that meeting.
 - b) Any such request from a body or agency shall be accompanied by:
 - i) Relevant information with regard to its technical qualifications;
 - ii) The name/s of the observer/s who have been authorized to represent it at the meeting; and
 - iii) Proof of the approval of the State in which the national non-governmental body or agency is located or, in which the international non-governmental body or agency is headquartered.
 - c) The Secretariat shall forward each request received and relevant information to the Chair and the Members of the Committee for approval.

Rules of Procedure of the Conference of Parties

The Parties (member States) to CITES are collectively referred to as the Conference of the Parties. Every two to three years, the Conference of the Parties meets to review the implementation of the Convention. These meetings last for about two weeks and are usually hosted by one of the Parties. The meetings are often referred to as 'CoPs'. They provide the occasion for the Parties to:

- Review progress in the conservation of species included in the Appendices;
- Consider (and where appropriate adopt) proposals to amend the lists of species in Appendices I and II;
- Consider discussion documents and reports from the Parties, the permanent committees, the Secretariat and working groups;
- Recommend measures to improve the effectiveness of the Convention; and
- Make provisions (including the adoption of a budget) necessary to allow the Secretariat to function effectively.

On a more informal level, the meetings provide an opportunity for participants to make or renew relationships and to discuss problems and successes. Meetings of the Conference of the Parties are attended not only by delegations representing CITES Parties but also by observers. These include representatives of States that are not party to CITES, of United Nations agencies and of other international Conventions. Observers from non-governmental organizations involved in conservation or trade are also allowed to participate at the discretion of the Parties. Although they may participate in the meeting, they have no vote (see Article XI). Members of the public may also attend as visitors, although they are not able to participate in the discussions. ¹⁰

Participation at governance level

- 1. The United Nations, its specialized agencies, the International Atomic Energy Agency, as well as any State not a Party to the Convention may be represented at the meeting by observers who shall have the right to participate in the plenary sessions and sessions of Committees I and II but not to vote. Rule 2, paragraph 1 of the Rules of procedures to the CITES COP
- 2. Anybody or agency technically qualified in protection, conservation or management of wild fauna and flora which is either:
 - An international agency or body, either governmental or non-governmental, or a national governmental agency or body; or
 - A national non-governmental agency or body, which has been approved for this purpose by the State in which it
 is located.

Paragraph 1 of the Rules of procedures to the CITES CoP

An organisation which has informed the Secretariat of the Convention of its desire to be represented at the meeting by observers shall be permitted to be so represented in the plenary sessions and sessions of Committees I and II unless one-third of the Representatives present and voting object. Once admitted, these observers shall have the right to participate but not to vote. However, the right of observers to participate may be withdrawn if so agreed by one-third of the Representatives present and voting.

A delegate or observer shall speak only if called upon by the Presiding Officer, who may call a speaker to order if his/her remarks are not relevant to the subject under discussion. Rule 17, paragraph 3 of the Rules of Procedures to the CITES COP.

In addition, the standard participation charge for all observer organizations other than the United Nations and its specialized agencies shall be set at a minimum of USD 600 (except as otherwise decided by the Secretariat as required and following consultation with the Finance and Budget Subcommittee) and URGES such organizations to make a greater contribution, if possible, at least to meet their effective costs of participation. [Resolution Conf. 16.2]

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¹⁰ More information available on http://cites.org/eng/disc/cop.php.

At the sixteenth meeting of the Conference of the Parties (Bangkok, 2013), participants included:

- 14 observers from States not Party to the Convention;
- 84 participants from 21 Inter-Governmental Organisations (FAO, INTERPOL, UNDP, UNEP, UNCTAD, WORLD BANK, etc.):
- 201 participants from 44 international Non-Governmental Organizations;
- 215 participants from 123 national Non-Governmental Organizations;
- 53 participants from 37 organizations from the Private Sector
- 438 media representatives;
- 20 officials visitors from the first day of the meeting; and
- 500 visitors approximately on a daily basis.

Participation at policy level

Submission of informative documents and exhibitions.

- 1. Informative documents on the conservation and utilization of natural resources may be submitted for the attention of the participants to the meeting by:
 - a) Any Representative of a Party or any observer representing a State not party to the Convention or an intergovernmental organization;
 - b) Any observer representing any other organization; and
 - c) The Secretariat.
- 2. No approval is required for the distribution of such documents. However, they shall clearly identify who is presenting them.
- 3. Documents from the States and organizations referred to in paragraph 1 of this Rule may, on request, be distributed by the Secretariat. In this case, they shall be provided in sufficient numbers for distribution. Documents submitted by Parties and by the Secretariat relating to specific items on the agenda of the meeting shall be numbered by the Secretariat and included in its list of official documents. Rule 28 of the Rules of Procedures to the CITES COP

3. The United Nations Permanent Forum on Indigenous Issues (UNPFII)

Name and function

The Permanent Forum is an advisory body to the Economic and Social Council (ECOSOC) with a mandate to discuss indigenous issues related to economic and social development, culture, the environment, education, health and human rights.

According to its mandate, the Permanent Forum will:

- 1. Provide expert advice and recommendations on indigenous issues to ECOSOC, as well as to programmes, funds and agencies of the United Nations, through the Council.
- 2. Raise awareness and promote the integration and coordination of activities related to indigenous issues within the UN system.
- 3. Prepare and disseminate information on indigenous issues.

The Permanent Forum holds annual two-week sessions. The first meeting of the Permanent Forum was held in May 2002, and yearly sessions take place in New York.

Rules of Procedure

The aim of the Forum is to provide an open space for dialogue and cooperation to improve the situation of indigenous peoples, and gain greater recognition of their rights as recognized in the UN Declaration on the Rights of Indigenous Peoples. As such, the Forum encourages participation of Member-states, UN agencies and Indigenous Peoples as key partners in its work.

The sixteen Forum experts are its members; all other participants are observers.

Participation at governance level

The members of the Permanent Forum are its decision-making body. Forum members are also invited to serve on advisory bodies and boards of UN agencies. In some cases, also governments invited them to lead discussions among government representatives and indigenous peoples in their countries.

Participation at policy level

Forum members participate at high-level UN events and processes to promote greater awareness and attention to indigenous peoples' rights. However, this varies, depending on the specific situation in each country/region, influenced by the status and recognition accorded to indigenous peoples in that context. Forum members are also engaged at local, national and regional policy processes in addition to their global responsibilities.

In recognition to the need to strengthen their input, and achievement of their mandate to advise UN agencies, Forum members have stressed the need for a practical approach with the recommendation to UN agencies that the Forum is accorded specific status as a UN institution in order to participate and influence policy outcomes.

Participation at programmatic level

Forum members provide their advice and recommendations to UN agencies, programmes and funds on incorporation of indigenous issues into their work. In this regard, the UNDG Guidelines on mainstreaming indigenous issues into the work of the UN country teams is relevant (February 2008).

Forum members have emphasized the need for greater follow up to the implementation of their recommendations including at the programmatic level of the UN agencies.

Composition

The Permanent Forum is comprised of sixteen independent experts, functioning in their personal capacity, who serve for a term of three years as Members and may be re-elected or re-appointed for one additional term. Eight of the Members are nominated by governments and eight are nominated by indigenous organizations in their regions.

Selection process

The Members nominated by governments are elected by ECOSOC based on the five regional groupings of States normally used at the United Nations (Africa; Asia; Eastern Europe; Latin America and the Caribbean; and Western Europe and Other States). Three seats rotate among the five regional groupings.

The Members nominated by indigenous organizations are appointed by the President of ECOSOC and represent the seven socio-cultural regions determined to give broad representation to the world's indigenous peoples. The regions are Africa; Asia; Central and South America and the Caribbean; the Arctic; Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia; North America; and the Pacific—with one additional rotating seat among the three first listed above.

Role and mandate of CSOs

The Permanent Forum holds annual sessions. In accordance with paragraph 1 of Economic and Social Council resolution 2000/22, States, United Nations bodies and organs, intergovernmental organizations and non-governmental organizations in consultative status with the Council may participate in the Permanent Forum as observers. Organizations of indigenous peoples may equally participate as observers in accordance with the procedures which have been applied in the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights.

Five categories of participants can pre-register for the annual sessions: indigenous peoples' organizations; indigenous parliamentarians; non-governmental organizations in consultative status with the Economic and Social Council; national human rights institutions; and academic institutions. In accordance with the practice of the Permanent Forum, academic institutions have no right to speak.

Produced outputs and outcomes

The Permanent Forum submits its report to ECOSOC. The Forum's reports contain analysis, advice and recommendations to Member States, the UN system as well as to indigenous peoples.

Assessment

The Permanent Forum on Indigenous Issues was established in response to demands from indigenous peoples for a high level UN body to address their rights and concerns. Since its establishment, the Forum has achieved recognition as the global forum to discuss and engage on current and emerging issues related to indigenous peoples. It is also the major forum to establish alliances, networks and partnerships among and between member-states, indigenous peoples and others.

Indigenous peoples' organizations are, in general, qualitatively and functionally different from non-governmental organizations in purpose, design and constituency. Many indigenous peoples' institutions have considerable responsibilities towards their members, including in relation to cultures, lands, territories and resources.

In many cases, indigenous peoples' organizations have been constitutionally, legally and/or politically acknowledged by the relevant State. For example, some States recognize the inherent and residual sovereignty of indigenous peoples and/or the continuing jurisdiction of indigenous peoples' governance institutions over their peoples. In others, the State enters into negotiations with indigenous authorities representing indigenous peoples to provide redress for indigenous peoples' historical grievances. In yet other cases, States and indigenous peoples have established modern legal and political institutions to recognize indigenous peoples' self-determination and/or self-government and also as a means to enable the representation of indigenous peoples in the State's broader governance structure, especially in relation to matters that specifically affect the indigenous peoples concerned. On the other hand, some indigenous peoples' organizations are not recognized by States, either because their status as indigenous peoples is denied or because the State does not recognize indigenous peoples' political institutions.

The purposes of many indigenous peoples' institutions may include public governance of their peoples and/or territories, often in accordance with indigenous laws and traditions, meaning that they cannot appropriately be defined as non-governing. As such, even where it might be possible for an indigenous peoples' organization to seek accreditation as a non-governing organization, that organization may choose not to do so. The United Nations Declaration on the Rights of Indigenous Peoples expresses indigenous peoples' right to self-governance in a number of articles, including article 3, on the right to self-determination, and article 4, on the right to autonomy.' (See the Secretary General's report on ways and means of promoting participation at the UN of indigenous peoples' representatives on issues affecting them A/HRC/21/24 of for more details).

To the extent that it has been permitted to date, indigenous peoples' participation at the United Nations has been a positive experience. It has enabled indigenous peoples who had been historically excluded to work together peacefully and in partnership with States to advance their issues and rights. It has been a process of mutual trust-building, premised on equality and equity among stakeholders, and has led to fruitful outcomes and greater commitments by indigenous peoples, States and the United Nations system to strengthen recognition and respect for indigenous peoples' rights. It is hoped that this spirit of openness and continuing collaboration with indigenous peoples will be improved by further enhancement of procedures to enable indigenous peoples' participation in all relevant work of the United Nations, in a way that realizes, respects, promotes and protects their rights under the United Nations Declaration on the Rights of Indigenous Peoples and other relevant international human rights standards. (SG's report of 12 July 2012).

4. The Global Fund to fight AIDS, Tuberculosis and Malaria (GFATM)

Name and function: Global Fund's International Board

Seats with voting power are allocated inter alia to civil society, the private sector, private foundations, NGOs, and the communities affected by the diseases. The International Board is the supreme governing body and is in charge of strategy development, governance oversight, commitment of financial resources, etc. The Board may establish committees, working groups, advisory panels and other similar groups it deems necessary to carry out the business of the Board. The Board Chair and Vice-Chair, in consultation with the Coordinating Group, will propose membership of each committee, based on applications made by constituencies for committee membership, the mandate of the committee, and the competencies and responsibilities of committee membership according to the Board and Committee Member roles and responsibilities, for full Board approval. Each constituency may participate in a maximum of two committees (membership on other ad hoc committees where the Board specifically provides that membership shall not apply toward this limit).

In 2011, the Global Fund adopted an ambitious new strategy. The strategy, the result of extensive consultations with stakeholders from all over the world across the full year, outlines five strategic priorities for the Global Fund:

- Investing more strategically investing only in the highest impact interventions in the highest-impact countries and populations;
- Evolving the funding model utilizing a more flexible, iterative funding model;
- Actively supporting grant implementation success actively managing grants based on impact, value for money and
 risk:
- Promoting and protecting human rights integrating human rights considerations throughout the grant life cycle;
 and
- Mobilizing resources attracting additional funding from current and new sources, and being innovative in the opportunities that we provide for this to occur.

Composition of the Board

- Seven representatives from developing countries, one representative based on each of the six World Health Organization (WHO) regions and one additional representative from Africa;
- Eight representatives from donors; and
- Five representatives from civil society and the private sector.

Selection process

Each group determines a process for selecting its Board representation, with reference to the minimum standards for selecting Board Members and Alternate Members that may be established from time to time by the Board. Except for the Board Chair and Board Vice-Chair who shall each act in their personal capacities, Board Members will serve as representatives of their constituencies. Board Members will serve on the Board for two years or such other term that the Board may determine.

Global Fund Board Members are recognized leaders in their fields. They are selected by their respective constituencies based on their expertise, authority and capacity to solicit and represent the views of the stakeholders they represent. Board membership is voluntary – members do not receive remuneration for their time. Each constituency defines the specific process and criteria it uses to identify its Board Member. After the individual is identified, the constituency submits the résumé or personal statement of the nominated individual to the Coordinating Group. Then the Board Leadership or representative from the Coordinating Group has an informal discussion with the selected constituency representative to sensitize them on the roles and responsibilities of a Board Member. Board Members are expected to make informed, deliberate, and careful decisions, and act in the best interests of the Global Fund.

Key competencies of Board members:

- Recognized leader in constituency with capacity and authority to represent the constituency
- In-depth understanding of and personal commitment to the Global Fund principles, core values and mission
- In-depth knowledge of the issues around HIV/AIDS, TB and malaria, international health and/or development, and development financing
- Experience of acting as a representative of a constituency in partnerships and governing bodies with an ability and capacity to network effectively and broadly
- Facilitative and consultative approach—diplomatic with policy and strategic skills
- Strong leadership and management skills gained in a multicultural environment
- High-level judgment in complex situations
- Acute analytical skills
- Ability to act as an ambassador/advocate and to represent this cause at a senior level
- Access to adequate staff support for the analysis, networking and consultation required to be an effective constituency representative
- Access to the necessary communication infrastructure to allow the role to be carried out effectively (e.g. telephone, fax, email and mobile phone)
- Ability to work in written and spoken English (additional languages a great advantage)

Role and mandate of the Board

All members **participate equally**. Each follows the same rules and each has one vote on behalf of her/his constituency. To ensure that implementers' and donors' needs are addressed equally, the Board is split into two blocs: a two-thirds majority of each bloc is required for a vote to pass. Some civil society representatives argue that the Global Fund is dominated by the private sector and that the interests of other stakeholders are therefore neglected. Another weakness of the body is the lack of a regional mechanism.

Approach to stakeholder engagement

The Global Fund does not apply the Major Group approach. Established as a unique public-private partnership in global health, the Global Fund brings together at the country level a wide diversity of implementing government bodies, international development partners (including United Nations agencies and donors), national civil society organisations (including local media, professional associations and faith-based institutions), the private sector, and communities living with or affected by the diseases.

5. The International Labour Organization (ILO)

Governing Bodies

The two governing bodies of the International Labour organisations are the International Labour Conference (ILC) and the Governing Body (GB). Both are composed of representatives of Governments, Workers and Employers Organisations.

Role and composition of ILC

The International Labour Conference is held every year in Geneva in June. Each Member State of the ILO is represented by a delegation consisting of two government delegates, an employer delegate, a worker delegate, and their respective advisers. Each year, more than 6000 delegates and advisors are accredited to the ILC.

The Conference, which is often called *international parliament of labour*, has different tasks: it crafts and adopts international labour standards in the form of Conventions and Recommendations; it supervises the application of Conventions and Recommendations at the national level; it passes resolutions providing guidelines for ILO's general policy and future activities; every two years, it adopts the ILO's biennial work programme and budget and it is a forum where different actors come together to address relevant social and labour questions.

Role and composition of the Governing Body

The Governing Body is the executive organ of the ILO. It is composed of 56 titular members (28 Governments, 14 Employers and 14 Workers) and 66 deputy members (28 Governments, 19 Employers and 19 Workers). Ten of the titular government seats are permanently held by States of chief industrial importance (Brazil, China, France, Germany, India, Italy, Japan, the Russian Federation, the United Kingdom and the United States). The list is determined by the Governing Body. The other Government members are elected by the Conference every three years (the last elections were held in June 2011). The Employer and Worker members are elected in their individual capacity. Except for the members representatives of States of chief industrial importance, the members of the Governing Body are elected by electoral colleges of their respective groups.

Its role is to take decisions on ILO policy, to decide the agenda of the International Labour Conference, to adopt the draft Programme and Budget of the Organization for submission to the Conference. The Governing Body also elects the Director-General of the organisation.

Role and involvement of other international non-governmental organisations

Each year, the Governing Body invites a significant number of International Non-Governmental Organisations to the International Labour Organisation. They are either organisations directly involved in the world of work or other INGOs whose interest is specifically related to one of the item on the agenda of the ILC.

In addition to involving representatives of workers and employers organizers in its governing structure, the ILO has granted a General Consultative status and regional consultative status to organisations having an important interest in a wide range of ILO's activities. Standing arrangements have been made for the participation of those enjoying general consultative status in all ILO meetings, and in regional meetings for those having regional consultative status.

The Special List of Non-Governmental International Organisations was established with the purpose of creating working relations with international NGOs other than employers' and workers' organisations. The participation of international NGOs in this category depends on their demonstrated interest in the ILO's programme of meetings and activities, and their sharing of the same principles and objectives as the ILO. With more than one hundred and fifty NGOs admitted to the Special List, they cover a wide variety of fields, such as the promotion of human rights, poverty alleviation, social security, professional rehabilitation, gender issues, and youth matters.

Approach to stakeholder engagement

The ILO has a tripartite constituency, and does not apply the Major Group approach. The Partnerships and Field Support Department (PARDEV) is responsible for resource mobilization and the management and administration of technical cooperation activities and public-private partnerships, as well as providing support to ILO field structures and managing day-to-day relations with other international and regional organisations, UN system-wide coherence issues, South-South and triangular cooperation, and relations with civil society and other external partners such as parliamentarians, NGOs, faith-based organisations and academic institutions.

6. The International Conference on Chemicals Management (ICCM)

Name and function: International Conference on Chemicals Management (ICCM)

The ICCM undertakes periodic reviews of the Strategic Approach to International Chemicals Management (SAICM).

Agenda-setting

Non-governmental participants can request the SAICM secretariat to include specific items in the provisional agenda. At the beginning of each session, the governmental participants shall, after consulting the intergovernmental participants and non-governmental participants, adopt the agenda for the session on the basis of the provisional agenda and any supplementary items proposed in accordance with rule 6 of the ICCM Rules of Procedure.

Decision-making

The participants shall make every effort to reach agreement on all matters of substance and procedure by consensus. If a consensus is not achieved, the decision shall be taken by a two-thirds majority vote of the governmental participants or by a majority vote of the governmental participants. De facto, decisions are almost always taken by consensus and it is very unlikely that civil society representatives are asked to leave the room when a decision is being taken.

Composition of the Bureau

Consistent with the multi-sectoral character of SAICM and in accordance with rule 15, four representatives of non-governmental participants and the chair of the Inter-Organization Programme for the Sound Management of Chemicals participate in the discussions during the meetings of the Bureau for the purpose of advising and responding to the Bureau

Selection process

Non-governmental participants elect four non-governmental Bureau members to represent each of the health, industry, trade union, and public interest groups:

Participation in ICCM and SAICM: role and mandate of stakeholders

At the sessions of the International Conference on Chemicals Management, non-governmental actors enjoy full participation and speaking rights. Non-governmental representatives act on an equal footing with governments when it comes to small contact group negotiations, speaking rights in any setting, the right to initiate SAICM activities, produce conference room papers etc.

All participants (governmental, intergovernmental and non-governmental participants) are entitled to take part in sessions of the conference and any open-ended subsidiary body.

However, intergovernmental or non-governmental participants can be excluded from the consideration of all or parts of the agenda if so decided by a two-thirds majority of the governmental participants present and voting. De facto, however an exclusion of non-governmental organisations is very unlikely and decisions are made by consensus.

Approach to stakeholder engagement

The ICCM does not apply the Major Group approach. It engages with a wide range of non-governmental actors including health NGOs from the health sector, from industry as well as public interest NGOs, science and academia, and trade unions.

Self-Assessment

Non-governmental stakeholders have been involved in SAICM since day one. Their active participation in the negotiations culminated in the adoption of the Strategic Approach in Dubai in February 2006. Their strong commitment and constructive contribution to implementation efforts is appreciated by all stakeholders and their engagement in the process is continuously sought.

SAICM provided a unique platform for non-governmental representatives to work with Governments and Intergovernmental organisations on the issue of chemicals with an equal sense of commitment and responsibility to meeting the 2020 goal of Sound Chemicals Management.

Although the SAICM arrangements are not always understood by some stakeholders when comparing with other international processes such as the Multilateral Environmental Agreements, the SAICM secretariat through its regional meetings and subsidiary bodies of the ICCM reminds stakeholder of the uniqueness of the non-legally binding framework as prescribed in the Rules of Procedure of the ICCM and its arrangements for implementation.

The United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD)

Guidance, Rules and regulations

UN-REDD and the Forest Carbon Partnership Facility (FCPF) have adopted "Guidelines on Stakeholder Engagement in REDD+ Readiness" providing guidance on how to ensure the participation of stakeholders in REDD+ Readiness activities. The guidelines contain:

- 1) Relevant policies on indigenous peoples and other forest-dependent communities;
- 2) Principles and guidance for effective stakeholder engagement (human-rights approach, principle of free, prior and informed consent, etc.); and
- 3) Practical "how-to" steps on planning and implementing effective consultations.

The UN-REDD Programme has recently launched its Guidelines on Free, Prior and Informed Consent (FPIC) and its associated Legal Companion, which outlines existing international law and emerging State practice affirming that indigenous peoples have the right to effective participation in the decisions, policies and initiatives that affect them and that FPIC is a legal norm that imposes duties and obligations on the States. The Guidelines are the result of more than two years of consultation, analysis, pilot-testing, consensus building and refinement around core issues related to FPIC; from its conceptual definition to its practical application. The Guidelines outline a normative, policy and operational framework for seeking and obtaining FPIC in the context of REDD+. There will be periodic updates to this version based on the application of the Guidelines, increased information and experience related to the application of FPIC more generally, and continued input and feedback from governments, indigenous peoples and forest-dependent communities, practitioners, experts and partners.

Participation at the global level: The UN-REDD Policy Board

The UN-REDD Programme Policy Board is a consensus-based governing body made up of representatives from partner countries, civil society, indigenous peoples, and UN agencies. The Policy Board provides overall leadership, strategic direction and financial allocations to ensure the overall success of the Programme. Any indigenous peoples' representative or CSO can engage with the Independent Advisory Group on Forests, Rights and Climate Change, which is empowered to monitor activities and provide substantive advice to the UN-REDD Programme Policy Board.

Self-selected representatives of indigenous peoples and CSOs sit directly on the Policy Board. There are a total of four indigenous peoples and four CSO representatives who sit on the Policy Board. In the case of the indigenous peoples' representatives, the Chair of the UN Permanent Forum on Indigenous Issues (UNPFII) serves as the full member, supported by three regional representatives from Africa, Asia-Pacific, and Latin America-Caribbean self-selected by the Regional Caucuses of the UNPFII. In the case of the CSO representatives, four regional representatives from Africa, Asia-Pacific, Latin America-Caribbean, and industrialized countries were selected via an online self-selection process managed by the CSO the Bank Information Centre, following consultations with the Independent Advisory Group on Forests, Rights, and Climate Change. The full member status rotates amongst the four CSO representatives. The CSO representatives shall select the period (at least once per year) and order of rotation. All representatives participate actively in the deliberations of the Board, and full members have full decision making powers and equal voting rights.

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¹¹ http://www.un-redd.org/Stakeholder_Engagement/Guidelines_On_Stakeholder_Engagement/tabid/55619/Default.aspx

Functions of the UN-REDD Policy Board:

- To review and approve these Terms of Reference and Rules of Procedure, and update and/or modify them, as necessary, in case of compelling requirements.
- To set the strategic direction of the UN-REDD Programme, responding to decisions of the UNFCCC and other bodies, based on inputs from the Secretariat, the UN Development Group (UNDG) the Chief Executives Board (CEB) and others.
- To approve Joint Programme budget allocations submitted by the Secretariat; verify that the Secretariat has
 adequately applied the quality assurance standards; and review implementation progress as set out in the Rules of
 Procedure.
- To approve Terms of Reference for advisory bodies.
- To ensure appropriate coordination and collaboration with relevant initiatives, processes and funding mechanisms.
- To facilitate appropriate consultative processes with key stakeholders, in particular, Indigenous Peoples and other forest-dependent communities and civil society organisations.
- To review and approve periodic progress reports (programmatic and financial) consolidated by the Administrative Agent based on the progress reports submitted by the Participating UN Organisations; and to ensure consistency in reporting between countries. Consolidated annual reports will include a section on the activities of the Policy Board.
- To agree to the Evaluation Plan mentioned in the UN-REDD Programme Fund Terms of Reference (Annex 2 of the Framework document).
- To review and approve the draft/final reports on lessons learnt, ensure the implementation of recommendations and identify critical issues follow up.
- To discuss the Multi-Donor Trust Fund (MDTF) requirements and priorities concerning information management including appropriate MDTF and MDTF donor visibility.
- To ensure alignment of the UN-REDD Programme activities with the Framework Document, the MOU between the Participating UN Organisations and the Administrative Agent, and any Standard Administrative Arrangements (SSAs) signed between a donor and the Administrative Agent.

Representation on the UN-REDD Policy Board:

- Each region shall have one full member and two alternate members, up to a total maximum of nine countries. The full member and alternate members shall be invited to Policy Board meetings, the full member of the region shall rotate so that the alternate members subsequently become the full member.
- Up to three full member seats are available for donors to the MDTF), if there are more than three donors, the seats shall be filled by the three largest donors. Donors may agree to rotate the seats.
- One civil society representative shall be selected as a full member of the Policy Board and three observers.
- One representative shall be from an organization from a developed country and the other three shall be one from each of the three UN-REDD Programme regions: Africa; Asia-Pacific; and Latin America-Caribbean.
- The Secretariat and the Participating UN Organisations shall facilitate the self-selection of the civil society representatives.
- The full member shall rotate amongst the four representatives so that the observers subsequently become the full member. The civil society representatives shall select the period (at least once per year) and order of rotation.
- The UN-REDD Programme shall provide funding for the three regional civil society representatives to attend Policy Board meetings. The representative from the developed country shall be self-funded.
- Indigenous Peoples are represented by the Chair of UNPFII as a full member and three observers, one for each of the three UN-REDD Programme regions: Africa; Asia-Pacific; and Latin America-Caribbean.
- The Secretariat and the Participating UN Organisations shall facilitate the self-selection of the regional Indigenous Peoples observers for each of the three regions.

Consultations with Stakeholders

Stakeholders take part in consultations, which should be premised on transparency and timely access to information. Stakeholders should have prior access to information on the proposed consultation activities. Sufficient time is needed to fully understand and incorporate concerns and recommendations of local communities in the design of consultation processes. Consultations with indigenous peoples must be carried out through their own existing processes, organisations and institutions, e.g., councils of elders, headmen and tribal leaders. Indigenous peoples should have the right to participate through representatives chosen by themselves in accordance with their own procedures and decision-making institutions.

Records of consultations and reports on the outcome of the consultations should be prepared and publicly disclosed in a culturally appropriate form, including in local languages. Consultation processes should clearly document how views gathered through the consultation process have been taken into account and, where they have not, explanations provided as to why.

Outcome documents from consultations such as meeting minutes, reports, work plans, and roadmaps for implementation should be:

- Circulated to indigenous peoples' organisations for an assessment of their accuracy;
- Publicly accessible; and
- Reflected, as appropriate, a) in National Programme documents, b) on the UN-REDD website, and submitted to the Policy Board annually.

Participation on programmatic level: UN-REDD National Programmes

Indigenous peoples and other forest-dependent communities are represented on National REDD+ Steering Committees or equivalent bodies, where established. In order to be endorsed by the UN-REDD Secretariat for approval by the UN-REDD Programme Policy Board, draft National Programmes must submit minutes of a 'validation meeting' of National Stakeholders including indigenous peoples' representative(s). The representative(s) who participate(s) in the 'validation meeting' must subscribe to one of the following criteria:

- Is selected through a participatory and consultative process;
- Has previous experience working with the government and UN system;
- Has demonstrated experience serving as a representative, receiving input from, consulting with, and providing feedback to, a wide scope of civil society/indigenous peoples' organisations; or
- Participated in a UN-REDD Programme scoping and/or formulation mission and sit(s) on a UN-REDD Programme consultative body established as a result of the mission; or
- Is an individual(s) recognized as legitimate representative(s) of a national network of civil society and/or indigenous peoples' organisations (e.g. the GEF Small Grants National Steering Committee or National Forest Programme Steering Committee)

The 'validation meeting' will be one step of a wider Consultation and Participation Plan and will be documented as an annex to the Programme Document. The National Programme Consultation and Participation Plan should effectively involve indigenous peoples and other forest-dependent communities, and civil society organisations in all stages, including program design, implementation, and monitoring and evaluation.

Approach to stakeholder engagement

The UN-REDD does not apply the Major Group approach. Stakeholders are defined by the UN-REDD as those groups that have a stake/interest/right in the forest and those that will be affected either negatively or positively by REDD+ activities. They include relevant government agencies, formal and informal forest users, private sector entities, indigenous peoples and other forest-dependent communities.

Self-Assessment

The UN-REDD programme has comprehensive guidelines on stakeholder engagement that make it necessary for participating countries to meaningfully engage indigenous peoples and civil society representatives in decision making processes, with an emphasis that this participation should be premised on transparency and timely access to information.

Additionally the equal participation of these stakeholders in global level decision making processes and in national processes is prioritized and formalized in the official regulations of the Programme. At the global level, Stakeholders, civil society organization and one indigenous peoples' representative have full membership on the Policy Board, full participation and equal voting rights.

The UN-REDD programme also established special capacity-building measures preceding the consultations to make sure that stakeholders are provided the necessary knowledge, expertise and resource to both to make their voices heard as well as consult with the country level constituents that they represent.

At the programmatic level, Stakeholders are involved in all stages, including programme design, implementation, and monitoring and evaluation, and this involvement is facilitated by specific requirements and mechanisms.

2. The Joint United Nations Programme on HIV/AIDS (UNAIDS)

Rules and regulations

Guidance for partnerships with civil society, including people living with HIV, and key populations

The guidance document articulates how the Joint United Nations Programme on HIV/AIDS (UNAIDS); its Cosponsors and Secretariat should strengthen and operationalize meaningful and respectful partnership work with civil society. The guidance responds to calls from partners that meaningful engagement with civil society be incorporated into all areas of the Joint Programme's work and that essential principles of engagement be reflected within key UNAIDS strategic, programming and budgeting documents. The need for the guidance has also been emphasized through a number of processes. For example, a review of the capacity-building needs of UNAIDS Country Offices found that support for effective partnership working with civil society was identified repeatedly as a key theme about which UNAIDS staff members were all looking for greater support.

Terms of Reference of the UNAIDS PCBNGO Delegation

The Terms of Reference of the UNAIDS Programme Coordination Board (PCB) NGO Delegation, the UNAIDS Governance Handbook and Modus Operandi, clearly define rights and responsibilities of the NGO delegation and present entry points into the work of UNAIDS for civil society organisations.

Participation at governance level: NGO Delegation of the UNAIDS Programme Coordinating Board

UNAIDS was the first United Nations programme to have formal civil society representation on its governing body. The position of non-governmental organisations (NGOs) on the UNAIDS Programme Coordinating Board (PCB) is critical for the effective inclusion of community voices in the key global policy forum for AIDS.

UNAIDS seeks to reflect in its structures and operating procedures the values it espouses and promotes to countries, including in its governance structure by including civil society representatives as non-voting partners to member states. Though technically NGOs do not have "the right to take part in the formal decision-making process" of the PCB, in practice NGOs fully participate and are essential, respected stakeholders in decision-making processes. They do not, however, have voting rights.

Functions of the PCB Board

- 1. To establish broad policies and priorities for the Joint Programme, taking into account the provisions of General Assembly resolution 47/199;
- To review and decide upon the planning and execution of the Joint Programme. For this purpose, it shall be kept informed of all aspects of the development of the Joint Programme and consider reports and recommendations submitted to it by the CCO and the Executive Director;
- 3. To review and approve the plan of action and budget for each financial period, prepared by the Executive Director and reviewed by the CCO;
- 4. To review proposals of the Executive Director and approve arrangements for the financing of the Joint Programme;
- 5. To review longer term plans of action and their financial implications;
- 6. To review audited financial reports submitted by the Joint Programme;
- 7. To make recommendations to the Cosponsoring Organisations regarding their activities in support of the Joint Programme, including those of mainstreaming; and
- 8. To review periodic reports that will evaluate the progress of the Joint Programme towards the achievement of its goals.

Composition of the NGO Delegation (as at 2012)

Five NGOs, three from developing countries and two from developed countries or countries with economies in transition, represent the perspectives of civil society, including people living with HIV to the UNAIDS board. Delegates can serve for up to three years and have non-voting status. The five organisations have one representative each and they are supported by 5 other NGO organisations, which stand as alternate members. Each region has two representatives.

Selection process

The PCB nongovernmental organisations work through a fair and transparent process to elect these members of the PCB NGO Delegation, who are then supported in their work and their engagement with the broader delegation and civil society with whom they consult.

- 1. The current Delegation facilitated by a Communications and Consultation Facility, supported by the Secretariat, and in consultation civil society organisations—autonomously conducts the selection process;
- 2. A Call for Nominations for the upcoming regional openings is broadly circulated electronically via listservs worldwide and available at www.unaids.org usually in March or April each year;
- 3. Applications are rated and discussed based upon a number of criteria including sub-regional representation and balance of the Delegation Regional Delegates' ratings carry twice the weight for applicants from their respective regions;
- 4. Telephone interviews are conducted with 2 to 3 short-listed candidates for each regional opening;
- 5. Selection made by the current Delegates and successful applicants are notified via email;
- 6. Applicant confirms his/her availability, accepts the appointment, and becomes an incoming Delegate; and
- 7. As required by ECOSOC resolution, incoming NGOs are submitted and formally approved pro forma by the PCB at its next meeting in June or December. Requirements and requests of the incoming Delegates may be made in advance of this formal approval.

Other NGO Observers to the PCB

In addition to the NGO Delegation, Observer NGOs (Observers) attend the formal PCB meetings. They may speak after the PCB members have done so. The Delegation invites the Observers to attend a part of its pre-meetings to collaborate and strategize.

Financial support

Although there is no remuneration for membership to and the work of the Delegation, the participation, costs for Delegates to attend key meetings—related to governance processes- specifically PCB meetings (including Delegation pre-meeting and debriefing meeting) and Delegation Orientations—are covered by UNAIDS.

Approach to stakeholder engagement

The UNAIDS does not apply the Major Group approach. It engages with a wide range of stakeholders and partners, groups and networks of people living with HIV, AIDS service organisations, people who use drugs and harm reduction networks, sex workers, men who have sex with men and transgender people, organisations of young people, women, health professionals and scientists, sports entities, national and international NGOs, faith-based organisations, humanitarian and human rights organisations and academia. UNAIDS defines private sector broadly to include individual, for-profit, commercial enterprises, business associations and coalitions and corporate philanthropic foundations.

Self-Assessment

The Guidance for partnerships with civil society, including people living with HIV and key populations and the Terms of Reference of the UNAIDS PCB NGO Delegation provide Major Groups and Stakeholders with the necessary information on how to engage with UNAIDS. The guidance document has been developed through an inclusive, participatory process and has benefited from an extensive input from all regions. More than 70 representatives from civil society, including key populations and people living with HIV, UNAIDS Cosponsors and Secretariat, including regional and country offices, as well as headquarters, have participated in the development of the document. A Working Group comprising diverse representatives of UNAIDS Cosponsors, civil society, key populations and people living with HIV oversaw completion of this work in 2011-12, and will continue overseeing how the Guidance is utilized across UNAIDS (2013-15).

The Terms of Reference (ToR) document is intended to inform non-governmental organisations (NGOs) and their representatives considering applying for a seat on the NGO Delegation of the UNAIDS Programme Coordinating Board (PCB). The document specifies the terms of office, qualifications and commitments required to serve on the NGO Delegation. It is also intended to be used as an operations reference tool for the current NGO Delegation.

The UNAIDS PCB NGO Delegation model is considered a good example of a practical application of the *Guidance for partnerships with civil society, including people living with HIV and key populations* – partnerships at the governance level. The model has informed the UNAIDS current strategy and will continue supporting it, taking UNAIDS forward to post 2015. Moreover, Global Fund is using the UNAIDS PCB NGO Delegation model as a basis to better engage civil society and communities in its governance processes. As language is a factor that may limit ability to apply for membership to the Delegation (working languages are English and French), UNAIDS is exploring with the NGO Delegation on ways to overcome this barrier.

The Communications and Consultation Facility has proven to be a crucial support to the success of the UNAIDS PCB NGO Delegation – in enabling the NGO Delegation to consult with communities on key UNAIDS PCB issues, and in allowing civil society and communities to stay informed of emerging UNAIDS decisions and strategies. For example, the NGO Delegation report to the UNAIDS PCB on stigma and discrimination (2010), reached more than 1,600 civil society representatives from all geographical regions and key population representation, thanks to the work of the Communications and Consultation Facility. Future directions, based on lessons learned, will include moving from *ad hoc* and informative communications to a more systematic and regular dialogue between the UNAIDS PCB NGO Delegation and civil society at large. This will ensure support to the UNAIDS PCB NGO Delegation to be more representative, consultative and pro-active in terms of bringing forward emerging community priorities from across the world.

3. The United Nations Commission on Sustainable Development (CSD)

Name and function

The United Nations Commission on Sustainable Development (CSD) was established by the UN General Assembly in December 1992 to ensure effective follow-up of United Nations Conference on Environment and Development (UNCED), also known as the Earth Summit. From its inception, the CSD was highly participatory in structure and outlook, by engaging in its formal proceedings a wide range of official stakeholders and partners through innovative formulae. At its eleventh session in 2003, the Commission decided on a multi-year work programme consisting of review and policy years. Since its establishment in 1992, the Commission has greatly advanced the sustainable development agenda within the international community. At the United Nations Conference on Sustainable Development (Rio+20), Member States agreed to establish a high level political forum that will subsequently replace the Commission on Sustainable Development.

The Major Groups Programme of the Division for Sustainable Development (DSD) in the United Nations Department of Economics and Social Affairs (UNDESA) is responsible for engaging and liaising with major groups and for enhancing their participation in the normative work of CSD and its inter-sessional and regional processes.

Rules and regulations

NGOs and other major groups engagement are legislated by ECOSOC functional commissions practices, as well Agenda 21, CSD decisions, General Assembly resolutions and the WSSD and Rio+20 outcome documents. A practical working arrangement established in the second part of the 1990s include resorting to the so called "Major groups organizing partners (OPs)" who assist the secretariat in carrying out its functions and provide for a more direct and efficient way to make major groups views and positions available to Member States. A set of Terms of Reference defining the role and responsibilities of the OPs continues to evolve and adjust to the needs of the intergovernmental process.

Participation at policy level: the Commission on Sustainable Development (CSD)

The Major Groups Programme of the Division for Sustainable Development (DSD) in UNDESA:

- Disseminates CSD-related information to Major groups organisations including the organizing partners; issues event-specific guidelines in multiple languages for the participation of major groups and make them available on-line;
- Consults with major groups organisations and researches and analyses trends on the participation of Major groups;
- Provides timely input when opportunities arise for participation and for providing analytical input to official reports;
- Has access to limited financial resources, and can receive additional ones, to support Major groups—related work, including official CSD meetings, expert group meetings, policy research and publications;
- Receives extra-budgetary funds from donors, mainly to support the participation of Major groups from developing
 countries and countries with economies in transition. These limited funds are allocated to representatives identified
 in close consultation with organizing partners officially designated for each Major Group sector;
- Liaises with the Regional Commissions to promote and support, including financially, MGs engagement at the regional levels (e.g. Regional Implementation Meetings (RIMs); and
- Facilitates the collections of written inputs from the major groups and ensures that these are transmitted as official documents to the CSD.

Organizing partners

To fulfil the General Assembly and CSD's mandates regarding multi-stakeholder engagement, the CSD Secretariat works with and supports the major groups to facilitate their inputs into the UN CSD process in an efficient, participatory and transparent way. Working arrangements are in continuous evolution and often serve as a model for other UN led processes. Arrangements are being redefined for the upcoming replacement of the CSD with the high-level political forum.

The preparation of multi-stakeholder participation within the CSD is itself a multi-stakeholder process. Key major groups' networks are invited by the CSD Bureau to form a facilitating group called "organizing partners", which coordinates the preparations and assists the Secretariat in generating and guiding the engagement of stakeholders for each major groups sector. The Secretariat chairs the facilitating group and supports its work throughout the preparatory process and a given CSD session.

The organisations serving as organizing partners (often up to 3 organisations per major groups sector) are facilitators working through and with large global constituencies. They are accountable to their constituents, to the CSD Bureau and to the CSD Secretariat; although they do not necessarily speak on behalf of the sector they coordinate in official policy fora.

The responsibilities of Major groups organizing partners are focused on three main areas:

- Consulting with global stakeholder networks to develop position papers and statements;
- Communication and outreach to stakeholders; and
- Stakeholder liaison with DSD

Selection process

Representative networks from within these constituencies indicate their interest to DSD to serve as Major groups organizing partner. They must develop a process to be selected by their constituency. DSD evaluates interested organisations against a range of criteria, including expertise in the policy themes under discussion, capacity to outreach effectively to a diverse constituency, and geographical representation. Organizing partners are then invited to serve for a term of two years by the CSD Bureau. The organizing partner role is truly not an elected position, and thus the organization and its designated representative do not speak on behalf of the Major groups sector, but rather speak for its interests as a member of the sector. Since the organizing partners function to facilitate various constituencies within each major groups sector, it is incumbent upon DSD to consult regularly with these different constituencies to continuously evaluate the effectiveness of the organizing partners.

Rules of engagement and standards of performance

Through the framework established in Agenda 21, and by the normative processes elaborated in the outcome of Rio+5 (E/CN.17/1997/add.22) and CSD-11 (E/CN.17/2003/2), non-state actors are empowered with extensive participation rights in the work of the CSD through the major groups structure, in accordance with evolving modalities established by each CSD Bureau, which function as *de facto* rules of engagement.

Customarily, these rules and modalities are based on several practices:

- · Representatives from major groups must belong to organisations holding relevant UN accreditation;
- Access to all negotiations held during plenary sessions, committee meetings or breakout groups is typically granted to major groups at the discretion of the chair, unless otherwise designated as 'closed';
- Access to all documentation is provided to major groups prior to as well as throughout the CSD negotiations;
- Official seats at the table (9 sectors one seat in the front and one in the back in the conference room) in addition to gallery seats as applicable;
- Organizing and participating in learning centre events; and
- Participating in Partnerships Fair activities.

CSD modalities for the participation of major groups generally articulate space for interventions in the following areas:

- Formally designated spaces, so-called entry points, for a representative from each major groups to address the plenary (at the opening of CSD, through the dialogue sessions, at the closing of the formal session and, at the discretion of the chair, the right to comment directly on the chair's text)
- MGs sectors' position papers are translated and issued as official input to the meetings
- Direct participation through multi-stakeholder dialogues with Member States, including at the Ministerial level
- Direct participation in plenary negotiations (asking questions according to a selection process determined by the chair and the CSD secretariat, usually submitted to the chair in writing during the meeting)
- Addressing a segment in the official plenary with a prepared statement, at the request of the chair
- Panellists from major groups are typically identified by DSD in consultation with the organizing partners to be panellists during the CSD sessions. Other panellists may come from Intergovernmental Organisations and Member State delegations.

Major groups are further provided ample opportunities to participate in negotiations through:

- Organizing side events;
- Participating in 'official' side events;
- Holding daily information meetings for all major groups, facilitated by the NGO major group;
- Holding coordination meetings, special strategy review sessions and other policy discussions within each major groups sector;
- Attending briefing sessions with the Bureau prior to meetings; and
- Helping to co-organize and participate in multi-stakeholder dialogues.

Acting as the secretariat for CSD, DSD organises regular meetings with the CSD Bureau for the major groups organising partners, which focus on process and modalities of participation. The outcome of these 'process oriented meetings' is referred back to the wider major groups community through the daily information meetings. It is not unusual for Bureau members to attend and address the daily information meeting held for all major groups. Governments, political blocs and regional groups may also hold a number of meetings with representatives from major groups throughout the CSD negotiations.

CSD dialogues:

Starting with the Earth Summit+5, CSD has convened different segments constructed around a multi-stakeholder dialogue concept. Different formulae have been experimented with since. In most recent time, the space for multi-stakeholder dialogue contracted considerably, and in the last CSD sessions only a few hours were designated for a thematic dialogue that included only Member States and major groups. In that format, representatives from major groups were invited to present short interventions, followed by an interactive discussion held in the plenary to exchange views on the positions presented. A similar segment was held during the high-level segment of CSD as well. Each major groups sector selects its own representatives to deliver the statements, which are developed according to various consultative processes determined by each sector.

The Rio+20 preparatory processes invited all stakeholders in sustainable development to submit inputs directly to the Conference Secretariat on priorities for the Rio+20 outcome. All these submissions are online along those of Member States and UN system entities. These inputs were taken into account in developing the compilation document that informed the first draft of the outcome document. In addition, major groups and other stakeholders submitted paragraphs per paragraph changes to the negotiating text which was also made available online and to Member States.

Approach to stakeholder engagement

UNDESA applies the Major Group approach.

Self-Assessment

Since its creation in 1992, the CSD has provided generous access to major groups, and is at the forefront of innovation in this domain. The first multi-stakeholder dialogue segment was introduced in 1998 as a unique participatory mechanism enabling direct interaction between major groups and governments on specific topics. The 2002 World Summit on Sustainable Development (WSSD) succeeded in integrating major groups even further into the intergovernmental process. The post-WSSD era has also been characterized by a growing intra-major groups collaboration that led to some tangible partnerships and new forms of cooperation.

With the increasing recognition of the essential role played by major groups as key partners in the WSSD follow-up, new formats for major groups participation in CSD continue to be developed, aimed at stimulating more productive dialogue and inspiring collaborative efforts among Member States, major groups and the UN system, building on lessons learned from past experiences and practices.

The CSD builds on the multi-stakeholder dialogues experience and provides innovative formats for interactive participation. Major groups are integrated in the various activities planned throughout the official CSD sessions, including thematic discussions, expert panels, and interactive discussions with the Ministers during the high-level segment.

Major groups contribute their expertise to technical discussions on thematic issue areas and offer solutions for furthering implementation of sustainable development and take part in partnerships to implement them. As part of the preparatory work leading up to the CSD meetings, DSD collaborates closely with key major groups networks from a coordinating group of organizing partners made up of credible networks invited by the CSD Bureau to facilitate the engagement of each major groups sector.

In the run-up to the Rio+20 Conference, major groups submitted the vast majority of inputs to a compilation document, which served as the basis for the preparation of the outcome document. The draft that was under negotiation throughout Rio+20 therefore took into account many of the recommendations made by major groups.

Unfortunately, the multi-stakeholder dialogues were phased out in favour of hearing short statements delivered by major groups during plenary meetings, which some believe has reversed many of the innovative modalities gained over the years. Major groups are often asked to speak at the end of meetings, sometimes after a number of Member States have already left and when simultaneous interpretation is no longer available. In more extreme cases, representatives from the nine major groups sectors are asked to deliver their positions in three or four group statements organized jointly, which further limits their range of expression. Although it fosters greater cooperation across major groups sectors, it is at the expense of sector diversity. Likewise, the occasional practice of holding ad hoc shorter multi-stakeholder dialogues after the close of official meetings (used during Rio+20 informal sessions), reduces the visibility and impact of major groups.

On the other hand, it is felt that the power of ICT and social media outreach enables more interface with constituents and experts from distant regions. The DSD Major groups Programme has started exploring these opportunities by offering shared workspaces online to exchange ideas and develop common positions. The Programme has also organized several Google+ Hangouts to further its outreach efforts, and is looking into translating these activities to the regional and national context where they could empower more local implementation. Finally, the use of social media has helped reached millions of stakeholders, as well as the general public, during Rio+20 preparatory process, and these opportunities should be further optimized to achieve best results from on-going (and often overlapping) consultations.

4. Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)

The text below focuses on the Aarhus Convention's processes itself, and not on the articles 6, 7 and 8 of the Convention which set out obligations for Parties to the Convention to implement at the national level. Access to information and public participation in Aarhus Convention processes is covered by the Aarhus Convention's rules of procedure (adopted through decision I/1 of the Meeting of the Parties).

Aarhus Convention: rules of procedure (Decision I/1 of the meeting of the Parties)

Documentation

Under the Aarhus Convention Rules of Procedure (decision I/1 of the Meeting of the Parties), all documentation for upcoming meetings, including the provisional agenda and any supporting documents, is distributed to Parties and observers (including non-governmental organisations) at the same time, at least 6 weeks before the meeting (rule 10). All meeting documentation is also placed upon the Convention's web site promptly once sent to the Parties (rule 11).

In addition to all documentation being available on the Convention's website, documentation is also to be provided to members of the public on request. The term of public access to information is to be consistent with the provisions of article 4 of the Convention (rule 11). Article 4 of the Convention (which primarily addresses request for information at the national level) requires information requests to be responded to within one month, unless the volume or complexity of the information requested would justify a further month's extension. It contains a list of exemption from disclosure, which is to be construed restrictively taking into account the public interest in disclosure. To date, information under the Convention has generally only been withheld under the exemption from disclosure set out in article 4(4)(f) of the Convention. That exemption concerns the confidentiality of personal data and/or files relating to a natural person, where that person has not consented to the disclosure to the public of that information (for example, the residential address of a member of the public who has written to the secretariat or Compliance Committee).

Access to meetings

Relevant non-governmental organisations, qualified or having an interest in the fields to which the Convention relates, are entitled to participate in the proceedings of any meeting governed by these rules, unless one third of the Parties present at that meeting objects to the participation of representatives of that organization (rule 6(2)). They do not have the right to vote (rule 6(3)).

In addition to qualified observers, meetings of the Parties are open to members of the public, unless the Meeting of the Parties, in exceptional circumstances, decides otherwise especially to protect the confidentiality of information pursuant to the Convention (rule 7(1)).

The rules of procedure apply mutatis mutandis to the proceedings of subsidiary bodies established by the Meeting of the Parties, save as otherwise decided by the Meeting of the Parties (rule 23(2)).

Speaking rights

Non-governmental observers are entitled to seek to address the Meeting under each agenda item and, having made such a request, shall be included on the list of speakers. The Chairperson shall in general call upon speakers in the order in which they signify their desire to speak, but may at his or her discretion decide to call upon representatives of Parties before observers. The Chairperson may call a speaker to order if his or her remarks are not relevant to the subject under discussion (rule 27(1)).

The Chairperson may request representatives of two or more non-governmental organisations having common goals and interests in so far as the subject matter of the Convention is concerned to constitute themselves into a single delegation for the purposes of the meeting, or to present their views through a single representative, in order to facilitate the proceedings (rule 27(4)).

NGO observer on the Bureau

The Bureau shall invite a representative of non-governmental organisations established for the purpose of, and actively engaged in, promoting environmental protection and sustainable development to attend bureau meetings as an observer (rule 22(2)). The representative of non-governmental organisations is to be appointed by non-governmental organisations at meetings of the Parties (rule 22(4)).

Additional mechanisms to facilitate public participation

(i) AARHUS CONVENTION COMPLIANCE COMMITTEE

Article 15 of the Aarhus Convention requires the Meeting of the Parties to establish "optional arrangements of a non-confrontational, non-judicial and consultative nature for reviewing compliance with the provisions of the Convention". At its first session (October 2002), the Meeting of the Parties adopted *decision I/7 on review of compliance* and elected the first Compliance Committee. The Compliance Committee is made up of nine experts serving in their personal capacity. Non-governmental organisations can nominate members of the Committee.

The compliance mechanism may be triggered in four ways:

- (1) A Party may make a submission about compliance by another Party;
- (2) A Party may make a submission concerning its own compliance;
- (3) The secretariat may make a referral to the Committee;
- (4) members of the public may make communications concerning a Party's compliance with the convention.

All documentation received or issued by the Compliance Committee is posted on its website. Meetings of the Committee are held in open session, except when it is deliberating on findings. 12

(ii) FINANCIAL SUPPORT FOR NGO REPRESENTATIVES

The secretariat provides financial support for a small number of non-governmental observers to attend sessions of the Meeting of the Parties and meetings of subsidiary bodies. Prior to selecting which non-governmental observers are to receive financial support for a meeting, the secretariat asks the European ECO Forum coordinator (see below) for its recommendations, and takes this into account when making the selection.

(iii) COORDINATING NGO INPUT INTO AARHUS CONVENTION PROCESSES – EUROPEAN ECO FORUM

European ECO Forum is an umbrella network of environmental NGOs involved in the Aarhus Convention. It is an open network of more than 200 civil society organisations across the pan-European region, stretching from Western Europe to Central Asia. European ECO Forum is coordinated by the European Environmental Bureau based in Brussels, who has a designated coordinator who is the Aarhus Convention's first contact point with European ECO Forum. It is an open network, meaning that it does not have a closed or fixed membership. European ECO Forum plays a number of roles with respect to the Aarhus Convention. None of these roles are formalized in the Aarhus Convention's rules of procedure but rather have become accepted informal practice over time:

- It coordinates the input of environmental citizens groups into meetings of the Convention's higher level bodies (e.g. Meeting of the Parties, Working Group of the Parties), e.g. by organizing a coordination meeting prior to the opening of the session to prepare its joint statements on agenda items. In meetings of lower level bodies (e.g. Task Forces) NGOs generally each speak in their individual capacity. Prior to meetings, the secretariat will often contact ECO Forum to ask whether there are particular speakers from its network that it would like to propose as a speaker on one or more topics in the agenda.
- In response to invitations by the secretariat for written comments on draft documents etc., ECO Forum may coordinate the submission of environmental NGOs' comments into a joint set of comments, or alternatively individual NGOs may send their own comments separately. Individual NGOs are always free to send their own comments separate to ECO Forum's joint comments in any event.
- The Aarhus secretariat seeks the ECO Forum Coordinator's recommendations and takes these into account when selecting the small number of NGO representatives to receive financial support for each meeting under the Convention.
- Subject to its own available resources, ECO Forum itself may provide financial support for a further small number of NGO representatives to attend Aarhus Convention meetings, to be selected by the ECO Forum Coordinator.
- ECO Forum usually organizes a number of side events during sessions of the Meeting of the Parties.
- ECO Forum provides a small amount of funding to support two environmental lawyers from its network to provide expert assistance, subject to their other work commitments, to assist NGOs and members of the public bringing

¹² Guidance developed by the Compliance Committee on its working methods is available from: http://unece.org/fileadmin/DA M/env/pp/compliance/CC GuidanceDocument.pdf.

¹³ See ECO Forum's website: http://www.eco-forum.org/index.php?option=com_content&task=view&id=13&Itemid=34

cases before the Aarhus Convention Compliance Committee.

- ECO Forum has organized a number of trainings for civil society on how the Aarhus Convention Compliance Committee works. ECO Forum has also published several publications on the Aarhus Convention, including two books of case law of the Compliance Committee.
- ECO Forum maintains several email "issues groups" within its networks, to which NGOs interested in those particular themes, can sign up.

(iv) ALMATY GUIDELINES ON PROMOTING THE APPLICATION OF THE PRINCIPLES OF THE CONVENTION IN INTERNATIONAL FORUMS

Article 3, paragraph 7, of the Aarhus Convention requires Parties to promote the application of the principles of the Convention in international forums dealing with the environment. In order to assist them to meet this obligation, at its second session (Almaty, 25-27 May 2005), the Meeting of the Parties adopted the Almaty Guidelines on promoting the application of the principles of the Convention in international forums (decision II/4). As well as promoting the Almaty Guidelines in other international forums, Parties to the Aarhus Convention have committed to apply the Almaty Guidelines within the Convention's own activities and subsidiary bodies established under the Convention (decision IV/3, para. 3). Since 2011, the work under the Convention on promoting public participation in international forums has continued directly under the authority of the Working Group of the Parties.

Approach to stakeholder engagement

The Aarhus Convention does not use the Major Groups approach. It engages with a wide range of stakeholders and partners. Any non-governmental organization qualified or having an interest in the fields to which the Convention relates is entitled to participate in meetings under the Convention, unless one third of the Parties present at that meeting object, and may seek to address the Meeting under any agenda item. In addition, all meetings of the Convention are open to members of the public, unless the Meeting of the Parties, in exceptional circumstances, decides otherwise (rules 6(3), 7(1) and 27(1) of the Aarhus Convention rules of procedure).

Self-Assessment

A thematic session on promoting the principles of the Aarhus Convention in international forums is held regularly at meetings of the Working Group of the Parties. During the thematic session, Parties and stakeholders have the opportunity to raise their concerns about stakeholder engagement in any international forum dealing with matters relating to the environment, including the Aarhus Convention itself. In addition, the secretariat welcomes receiving suggestions directly as to how it might improve the engagement of stakeholders in the Convention's bodies.

1. The United Nations Convention to Combat Desertification (UNCCD)

Accreditation of observer organisations

The Conference of the Parties (COP) to the United Nations Convention to Combat Desertification (UNCCD) recognizes that the participation of the civil society is vital to the successful implementation of this Convention. In accordance with Article 22, paragraph 7 of the UNCCD and Rule 7 of the rules of procedure of the COP, representatives from anybody or agency, whether national or international, governmental or nongovernmental, may be admitted to participate, without the right to vote, in the proceedings of the Convention's bodies under the conditions that the organisation:

- Is qualified in matters covered by the Convention; and
- Has informed the UNCCD secretariat in writing of its wish to participate.

Specifically speaking about intergovernmental organisations and in conformity with Rule 6, paragraph 1 of the abovementioned rules of procedure, also the United Nations and its specialized agencies may be represented at sessions of the Conference of the Parties as observers.

Organisations complying with the above-mentioned requirements may be admitted to participate in the sessions of the COP and its Subsidiary bodies as observers, unless at least one third of the Parties present at the session object. Only accredited organisations may designate representatives to attend sessions of the Convention bodies, or may apply to hold a side event and/or an exhibit at these sessions.

By its decision 5/COP.10, the COP decided to grant observer status and participation in official meetings of the governing bodies of the UNCCD to the private sector (business and industry entities) that:

- Have expressed interest in participating in meetings of the Conference of the Parties and its subsidiary bodies;
- Have specific expertise in matters relating to the Convention; and
- Participate in the United Nations Global Compact. In the case where an organization does not participate in the
 United Nations Global Compact, clearance prior to its accreditation shall be requested from the United Nations
 Procurement Division and the United Nations Ethics Office.

Accreditation requirements

Organisations wishing to be accredited as an observer to the sessions of the Convention bodies, should submit to the secretariat the documents and information listed according to the following requirements:

- 1. Letter of application on letterhead from the organisation, addressed to the Executive Secretary, stating the motivation of the organisation to apply as an accredited entity, and its engagement towards desertification issues.
- 2. Completed "Accreditation Form" with contact information of the organisation and of a designated contact point for official communication with the secretariat.
- 3. Official documents detailing the mandate and scope of the organisation, such as the approved statute of establishment, registration certificate, charter or constitution of the association, and any other official document that explains the organisation's purpose, aims and initiatives.
- 4. Official documents detailing the governing body of the organisation (organogram or similar, stating full name and country of nationality of its members).
- 5. Evidence of the status of the organisation (governmental/non-governmental; public/private; profit/ non-profit) in the country in which it is based. If this evidence assumes the status to be inherent but not explicitly mentioned, reference to the appropriate legislation should be provided.
- 6. Information on the affiliation of the organisation with non-governmental organisations or institutions involved in activities relating to the UNCCD, including being part of networks, consortia, fora and similar.
- 7. Should the applicant be a network or similar membership entity, a description of the membership system, indicating the total number of members, the type and their geographical distribution.
- 8. Information on the programmes and activities undertaken by the organisation that indicate its competence in matters relating to the UNCCD, and in which country/countries they are carried out, including brochures, newsletters and other publications. Web or e-versions are most welcome in this case rather than printed materials.
- 9. Copies of a recent annual report including a financial statement, or other project reports produced for donor entities or governments, and information on funding sources. Since these should normally be officially approved, any electronic copy should be scanned in order to show any stamps and signatures.

Screening process

Upon receipt of the complete above documentation, the organisation's application will be screened by the UNCCD secretariat in accordance with the above-mentioned requirements and with reference to the standard legal requirements, such as legal personality, statutes, registration number, as appropriate. Applicant organisations fulfilling the above-referred requirements may be provisionally admitted to participate in the inter-sessional sessions of the subsidiary bodies of the COP or to the COP itself while still being applicant to the accreditation status, without prejudice to the COP's final decision.

Accreditation statistics

As of March 2012 and following the implementation of decision 5/COP.10 184, CSOs are now accredited to the UNCCD COP and the secretariat maintains a database of accredited CSOs. The vast majority of these organisations are NGOs; there are also institutions, foundations, associations, local government bodies, trade unions, and cooperatives at various levels.

Approach to stakeholder engagement

The UNCCD does not apply the Major Group approach. It engages a wide range of non-governmental actors, including civil society organisations, UN system organisations, parliamentarians and businesses. The vast majority of the organisations that were accredited are NGOs, institutions, foundations, associations, local government bodies, trade unions, and cooperatives at various levels.

Self-Assessment

The UNCCD Parties established a special fund for enabling the participation of CSO representatives from developing countries to attend the sessions of the Conference of the Parties and its subsidiary bodies. Decisions 5/COP9 establishes the UNCCD CSO selection panel to identify those representatives that will receive financial support to attend the sessions according to five agreed criteria: (a) Geographical balance, (b) Turnover regime, (c) Consideration of representative networks, (d) Experience/expertise balance and (e) Gender. Decision 5/COP10 agreed that the selection panel will also be in charge of additional tasks which will include: (a) facilitating consultations among civil society organizations between sessions of the Conference of the Parties; (b) monitoring the participation of civil society organizations in meetings of the UNCCD in close consultation with the Bureau of the Committee for the Review of the Implementation of the Convention; and (c) reporting to the Conference of the Parties through the secretariat at the conclusion of the term of its mandate.

The UNCCD process ensures the full participation of the CSOs at its official meeting through two half-day Open Dialogue Sessions between the Parties and the representatives of the civil society organizations during the official sessions of the Conference of the Parties and one half-day Open Dialogue Session during the inter-sessional meetings of the Committee for the Review of the Implementation of the Convention. The sessions are entirely organized by the CSO representatives, which decide the agenda and structure of the same. Outcomes of the sessions are included in the final report of the COP and CRIC.

2. The United Nations Economics and Social Council (ECOSOC)

Accreditation process for consultative status with ECOSOC

Consultative status provides NGOs with access to not only ECOSOC, but also to its many subsidiary bodies, to the various human rights mechanisms of the United Nations, ad-hoc processes on small arms, as well as special events organized by the President of the General Assembly.

The integrated Civil Society Organisations (iCSO) System provides online registration of general profile for civil society organisations, which facilitates the application procedure for consultative status with ECOSOC, and assist accredited NGOs in submitting quadrennial reports and in designating representatives to the United Nations. Organisations must have a registered profile before starting the application for consultative status. Consultative relationships with ECOSOC may be established with international, regional, sub-regional, and national non-governmental, non-profit, public or voluntary organisations.

Six steps to obtain consultative status with ECOSOC:

- 1. Creating a profile for the organisation
- 2. Submitting the online application and supporting documentation
 - Copy of constitution/charter and/or statutes/by-laws and amendments to those documents (pursuant to paragraph 10 of ECOSOC resolution 1996/31).
 - Copy or certificate of registration. According to resolution 1996/31 an organisation "should attest that it has been in existence for at least two years as at the date of receipt of the application by the Secretariat". Please provide a copy of the registration paper or, if your country does not require registration, please provide other proof of existence.
 - Copy of most recent financial statement and annual report.
 - Optional: Copy of examples of your publications and recent articles or statements.
 - Optional: Organisation chart (if available).
- 3. Initial screening of the application by the NGO Branch to reviewed for completeness and clarity, ensuring all necessary information and documentation are presented. The organisation will receive a letter informing the upcoming session of the Committee on NGOs, where the application will be presented for their consideration.
- 4. Review of the application by the ECOSOC Committee on NGOs at its regular session in January or at its resumed session in May every year. No more than two representatives from the organisations are allowed to present in the room during the session. The presence of NGO representatives in the room is in no way mandatory and it does not imply any advantages. Questions posed by the Committee members are always uploaded onto the web-based system enabling organisations to upload their responses directly.
- 5. Recommendation by the Committee are published in a report and submitted to the next ECOSOC High-level Segment in July for final approval. The Committee may recommend one of three consultative status categories, or decide to defer an application for review until the next session while awaiting clarification or answers.
- 6. Decision taken by ECOSOC on the application in July every year

Main requirements to determine eligibility for consultative status with ECOSOC

- The work of the NGO must be relevant to the work of ECOSOC;
- It must have a transparent and democratic decision-making mechanism and a democratically adopted constitution;
- It must have an established headquarters with an executive officer;
- It must have been in existence for at least 2 years in order to apply;
- It should have the authority to speak for its members;
- It should have a representative structure;
- It must have appropriate mechanisms for accountability;
- It must provide to the Committee financial statements, including contributions and other support, and expenses, direct or indirect.

NGOs affiliated with an international organisation already in consultative status with ECOSOC can be granted consultative status by the ECOSOC Committee on NGOs if they demonstrate that their programme of work is of direct relevance to the aims and purpose of the United Nations.

Types of consultative status

There are three types of consultative status can be granted to NGOs based on the type of organisation:

General status: NGOs that represent large segments of societies in several countries and their area of work cover most of the issues on the agenda of ECOSOC and its subsidiary bodies. These tend to be fairly large, well established international NGOs with a broad geographical reach.

Special status: NGOs that have a special competence in, and are concerned specifically with, only a few of the fields of activity covered by ECOSOC. These NGO tend to be smaller and more recently established.

Roster status: NGOs that have a more narrow and/or technical focus and make occasional and useful contributions to the work of ECOSOC or its subsidiary bodies.

Statistics on ECOSOC consultative status

Currently 3,735 NGOs enjoy consultative status with ECOSOC. In 2011-2012 some 600 organisations applied for consultative status. On average between 100 and 150 applications are recommended by the Committee in each of its two sessions per year. Roughly one-third of all new recommendations are approved by the Committee immediately. Two-thirds are deferred to the next session of the Committee. Most applications get approved within two or three sessions of the Committee.

Access to UN premises and event participation for NGO in consultative status

United Nations grounds pass

Each NGO in consultative status with ECOSOC can designate representatives to obtain annual passes granting them access to UN premises and to meetings. A maximum of five such passes for each NGO can be issued for New York, five for Geneva and five for Vienna, in addition to passes for the Chief Administrative Officer (CAO) and the President or Chief Executive of each NGO, for a total of seven passes. Short-term passes for one day and/or for up to three months are also available for specific events.

Event participation

NGOs that are accredited with ECOSOC can participate in a number of events, including, but not limited to, the regular sessions of ECOSOC, its functional commissions and its other subsidiary bodies. Different bodies have different modalities for NGO participation, but common to all of them is that only NGOs that are accredited to and in good standing with ECOSOC, with a valid grounds pass are allowed to participate in their sessions. Pre-registration is required and done by the online web-based system (CSONet event registration system).

Functional commissions of ECOSOC that are open to NGOs that are accredited are the Commission on Sustainable Development (to be replaced by a High-Level Political Forum in 2013), the Commission on the Status of Women, the Commission for Population and Development, the UN Forum on Forests, the Commission for Social Development, and the Permanent Forum on Indigenous Issues. In the past few years however, ECOSOC-accredited organizations have also been given automatic access to the Rio+20 conference, many ad-hoc high-level meetings of the General Assembly, conferences dealing with disarmament, as well as sessions of the Human Rights Council and the human rights treaty bodies.

Approach to stakeholder engagement

The ECOSOC does not apply the Major Group approach. It engages with a wide range of stakeholders that are relevant to the work of ECOSOC. Consultative relationships may be established with international, regional, sub regional and national non-governmental, non-profit public or voluntary organisations.

Self-Assessment:

Accreditation through consultative status with ECOSOC is the main ticket for participation in many of the important intergovernmental processes taking places at UN Headquarters in New York, Geneva and elsewhere. It is a widely-accepted mechanism that is recognized by all United Nations member States as an acceptable standard for participation. Once consultative status with ECOSOC has been achieved, NGOs and civil society groups have relatively unrestricted access to most of the events taking place at the United Nations on a daily basis. However, obtaining access can be a difficult and time-consuming process. The annual deadline for applications is 1 June. After review by the DESA NGO Branch of hundreds of applications, the review by the intergovernmental Committee on NGOs takes places in the next year. Generally only about one-third of all applications are recommended at its first consideration by the Committee. The other applications are recommended only after lengthy and sometimes overtly political review process and discussions by the Committee.

3. The United Nations Framework Convention on Climate Change (UNFCCC)

Accreditation for observer status with UNFCCC

Article 7, paragraph 6, of the United Nations Framework Convention on Climate Change provides for the admission of non-governmental organisations to sessions of the Convention bodies as observers. Only admitted observer organisations may designate representatives to attend sessions of the Convention bodies, or may apply to hold a side event and/or an exhibit at these sessions.

New applicant organisations are formally admitted by the Conference of the Parties following the successful completion of the admission process. Admission to the Conference of the Parties also applies to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol. Participation at sessions in between the SB sessions and the COP is limited to those organisations that have been admitted or provisionally admitted at previous SB sessions and COPs. Once an organisation is admitted, its representatives may attend sessions of the Convention bodies as observers. Those observer organisations that have been admitted to a COP in the past do not need to reapply for admission.

Organisations which comply with the established practice whereby observer organisations are required to furnish proof of their independent juridical personality and non-profit and/or tax-exempt status in a State Member of the United Nations, or of one of its specialized agencies or of the International Atomic Energy Agency, or in a State Party to the International Court of Justice, may be considered for admission.

- 1. Organisation is interested in being admitted as an observer organisation to sessions of the Convention bodies is required to send by email or by post the following official documents and information:
- 2. Letter of application from the head of the organisation. If your organisation is a university, the letter of application must come from the Chancellor/Dean/Rector of the university. Individual sections and departments of a university are not eligible for admission;
- 3. Copies of documents detailing the mandate, scope and governing structure (organisation chart if available) of the organisation, such as the charter/statutes/constitution/by-laws or articles of association, including information on the handling of assets in case of dissolution of the organisation and amendments to those documents;
- 4. Certificate of incorporation/registration/establishment of the organisation issued by a government authority of a State Party to the International Court of Justice, a State Member of the United Nations, of one of its specialised agencies or of the International Atomic Energy Agency;
- 5. Certificate of the non-profit and/or tax-exempt status of the organisation issued by a government authority of a State Member of the United Nations, of one of its specialized agencies or of the International Atomic Energy Agency, or in a State Party to the International Court of Justice. Alternatively an organisation may prove its non-profit status by providing a copy of the relevant law/regulation certifying the non-profit status of the organisation due to its legal nature;
- 6. A recent annual report, including a financial statement that provides information on funding sources and expenditure of the organisation;
- 7. Information on activities undertaken by the organisation in the recent 12 months that indicate the competence of the organisation in matters relating to the UNFCCC, such as brochures, newsletters and other publications;
- 8. Information on the affiliation of the organisation with other non-governmental organisations or institutions involved in climate change activities;
- 9. Completed contact details form, signed by the head of the organisation with contact information of the organisation and of a Designated Contact Point (DCP) for official communication with the secretariat.

Screening process

Applications for admission are accepted throughout the year and the review process begins on 1 March of every year for admission of observers to the meeting of the COP in the same year.

Once the review is considered complete, the application will be submitted to the Bureau of the COP for its attention. Successful applicant organisations, following the views expressed by the Bureau of the COP, may then be provisionally admitted to the Conference of the Parties (COP), without prejudice to subsequent action by the COP, which is the ultimate authority of the UNFCCC. These organisations will be considered for official admission at the following session of the COP.

Attendance for non-admitted organisations

Admission is not the only way to attend sessions. If the organisation is not admitted and have missed the deadline for application, the representatives of the non-admitted organisation might be nominated to attend sessions by already-admitted observer organisations that agree to nominate them.

Registration process for admitted observer organisation

UNFCCC has launched an online registration system for all sessions. Once the notification for a session has been posted, the designated contact point (DCP) of the admitted observer organisation will have approximately four weeks in which to nominate names via the online registration system. Upon registration at the sessions, these representatives will be issued with a badge allowing access to the conference facilities. No nominations will be accepted after the deadline, which will be set in the notification.

Statistics on UNFCCC observer status

Over 1598 NGOs and 99 IGOs are admitted as observers. The NGOs represent a broad spectrum of interests, and embrace representatives from business and industry, environmental groups, farming and agriculture, indigenous populations, local governments and municipal authorities, research and academic institutes, labour unions, women and gender and youth groups.

Approach to stakeholder engagement

The UNFCCC does not apply the Major Group approach. The NGOs represent a broad spectrum of interests, and embrace representatives from business and industry, environmental groups, farming and agriculture, indigenous populations, local governments and municipal authorities, research and academic institutes, labour unions, women and gender and youth groups.

Part 5 – Review of access-to-information / information disclosure policies

1. The World Bank

Information disclosure policy: "The World Bank Policy on Access to Information"

The World Bank recognizes that transparency and accountability are of fundamental importance to the development process and to achieving its mission to alleviate poverty. Transparency is essential to building and maintaining public dialogue and increasing public awareness about the Bank's development role and mission. It is also critical for enhancing good governance, accountability, and development effectiveness. Openness promotes engagement with stakeholders, which, in turn, improves the design and implementation of projects and policies, and strengthens development outcomes. It facilitates public oversight of Bank-supported operations during their preparation and implementation, which not only assists in exposing potential wrongdoing and corruption, but also enhances the possibility that problems will be identified and addressed early on.

Guiding Principles:

- Maximizing access to information.
- Setting out a clear list of exceptions.
- Safeguarding the deliberative process.
- Providing clear procedures for making information available.
- Recognizing requesters' right to an appeals process.

Exceptions

- 1. Personal Information
- 2. Communications of Executive Directors' Offices
- 3. Ethics Committee
- 4. Attorney-Client Privilege
- 5. Security and Safety
- 6. Information Restricted Under Separate Disclosure Regimes and Other Investigative Information
- 7. Information Provided by Member Countries or Third Parties in Confidence
- 8. Corporate Administrative Matters
- 9. Deliberative Information
- 10. Financial information

Electronic Mail

"E-mail, which has become the Bank's predominant medium of communication, is treated as follows:

- a) E-mails that contain or convey decisions or outcomes and that are filed in the Bank's records management system and classified as "Public" are publicly available.
- b) E-mails that are filed in the Bank's records management system but classified as "Official Use Only," "Confidential," or "Strictly Confidential" are not publicly available unless the information content of the e-mail becomes eligible for declassification and disclosure over time.
- c) The Bank does not provide access to e-mail that resides outside its records management system (including e-mail that does not pertain to official matters and e-mail containing personal information or communications of Bank staff and other officials; see also paragraphs 8 (a) and 16 (a) and (b) of this policy statement)."

Request for additional documents and appeal process

Information on Request. Information that is disclosable under this policy and is not on the Bank's external website is available on request. Such requests may be submitted in writing by electronic means, mail, or fax. Requests should indicate, with reasonable specificity, the information that is being sought, to enable the Bank to locate the information within a reasonable period of time. If a particular document is required, it should be identified precisely, preferably by date and title.

Timelines for Responding to Requests. The Bank acknowledges receipt of written requests for information within 5 working days, and endeavours to provide a more comprehensive response within 20 working days. Additional time may be needed in special circumstances, including, for example, those involving complex or voluminous requests, or requests requiring review by or consultations with internal Bank units, external parties, the Access to Information Committee, or the Board.

Unreasonable or Unsupported Requests. The Bank reserves the right to refuse unreasonable or unsupported requests, including multiple requests, blanket requests, and any request that would require the Bank to create, develop, or collate information or data that does not already exist or is not available in the Bank's records management system.

Service Fees. For any request for information that is not routinely posted, the Bank may charge reasonable fees for providing digital or hard copies, particularly for requests that are complex or time consuming. Publications, some specialized databases, and other knowledge products (including subscription-based services) may be purchased through the Bank's Office of the Publisher.

Appeal the Initial Denial—Access to Information Committee. Appeals of a Bank decision to deny access are first considered by the Bank's AI committee. For appeals that assert a public interest to override a policy exception, the decision of the AI Committee is final. The AI committee may decide to refer ta particular issue to the relevant Managing Director for his/her recommendation, which the AI Committee takes into account in its decision. Appeals to the AI Committee must be filed, in writing, within 60 calendar days of the Bank's initial decision to deny access to the requested information. The AI Committee makes its best efforts to reach a decision on appeals within 45 working days of receiving an appeal (delays are communicated in writing to the requester).

Appeals the Al Committee's Denial—Appeals Board. The Bank has established an independent Appeals Board to consider appeals alleging that the Bank violated this Policy by restricting access to information that it would normally disclose under the Policy, if the Al Committee upholds the initial decision to deny access; the Appeals Board does not consider appeals concerning requests to override the Policy's exceptions. The Appeals Board has the authority to uphold or reverse the relevant decisions of the Al Committee, and the Appeals Board's decisions in such instances are final. Appeals to the Appeals Board must be filed, in writing, within 60 calendar days after the Al Committee's decision to uphold the Bank's initial decision to deny access. The Appeals Board makes its best efforts to consider all appeals that are received within a reasonable time period before the next scheduled Appeals Board session.

Self-Assessment

The new policy constitutes a major shift in the Bank's approach to information disclosure, transparency, sharing of knowledge, and accountability. The public now has access to a much broader range of information than ever before, particularly information about projects under preparation and implementation and the Board's actions.

Lessons learnt:

- The policy, which took effect on July 1, 2010, has been successful.
- Enhancement of systems to support the implementation of the policy is on-going to ensure the Bank's timely response to information requests and proactive release of information.

2. The United Nations Development Programme (UNDP)

Information disclosure policy, 2013

The United Nations Development Programme (UNDP) is committed to making information about its programmes and operations available to the public. UNDP considers public access to information a key component of effective participation of all stakeholders, including the public, in the human development process. UNDP recognizes that there is a positive correlation between a high level of transparency through information sharing and public participation in UNDP-supported development activities.

The policy is intended to ensure that information concerning UNDP programmes and operations is available to the public, except for limited information that is deemed confidential.

For the purposes of this Policy, information is defined as printed or electronic materials that provide knowledge about UNDP activities, including, but not limited to, programmes and operations of UNDP.

Types of information normally available to the public through UNDP websites

- 1. Information about UNDP | Country Programme Management
 - a) Standard Basic Assistance Agreements
 - b) Common Country Assessments/ United Nations Development Assistance Frameworks (CCA/UNDAF)
 - c) Country Programme Documents or "One Plan" Documents
 - d) Country Programme Action Plans and Annual Work Plans
 - e) Project Documents
 - f) Project Performance Reports
 - g) Resident Coordinator Annual Reports
 - h) Evaluation Reports
- 2. Information about UNDP Operations
 - a) UNDP/UNFPA Executive Board
 - b) UNDP Executive Office
 - c) UNDP Financial Information
 - d) UNDP Procurement

Exceptions

While UNDP is committed to have an open and transparent disclosure system in place, there are legal, operational and practical considerations that are necessary to preserve the organization's interests, as well as those of its staff and its various partners.

- 1. Information received from or sent to third parties, under an expectation of confidentiality.
- 2. Information whose disclosure is likely to endanger the safety or security of any individual, violate his or her rights, or invade his or her privacy;
- 3. Information whose disclosure is likely to endanger the security of Member States or prejudice the security or proper conduct of any operation or activity of UNDP;
- 4. Information covered by legal privilege or related to access to internal audit reports;
- 5. Internal inter-office or intra-office documents, including e-mails and draft documents;
- 6. Commercial information where disclosure would harm either the financial interests of UNDP or those of other parties involved;
- 7. Information which, if disclosed, in UNDP's view would seriously undermine the policy dialogue with Member States or implementing partners.
- 8. Abusive, excessive or vexatious requests may be denied.

Request for additional information

If the information is not available on UNDP websites, the public can contact the office of the Resident Representative in the country, the appropriate Regional or central Bureaux at UNDP Headquarters, or other sources, e.g., depository libraries, UN bookstores and other UN agencies, depending on the nature of the information required. The Resident Representative in a Country Office, the heads of Bureaux at Headquarters, and the Executive Coordinators of UNDP's associated Funds and Programmes are responsible for ensuring that requests for information from the public are addressed.

Review and appeal process

If all resources have been exhausted and the requester of information does not obtain the desired information, or if the information requested is denied for reasons that appear inconsistent with the spirit of this Policy, the requester may write to the Legal Support Office, making a case for reconsideration. Every request will be acknowledged. The requester is entitled to a response from Legal Support Office within 45 calendar days of receipt of the request.

In the event that the requester is not satisfied with the response from the Legal Support Office and a request for a document remains denied in whole or in part, the requester may ask for a review of this determination by the Information Disclosure Oversight Panel providing reasons for the appeal. Every request will be acknowledged. The Panel shall review the denial of requests to disclose a document or portion of a document to a member of the public, and provide a final determination generally within 45 calendar days of receipt of the appeal but never later than 60 calendar days.

If an agreeable solution is not forthcoming within the Panel, the Panel will make recommendations to the UNDP Administrator on the outcome that would be most consistent with the application of the Policy. The Administrator will have the authority to make the final decision, taking into consideration the recommendations of the Panel.

Self-Assessment

UNDP's information disclosure policy does not go as far as the one of the World Bank and does not disclose emails. However, additional information can also be requested and there is an appeal process. The **Information Disclosure**Oversight Panel oversees the implementation of the policy and considers and reviews appeals relating to information disclosure.

The Panel may also develop, as appropriate, more detailed mechanisms and procedures for the review of denied requests, review the implementation of the Policy and provide recommendations on changes which should be made, as well as re-examine the Policy annually in light of operational and other changes within UNDP.

Annex 1. UNEP Legislative mandates

UNEP derives its mandate for working with civil society from a number of decisions. They provided UNEP with the opportunity to work with civil society organisations:

- Rule 69 of the Rules of Procedure of the Governing Council on civil society engagement at the policy level, calling on "International non-governmental organisations having an interest in the field of the environments, to designate representatives to sit as observers at public meetings of the Governing Council and its subsidiary organs and make oral statements on matters within the scope of their activities";
- Decision UNEP/GC/21/19 adopted in 2001, calling on UNEP to submit a "draft strategy for the active engagement of the civil society, private sector and other major groups in the work of UNEP";
- Decision UNEP/SS.VII/5 adopted in 2002, requested that the "Executive Director continue the current practice of convening a civil society forum that is regionally balanced and representative in conjunction with the meetings of the Governing Council/Global Ministerial Environment Forum in close consultation with civil society" and "to further develop, review, and revise as necessary the strategy for engaging civil society, including the private sector, in UNEP's programme of activities." The decision further requested that the strategy "should provide clear direction to the secretariat to ensure that all programmes take into account opportunities for multistakeholder participation in design, implementation, monitoring of activities and dissemination of outputs."
- Decision UNEP/SS.VIII/1 on civil society participation in International Environmental Governance (IEG);
- Decision UNEP/GC/23/1.I on Bali Strategic Plan (BSP) on capacity building and technology support;
- Decision UNEP/GC/22/18 adopted in 2003, decided that the Committee of Permanent Representatives should continue its work as mandated by Decision SS.VII/5 in considering the amendment of rules for civil society participation to the Governing Council and its special sessions.

Recent decisions

The Rio+20 outcome document calls for strengthened public participation, access to information and access to justice in environmental matters and underlines the importance of partnerships with Major Groups in achieving the ambitions of the outcome document. Two paragraphs are particularly relevant in this context:

- Paragraph 88 (h): "Ensure the active participation of all relevant stakeholders drawing on best practices and models from relevant multilateral institutions and exploring new mechanisms to promote transparency and the effective engagement of civil society."
- Paragraph 99: "We encourage action at regional, national, sub-national and local levels to promote access to information, public participation and access to justice in environmental matters, as appropriate."

Besides, Decision 27/2 of UNEP's First Universal Session of the Governing Council held in Feb 2013, on the Implementation of paragraph 88 of the Outcome Document of the United Nations Conference on Sustainable Development, in its Paragraph 7 further calls for UNEP's governing body to:

"ensure the active participation of all relevant stakeholders, particularly those from developing countries, drawing on best practices and models from relevant multilateral institutions and will explore new mechanisms to promote transparency and the effective engagement of civil society in its work and that of its subsidiary bodies, inter alia by:

- 1) Developing by 2014 a process for stakeholder accreditation and participation that builds on the existing rules of procedure and takes into account inclusive modalities of the Commission of Sustainable Development and other relevant United Nations bodies;
- 2) Establishing by 2014 mechanisms and rules for stakeholders expert input and advice;
- 3) Enhancing by 2014 working methods and processes for informed discussions and contributions by all relevant stakeholders towards the intergovernmental decision making process."

Paragraphs 5 (e), 9, 10 and 11 of the same Decision also include elements relevant to stakeholder participation in the work of the subsidiary inter-sessional bodies. Besides, the deliberations on stakeholder engagement also bear relevance to the amendments of the rules of procedures (RoP), since rule 69 of the RoP of the Governing Council governs the participation of observers into the work of the organization.

Paragraph 17 of the same decision requests the Executive Director to enhance transparency and to establish a written access-to-information policy.

Annex 2. UNEP working with the private sector: examples from the <u>Partnership</u> on Clean Fuels and Vehicles and the UNEP Finance Initiative

1. The Partnership for Clean Fuels and Vehicles (PCFV)

Overview

The Partnership for Clean Fuels and Vehicles (PCFV) assists developing countries to reduce vehicular air pollution through the promotion of lead-free, low sulphur fuels and cleaner vehicle standards and technologies.

The Partnership aims to support developing countries in their efforts to improve fuel and vehicle technologies that reduce air pollution. The Partnership builds on current trends and efforts in the development of fuel and vehicle technologies. Constant improvements in these technologies have been introduced and diffused for decades.

The Partnership for Clean Fuels and Vehicles was launched at the WSSD in Johannesburg in 2002. The Partners met for the first time in New York on 14 and 15 November 2002 to discuss and develop the implementation arrangements for the Partnership. There are over 90 partners of the PCFV, which include Governments, Civil Societies, International Organisations and Institutions of Higher learning.

Membership

The Partnership is open to any government, international organisation, industry organisation, non-governmental organisation or academic institution that supports the Mission Statement of the Partnership. Organizations may join as full Partners, and individuals with relevant expertise may join as Associate Partners. Associate Partners have all the same rights and responsibilities as Partners except for voting privileges.

To join the PCFV, an organisation needs to be committed to the PCFV goals and does a written application. Membership is subject to Advisory Group review; objections by the Advisory Group to membership applications will be forwarded to the Partnership.

Roles and mandates of private sector in the Partnership

Both the vehicle and oil industry are partners to the Partnership for Clean Fuels and Vehicles (PCFV). The private sector provides:

- Financial support for national and regional sensitization activities (with some events jointly co-organized with UNEP)
- Technical support to address issues of concern to countries when implementing cleaner fuels and vehicle regulations (e.g. private sector are involved in preparation of PCFV working group reports on specific issues of concern to policy makers), and
- Investment to support implement of PCFV targets (e.g. refinery upgrades).

Rules and procedures

The Partnership is governed by the "Governance Rules" as adopted by the Partners during the Annual Partnership Meeting held in December 2003 in The Hague, The Netherlands. ¹⁴

Private sector participation at the governance level

Decisions are by consensus and the 3 PCFV goals were already agreed to by all partners (including private sector partners) during its inception. Every year or so there is a general Partnership Meeting that brings together all partners to approve the POW and activities. Only Partners may vote on Partnership matters.

Private sector participation at the policy and programmatic level

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¹⁴ http://unep.org/transport/pcfv/PDF/GovcRules.pdf

The **Advisory Group** is a representative group of all Partners (including private sector partners) established to facilitate Partnership activities. Private sector is represented in the **Advisory Group** that meets regularly - every quarter to discuss the POW. The representatives of private sector are invited to key meetings and events and provide technical expertise. The PCFV website is also regularly updates to keep members informed of past and planned activities.

The Partnership Working Groups may be established from time to time to implement the Partnership's mission. Only Partners and Associate Partners may participate in such Working Groups, although Working Groups may consult experts from time to time. Private sector is represented and able to participate in the Partnership Working Groups.

Self-Assessment

Awareness is key to the success of any project. The private sector and the NGOs have been instrumental in promoting the goals of the PCFV and work together – e.g. the NRDC is also a member of the PCFV advisory group. The private sector can be incorporated and can provide funding that NGOs need to promote key messages, provide that there is common ground. Recognition of both the private sector and NGOs for their work is key - done through the website and inclusion of donor logos in all printed materials. One of the impact drivers of the Partnership is to ensure focussed participation of private sector representative bodies or companies with specific expertise and interests.

2. The UNEP Finance Initiative

Overview

The United Nations Environment Programme Finance Initiative (UNEP FI) is a unique global partnership between the UNEP and the global financial sector. It is a Unit within the United Nations Environment Programme's (UNEP) Economics and Trade Branch (ETB), based in Geneva, Switzerland, itself a Branch of one of UNEP's eight core divisions, the Division of Technology, Industry and Economics (DTIE).

UNEP FI works closely with over 200 financial institutions that are Signatories to the UNEP FI Statements, and a range of partner organisations to develop and promote linkages between sustainability and financial performance. Through peer-to-peer networks, research and training, UNEP FI carries out its mission to identify, promote, and realise the adoption of best environmental and sustainability practice at all levels of financial institution operations.

Membership

Over 200 members from over 40 countries are financial institutions from the global banking, insurance and investment sectors and work together via several sectorial, thematic and regional groups, seeking to understand and address the most current and important sustainable finance issues.

To join as a member, an organisation needs to become a Signatory by signing the *UNEP Statement of Commitment by Financial Institutions on Sustainable Development.*¹⁵ By signing up to the Statement, financial institutions openly recognize the role of the financial services sector in making the economy and lifestyles sustainable and commit to the integration of environmental and social considerations into all aspects of their operations. It also needs to complete a Membership Form.

Member obligations

Terms and conditions of joining UNEP FI

1. Show your commitment to the principles of sustainable finance.

Sign the UNEP Statement of Commitment by Financial Institutions on Sustainable Development.

2. Get actively involved in the UNEP FI network and the Initiative's activities.

Availability to exchange experiences / best practice and to participate in the Initiatives groups / activities (one or several focal points should be established, with availability and authority to participate in meetings, conference calls as well as to travel to relevant events, in particular UNEP FI's Annual General Meetings.)

3. Tell us about your progress.

Submit a brief report annually, on implemented or planned sustainable development policies and measures, as well as the most updated reports that your company has produced on these issues, including Sustainability and/or other related reports (the information will not be divulged).

4. Pay a Membership fee.

Membership fees are annual. They are calculated based on the total assets of your company, or "asset under management (AUM)", if an asset management company. Subsidiaries of existing UNEP FI Members are welcome to join as independent Members. Subsidiary Members' annual contribution fees are determined taking into account the total assets of the subsidiary itself, excluding those of the parent company.

Member participation at the governance level

Being a global partnership between UNEP and the financial sector, UNEP FI's Work Programme is determined by a **Steering Committee** comprised of both Member institutions and UNEP representatives, while broader strategic decisions are made in the context of the Initiative's Annual General Meeting. The UNEP Finance Initiative's day-to-day activities are run by a small Geneva-based Secretariat.

Steering Committee

The UNEP FI Steering Committee provides executive direction on strategic, work programme and budgetary issues on a regular basis. The Committee is composed of 3 commission representatives, 3 thematic representatives and 5 regional representatives, 3 open positions, the treasurer and the UNEP DTIE Director (supported by UNEP FI's Head).

The Steering Committee reports to UNEP FI's Annual General Meeting, where all Members come together to make decisions on the Initiative's overall strategic direction, structural issues and budget decisions.

¹⁵ http://www.unepfi.org/statements/statement/index.html

Member participation at the policy and programmatic level

UNEP FI regularly hosts events in support of its regional activities and work programme

Regional activities

Initiative has established a network of **Regional Task Forces** to coordinate its activities around the world. The Task Forces further provide an opportunity for local Signatories and other financial institutions to interact and share best practices.

The Task Forces have become a major source of innovation, namely in the field of the Initiative's risk training services.

Work programme

- Banking Finding innovative ways of addressing sustainability issues in the banking sector.
- Climate Change Through its Climate Change Working Group, UNEP FI's work is focused on policy and strategy, outreach, and tools and training.
- Insurance Promoting the global adoption and implementation of the Principles for Sustainable Insurance.
- **Investment** Exploring how material, social, environmental and governance considerations can best be incorporated into investment practice.
- Property New building development and existing structures contribute significantly to global carbon emissions, pollution and energy use. The Property Working Group analyses the role of financial institutions in promoting sustainable development in the real estate and property finance sectors.
- Sustainability Management and Reporting
 - Developing the Global Reporting Initiative Financial Services Sector Supplement (Environmental Performance)
 - Building the business case for Sustainability Management and Reporting in emerging economies.
- **Biodiversity and Ecosystem Services** Assisting the financial services sector to address the challenges arising from the loss of biodiversity and the degradation of ecosystem services.
- **Finance and Conflict** Developing and promoting the business case for conflict prevention within the financial sector and raising awareness of the opportunities of engaging proactively with the issue of conflict prevention.
- Human Rights Finance driving socially and environmentally sustainable development by seeking to understand
 and clarify how human rights relate to the activities of financial institutions worldwide, so financial professionals
 can make responsible decisions within their spheres of influence.
- Water and Finance Promoting a proactive approach by financial institutions when it comes to water-related challenges and opportunities through awareness raising and capacity building.