

Stakeholder Engagement at UNEP

Draft Policy

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Note:

This policy was prepared by the UNEP Secretariat, pursuant to Decision 27/2 on the implementation of paragraph 88 of the Outcome Document of the United Nations Conference on Sustainable Development adopted at the United Nations Environment Programme Governing Council at its first universal session in February 2013. The Decision called for the active participation of all relevant stakeholders, particularly those from developing countries, drawing on best practices and models from relevant multilateral institutions and to explore new mechanisms to promote transparency and the effective engagement of civil society in its work and that of its subsidiary organs, building on best practices in multilateral organisations.¹

The policy sets forth the new mechanisms to promote transparency and the effective engagement of civil society in the United Nations Environment Assembly of the United Nations Environment Programme (UNEA) and its subsidiary organs, to be presented at the first session of the UNEA in June 2014.

¹ The current policy builds on best practices of stakeholder engagement in multilateral organisations. The UNEP Secretariat prepared a *Review of Current Practices of Stakeholder Engagement in Multilateral Organisations*, released in July 2013, as called for by the Governing Council Decision 27/2 (http://www.unep.org/civil-society/Portals/24105/documents/resources/stakeholder_engagement/Review_of_current_practices_of_stakeholder_engagement_in_multilateral_organisations_30July_2013.pdf).

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List of acronyms

CPR	Committee of Permanent Representatives
CSD	United Nations Commission on Sustainable Development
CSO	Civil Society Organisation
ECOSOC	United Nations Economic and Social Council
GC	Governing Council
GMGSF	Global Major Groups and Stakeholders Forum
HLPF	High Level Political Forum on Sustainable Development
MEAs	Multilateral environmental agreements
MGFC	Major Groups Facilitation Committee
MGS	Major Groups and Stakeholders
MGSB	Major Groups and Stakeholders Branch
NGOs	Non-governmental organisations
PoW	Programme of Work
SGB	Secretariat of the Governing Bodies
UN	United Nations
UNCED	United Nations Conference on Environment and Development
UNCSD	United Nations Conference on Sustainable Development
UNEA	United Nations Environment Assembly
UNEP	United Nations Environment Programme

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1. Background

1. Stakeholders participation in the work of UNEP is rooted in Principle 10 of the 1992 Rio Declaration and in paragraph 88(h) of the Outcome Document of the United Nations Conference on Sustainable Development (UNCSD, also referred to as Rio+20), which calls for 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”, in the framework of its decision on “strengthening the role of the United Nations Environment Programme as the leading global environmental authority.”²
2. Paragraph 7 of the Governing Council Decision 27/2 on the Implementation of paragraph 88 of the Outcome Document of the United Nations Conference on Sustainable Development adopted at the United Nations Environment Programme Governing Council at its first universal session in February 2013, clearly mandates “the 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 organs, *inter alia* by:
 - a) 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;
 - b) Establishing by 2014 mechanisms and rules for stakeholders expert input and advice;
 - c) Enhancing by 2014 working methods and processes for informed discussions and contributions by all relevant stakeholders towards the inter-governmental decision-making process.”³
3. While inputs from stakeholders can provide valuable contributions to the intergovernmental process, decision-making within UNEP remains the prerogative of member states. This policy is intended to facilitate the effective engagement of stakeholders in the work of the UNEA and that of its subsidiary organs, and in the work of UNEP. The policy provides a set of principles and guidance to UNEP and its staff and to stakeholders to enhance practices in working and dealing with stakeholders for routine and special circumstances, and to facilitate the effective engagement of stakeholders in UNEP’s governance. The policy will be accompanied by an Implementation Handbook (to be elaborated upon approval of the policy).⁴
4. This policy is aligned with relevant UNEP and UN regulations and rules, as well as guidelines and initiatives relating to the United Nations’ cooperation with stakeholders.⁵ It further builds

² United Nations Resolution A/RES/66/288, “The Future We Want”
(http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/288&Lang=E)

³ UNEP Decision 27/2 on Implementation of paragraph 88 of the Outcome Document of the United Nations Conference on Sustainable Development
([http://www.unep.org/gc/gc27/docs/Decisions adopted by the first universal session \(advance\).pdf](http://www.unep.org/gc/gc27/docs/Decisions%20adopted%20by%20the%20first%20universal%20session%20(advance).pdf))

⁴ **[The policy will be complemented by an Implementation Handbook, to be elaborated upon approval of the Policy. Such handbook will determine the operational and self-organisation modalities of the Major Groups and Stakeholders. It will be developed by the UNEP Secretariat in an open and transparent manner.]**

⁵ Several reference documents guide the work of UNEP and the UN in working with stakeholders: UNEP Guidelines for Participation of Major Groups and Stakeholders in Policy Design at UNEP, August 2009 (<http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/Guidelines-for-CSO-participation-Aug2609.pdf>); UNEP and Indigenous Peoples: A Partnership in Caring for the Environment, Policy Guidance, November 2012 ([http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/UNEP Indigenous Peoples Policy Guidance endorsed by SMT 26 11 12.pdf](http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/UNEP%20Indigenous%20Peoples%20Policy%20Guidance%20endorsed%20by%20SMT%2026%2011%2012.pdf)); UNEP. Guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters, February 2010 ([http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/GUIDELINES TO ACCESS TO ENV INFO 2.pdf](http://www.unep.org/civil-society/Portals/24105/documents/Guidelines/GUIDELINES%20TO%20ACCESS%20TO%20ENV%20INFO%202.pdf)); Guidelines

on the General Assembly resolution 67/290 on the *Format and organizational aspects of the high-level political forum on sustainable development*.⁶

Purpose of the policy

5. The Rio+20 outcome document calls in many instances⁷ for strengthened public participation, access to information and access to justice in environmental matters and underlines the importance of partnerships with civil society in achieving the ambitions of the outcome document.
6. UNEP engages with civil society to benefit from their wide knowledge and experience in sustainable development and their involvement in UNEP processes and activities in keeping the environment under review and setting the global environmental agenda; in developing and implementing policies and programmes; and in improving environmental decision-making, as inter-governmental decisions will have broader recognition and support by the public if stakeholders' views are taken into account in agenda setting, policy-making and decision-making processes, as well as implementation.
7. Civil society stakeholders often provide a way to channel the voice of those likely to be most affected by environmental problems and related policies, to call attention to emerging environmental problems and take account of the interests of the future generations. Another important function of stakeholders lies in reaching out to societies and the public at large.

2. The Policy

a. Guiding principles of the Policy

8. In accordance with the Rio+20 outcome document, and taking into account the principles that were adopted by Major Groups and Stakeholders at the Global Major Groups and Stakeholders Forum (GMGSF) in February 2013 prior to the First universal session of the Governing Council of UNEP, this policy is founded on the following principles:⁸

8.1. Acknowledgement of the inter-governmental nature of UNEP processes, as per paragraph 3 above;

8.2. Participation in decision-making processes

UNEP will grant participation and access privileges to all accredited stakeholders, consistent with the relevant rules and practices concerning the work of UNEP. UNEP may also use social media and new information technology to foster broader participation.

[8.2. bis. Access-to-information

Accredited stakeholders will have access to all relevant documents, and will be granted access to relevant information portals.]

on Co-operation between UNEP and Business, March 2004; Guidelines on Co-operation between the United Nations and the Business Community, July 2000; UNEP Partnerships Policy, September 2011.

⁶ General Assembly resolution 67/290 on the Format and organizational aspects of the high-level political forum on sustainable development

(http://www.un.org/ga/search/view_doc.asp?symbol=A/67/L.72&Lang=E)

⁷ United Nations Resolution A/RES/66/288, "The Future We Want," makes extensive reference to involvement of civil society and stakeholders in paragraphs 42 to 55 of Section 2/C on Engaging major groups and other stakeholders. In addition to paragraph 88(h), paragraph 99 states: "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."

⁸ Principles on Stakeholder Participation in UNEP adopted at the 14th Global Major Groups and Stakeholders Forum, 17 February 2013 ([http://www.unep.org/civil-society/Portals/24105/documents/GMGSF/GMGSF%2014/Stakeholder participation principles/Participation and Transparency 11 principles as adopted.pdf](http://www.unep.org/civil-society/Portals/24105/documents/GMGSF/GMGSF%2014/Stakeholder%20participation%20principles/Participation%20and%20Transparency%2011%20principles%20as%20adopted.pdf))

8.3. Transparency and accountability for mutual benefit

Engaging with Major Groups and Stakeholders is based on the premise of mutual trust and benefit, as well as transparency, responsibility and accountability.

8.4. Respect for diversity of views and respect for self-organisation

UNEP acknowledges the diversity of views among stakeholders and in striving for more openness, will facilitate that different voices are heard, including those outside of the nine Major Groups, to embrace the full spectrum of actors of civil society, including the UNEP National Committees.

8.5. Improvements on current engagement practices

UNEP will promote continuous improvement of current practices, including opportunities for exploring innovative mechanisms, without regression with regard to existing practices.

b. Definition of stakeholders

9. UNEP applies the nine major groups approach, based on the categories of stakeholders as outlined in Agenda 21, and as *noted* in decision SS/II.5 of 15 February 2002.

10. Therefore, UNEP recognizes the following categories of stakeholders:

1. Nine major groups: farmers (including small-scale farmers, fisherfolk, pastoralists, and foresters);⁹ women; scientific and technological community (including research and academia); children and youth; indigenous peoples and their communities; workers and trade unions; business and industry; non-governmental organizations; local authorities;
2. **[Environmental NGOs, as organizations that work solely on environmental issues];**
3. **[Other stakeholders, such as local communities; volunteer groups and foundations; migrants and families; older persons; and persons with disabilities.]¹⁰**

[ALT 10.2. UNEP recognizes the particular importance of environmental NGOs within the NGO major group. UNEP will strive to include other stakeholders such as local communities; volunteer groups and foundations; migrants and families; older persons; and persons with disabilities, within the nine major groups.] (Proposal by the Chair)

c. Accreditation criteria and process

11. Accreditation is the main pre-requisite for stakeholder participation in UNEP governance. Organizations seeking observer status with the UNEA and its subsidiary organs must be accredited according to the process below.

12. Accreditation criteria and process

Accreditation will be granted to stakeholders meeting the following criteria:

1. **[Be legally constituted as a not-for-profit entity in a given country;]**

[ALT 1. Providing the text of its constituent instruments (articles of incorporation, bylaws, etc.), as well as an indication of the date and place where they were established;]

2. Be constituted for more than 2 years;
3. Have a track record and proven interest in environmental issues **[or in the environmental pillar of sustainable development;]**
4. Have national and/or international scope of activities.

13. Accreditation with ECOSOC [and/or Multilateral Environmental Agreements (MEAs)]

Stakeholders accredited with ECOSOC, **[and/or with MEAs,]** and which can provide sufficient proof of such accreditation, will receive UNEP accreditation on request.

14. Accreditation procedures

⁹ Abstracts from paragraphs 43, 52 and 53 of the United Nations Resolution A/RES/66/288, "The Future We Want".

¹⁰ Abstracts from paragraphs 43 of the United Nations Resolution A/RES/66/288, "The Future We Want".

Stakeholders seeking accreditation shall forward all relevant documents to the UNEP Secretariat which includes the following:

1. Letter requesting accreditation on organisation's official stationary
 2. Copy of constitution, charter, statues or by-laws and amendments to those documents, and a list of affiliates;
 3. Proof of interest or experience in the environment **[or in the environmental pillar of sustainable development;]**
 4. Detailed account of the scope of activities.
15. The UNEP Secretariat will review the requests **[and after consultation with the CPR]**, and will notify applicants of the final decision. The entire review process will take not more than three months.
16. The list of accredited organizations will be submitted to the regular session of the UNEA of UNEP **[and to the OECPR]** for information.
17. While retaining the intergovernmental nature of the UNEA of UNEP and its subsidiary organs, the president of UNEA of UNEP or the chairperson of a subsidiary organ, in consultation with the relevant bureaus, may invite a non-accredited organization and/or individuals, on the basis of their competencies, expertise and experience to meetings of the UNEA and its subsidiary organs for a specific task or purpose, in accordance with existing Rules of Procedure.

[17 bis. Organizers of various UNEP meetings may invite accredited stakeholders on the basis of their competencies, expertise and experience to participate in panels or thematic discussions on topics of relevance, as appropriate.]

18. Accreditation is not a requirement to participate in projects/programmes/partnerships implementation. Participation modalities in such projects/programmes/partnerships implementation are detailed in the UNEP Partnership Policy.

d. Privileges of accredited stakeholders

19. While retaining the intergovernmental character of the UNEA and its subsidiary organs, accredited stakeholders will have the opportunity to participate in UNEP governance and work at two different levels: agenda-setting processes, policy and decision-making processes.
20. All accredited stakeholders enjoy the same privileges, to include the following:
- a. Accredited stakeholders may participate in all public meetings of the UNEA and its subsidiary organs, in accordance with the relevant Rules of Procedure. Should participation to the meetings be restricted, an advanced notification should be issued **[as appropriate. The UNEP Secretariat will provide accredited stakeholders with the agenda, dates and venue of the meetings in a timely manner.]**
 - b. UNEP will convene a multi-stakeholder dialogue during the UNEA as per paragraph 5(e) of the Governing council Decision 27/2. The UNEP Secretariat will provide accredited stakeholders with the agenda, dates and venue of the meetings in a timely manner.
 - c. Designated seats will be reserved for Major Groups and stakeholders in all public meetings of the UNEA and its subsidiary organs. Major Groups and Stakeholders will designate their representatives according to criteria to be included in the practical Implementation Handbook that will support this policy.
 - d. Accredited stakeholders will have access to all public documents, **[including pre-sessional and sessional documents]** of the UNEA and its subsidiary organs. The UNEP Secretariat will make every effort to provide access to these documents in a timely manner, using electronic and other modern information systems to facilitate delivery. Accredited stakeholders will be granted access to relevant information portals. The UNEP

Secretariat will ensure that inputs received from Major Groups and Stakeholders will be made available on the relevant web portals.

[ALT. 20.d. Accredited stakeholders will have access to documents publicly available on the UNEP websites and portals; official documents and reports of UNEP; and documentation related to the work of the UNEA and its subsidiary organs. The UNEP Secretariat will make every effort to provide access to these documents in a timely manner, using electronic and other modern information systems to facilitate delivery. Accredited stakeholders will be granted access to relevant information portals. The UNEP Secretariat will ensure that inputs received from Major Groups and Stakeholders will be made available on the relevant web portals.]

- e. Accredited stakeholders will be able to make written submissions to UNEA and its subsidiary organs, in accordance with the relevant Rules of Procedure. Such submissions may include contributions and recommendations for: agenda items of the UNEA and its subsidiary organs; and recommendations on the subject matter of draft decisions for consideration by member states. Such contributions and recommendations may be submitted to the UNEP Secretariat for distribution to member states, in time for consideration by the relevant body. Such contributions and recommendations should be submitted through the UNEP Secretariat to the Bureaus of the relevant bodies. The UNEP secretariat will make these submissions available to member states, using electronic means whenever possible.
- f. Accredited stakeholders may be invited to make statements during public meetings of UNEA and its subsidiary organs, in accordance with the relevant Rules of Procedure. Presidents or Chairpersons of these sessions are encouraged to provide opportunities for accredited stakeholders to speak on topics of interest in those public meetings.
- g. **[The Bureaus of the UNEA and its subsidiary organs, may hold periodically joint meetings with accredited organisations either prior to or during their meetings on specific items of interest and relevance to Major Groups and Stakeholders to allow inputs to the UNEA process and of its subsidiary organs.]**

[ALT 20.g. The Bureaus of the UNEA and its subsidiary organs, may periodically hold meetings with representatives of accredited stakeholders either prior to or during their meetings on specific items of mutual interest relating to the UNEA processes.] (Proposal by the Chair)

- h. Accredited stakeholders will be invited to participate in the relevant regional consultations conducted by UNEP in the various UNEP regions.

e. *Responsibilities and obligations of accredited stakeholders*

21. All accredited stakeholders have the same obligations, to include the following:

- 1. Accredited stakeholders will be expected to act in accordance with this policy and the relevant Rules of Procedure for any meeting or session which they attend.
- 2. Accredited stakeholders will comply with the registration requirements and seating arrangements for any meeting or session which they attend. Meeting and session organizers will make every effort to have sufficient seating available for stakeholders during open sessions, so as to facilitate their participation in sessions. In situations where seating is limited, stakeholders may be asked to designate representatives to occupy the available seats, in accordance with procedures laid out in the “Implementation Handbook” developed by the UNEP secretariat in consultation with Major Groups and Stakeholders.
- 3. Accredited stakeholders will provide the UNEP secretariat with a biennial communication outlining their activities in the field of the environment during the prior two years. This communication may come in the form of an organisation’s annual report or may be a separate document prepared specifically to comply with this reporting requirement.

3. Other Matters

a. Major Groups and Stakeholders Forum

22. Prior to each session of the UNEA and the open-ended meeting of the CPR, UNEP will facilitate the organisation of a Major Groups and Stakeholders Forum that will provide an opportunity for accredited stakeholders to consolidate their views and prepare their inputs to the UNEA and its subsidiary organs.

[22 bis. Member States and Representatives of International Organisations may participate in the Major Groups and Stakeholders Forum as observers. Major Groups and Stakeholders are encouraged to submit the main outcomes of these meetings through the UNEP Secretariat in writing to UNEA, on its first working day.]

b. Major Groups and Stakeholders Mechanism

23. Accredited stakeholders may form stakeholders' bodies or other groups to organize their contributions and facilitate their participation in UNEP processes. While self-organised, these bodies must adhere to principles of transparency, responsibility and accountability, and respect the diversity of views existing among stakeholders on numerous issues.¹¹

c. Use of ICT to enhance effective participation

24. The use of modern information and communication technology will enhance the effective participation of stakeholders, in a cost-effective manner. Besides physical presence at meetings, virtual and online participation will also be made possible through webcasting of relevant meetings of the UNEA and its subsidiary organs, UNEP events, information platforms and discussion forums, etc. in accordance with the Rules of procedure and the related Access-to-Information Policy.

d. Funding

25. Funding for stakeholder participation will be foreseen in the Programme of Work and Budget of UNEP. UNEP will endeavour to mobilise adequate funding including through extra-budgetary resources to support stakeholder participation, particularly those from developing countries.
26. Member states are invited to provide financial resources or take other initiatives to support participation of stakeholders, particularly those from developing countries, in relevant processes.

¹¹ As mentioned in paragraph 3, the policy will be complemented by an Implementation Handbook. The operational modalities as well as the self-organisation modalities of the Major Groups and Stakeholders Mechanism will be contained in the Handbook. The Handbook will be developed by the UNEP Secretariat in an open and transparent manner, **[providing for review by the CPR regarding the budgetary implications.]**