

**United Nations Environment Programme
North American Regional Civil Society Forum
In Preparation for the 6th Global Civil Society Forum**

Moderator's Summary¹

Background

1. This is the Moderator's Summary of the United Nations Environment Programme (UNEP) North American Civil Society Forum, which was held on 10-11 November 2004. The Civil Society Forum is intended to provide input into UNEP's upcoming Global Ministerial Environment Forum (GMEF) to be held in February 2005, in Nairobi, Kenya. The North American Civil Society Forum was hosted by the UNEP Regional Office of North America (RONA) and George Washington University.
2. The GMEF is an annual meeting of the world's environment ministers. This year, the GMEF will focus on UNEP's Proposed Biennial Programme of Work and Support Budget and on International Environment Governance (IEG). Immediately preceding the GMEF will be a Global Civil Society Forum (GCSF), which will present an opportunity to integrate the perspective and experience of civil society into the ensuing discussions at the GMEF.
3. The purpose of the 10-11 November Forum was for UNEP to brief North American civil society organizations on the status of preparations for the GMEF and to enable a discussion among diverse stakeholders and major groups regarding UNEP's Proposed Biennial Programme of Work and Support Budget and International Environment Governance (IEG). This Forum was one of a series of regional civil society fora that UNEP convened in preparation for the GMEF and the GCSF.
4. The 10-11 November Forum included brief introductory presentations by UNEP and a series of invited statements from individuals offering perspectives from different major groups. This was followed by a moderated discussion. A copy of the agenda is attached to this Moderator's Summary as Annex 1.

Introductory Remarks

5. Ms. Brennan Van Dyke, UNEP Regional Director for North America, opened the meeting and welcomed the participants on behalf of UNEP to the second Regional Civil Society Forum. She encouraged participants to think about how civil society can use and collaborate with UNEP.

¹ The Moderator was Glenn Wiser, Senior Attorney, Center for International Environmental Law. The Moderator thanks Brennan Van Dyke, Hilary French, Felix Wing, and the other RONA staff that assisted in preparing this summary.

6. Mr. Mark Starik, Director of the Environmental and Social Sustainability Initiative at George Washington University, welcomed participants on behalf of the George Washington University Administration.

7. Mr. Glenn Wiser, Senior Attorney with the Center for International Environmental Law (CIEL), offered the Moderator's introductory remarks. He said the ultimate objective of the meeting was to prepare a North American Civil Society Statement that may serve as an input to the Global Civil Society Statement that will be presented to ministers at the GMEF. Participants to the Forum introduced themselves following the Moderator's remarks.

UNEP Briefings

8. Ms. Brennan Van Dyke presented the general history and process of International Environment Governance (IEG). The Global Ministerial Environment Forum (GMEF) started a review of IEG to assess institutional weaknesses and future needs and options, including the financial stability of UNEP. The 7th Special Session of the Governing Council in Cartagena, Columbia, exhorted the GMEF to promote international cooperation more effectively and to provide broad guidance on policy, priorities, and action. Since then, topics of discussion have included universal membership, a voluntary indicative scale of contributions, a UN/World Environment Organization, and the Intergovernmental Strategic Plan on Technology Support and Capacity Building (IGSP). Ms. Van Dyke stressed the importance of the Regional Civil Society Forums, through which civil society voices can be heard and taken into account by UNEP.

9. Ms. Van Dyke also described the role of the UNEP Governing Council (GC) and some of its recent decisions. She said that the most important order of business at GC23 will be for the GC to approve the Programme of Work and Support Budget. Other issues that might come up at the meeting include: chemicals management, mercury and whether UNEP should develop a strategic approach for regulating mercury, universal membership, biological and cultural diversity, and strengthening the scientific base of UNEP and IGSP.

10. Ms. Hilary French presented the work of UNEP's Major Groups and Stakeholders Branch towards GC23. Ms. French explained that UNEP's strategy towards civil society is founded on three pillars: 1) strengthening institutional management, 2) promoting fuller civil society engagement at the policy level, and 3) engaging civil society at the programmatic level. Ms. French also described the process of NGO accreditation, which can give civil society the opportunity to critique UNEP's Draft and Final Programmes of Work.

North American CSO Presentations

11. The meeting then heard from representatives of North American civil society organizations who had been invited to present their thoughts on UNEP's Proposed Programme of Work and Support Budget and on International Environment Governance, in light of their experiences collaborating with UNEP.

12. Mr. William Bertera, Executive Director of the Water Environment Federation, shared his thoughts on the importance of this process from the perspective of other nations. Mr. Bertera

suggested that North American civil society is in a unique position, because of their ability to influence the United States Government. He urged forum participants to take advantage of the opportunity the process presents to live up to great expectations, regardless of U.S. policies. He said that if the North American Civil Society Statement can speak to the general public interest of communities in all nations and can influence the U.S. government, it can have commensurately greater influence compared to other regional statements.

13. Ms. Susana Carrillo, of the Macro-Economics Policy Office at the World Wildlife Fund (WWF), described the working partnerships WWF has with UNEP. For example, the objective of their main project together is to mainstream poverty and environment issues into development coordination mechanisms. Ms. Carrillo also stressed that the role of civil society in Africa and other regions is to step in for governments by assisting in implementation, because governments lack human and financial capacity.

14. Ms. Nathalie Eddy, of the World Resources Institute (WRI), shared some specific experiences WRI has had in the context of environmental governance and data. UNEP's peer review functions have been extremely valuable to WRI's Partnerships for Principle 10 Program. WRI has also collaborated with UNEP in the area of environmental data/information. Ms. Eddy noted that it would very helpful if UNEP could give guidance for how civil society may become more engaged in the Regional Civil Society Forums. Although UNEP's background papers were useful, they were inadequate to show civil society the most strategic ways they could provide inputs.

15. Mr. Daniel Magraw, President of the Center for International Environmental Law, noted that civil society relations with UNEP are generally very good and that UNEP plays an important role in disseminating information. However, he noted that UNEP's Support Budget is notoriously low and insufficient to carry out the entire Programme of Work. He emphasized the importance of strategic planning for environmental concerns through the Montevideo process and the value of civil society supporting judicial training in environmental law. Mr. Magraw suggested the need for a strengthened IEG structure by elevating UNEP to a United Nations Environment Organization (UNEO) or World Environment Organization (WEO), by significantly increasing funding, and by expanding the scope of the Global Environment Facility to include all environmental issues. He closed by suggesting that any UNEP partnerships with the corporate world should be transparent and carefully examined for conflicts of interest.

Discussion

16. After the invited presentations, the Moderator reiterated the Forum's task of developing the substantive items to include in the North American Civil Society Statement. The participants were then invited to decide upon the procedures by which this would be accomplished in the next day's session, taking into consideration the complexity and breadth of the topics. Participants decided that they would hold their discussions in plenary, rather than in break-out groups, and that submissions from participants who were unable to attend the second day of the Forum would be considered for the draft Statement if sent to the Moderator in time. The meeting adjourned for the day, leaving substantive discussion for the next day.

17. On 11 November 2004, the Moderator welcomed back participants to begin the substantive discussion. The Moderator opened the floor to comments and proposals. The following is a summary of the points raised during the discussion.

18. **Programme of Work and Budget.** The Moderator asked for specific comments pertaining to UNEP's Proposed Programme of Work, keeping in mind the role of the Support Budget. Comments fell into several categories:

- *Document Formatting.* Many participants expressed the need for a working Executive Summary to make the dense documents more accessible. Two participants said that the Programme of Work and Budget are much clearer than in past years, although there is still need for a format that is easier to understand. Many participants suggested that UNEP should clearly prioritize its programs.
- *Budget and Funding.* Many participants noted that, while civil society supports increased funding for UNEP's programs, it would be more effective to suggest which programs need more funding. However, participants were reluctant to analyze the Proposed Programme of Work and Support Budget in detail due to time constraints. Participants expressed a desire for more information on how effective the voluntary indicative scale of contributions has been in addressing UNEP's funding shortfall.
- *Science and Data Collection.* Two participants expressed the need for governments to create a global, binding instrument to regulate mercury. One participant noted that, while science is fundamental to the creation of such agreements, collecting data should not be used as an excuse to delay action. Another participant was concerned that the research must be sensitive to the different physiology of on women, children, indigenous and other at-risk communities. Another participant suggested that scientific studies carried out or commissioned by UNEP should be linked to implementation of a project.

19. **Civil Society Participation in GCSF Process.** The Moderator then directed the discussion to civil society participation in the Global Civil Society Forum and the North American Regional Forum. Participants suggested some logistical improvements, such as coordinating the Forum with other major meetings and using teleconferences to cut down on travel costs. Two participants suggested that, while the accreditation process for NGOs is very useful in theory, is not as effective as it could be because of the very tight timeframes for input.

20. One participant was concerned about lack of continuity in the Forum process from year to year. This led to a discussion about the roles academia could play in this process. For example, students could be a significant resource if academia were brought into the GCSF. Colleges and universities could create courses to study UNEP and civil society interactions. Furthermore, use of academia could create a framework for housing institutional knowledge about the Forum process, which might facilitate continuity.

21. A large part of the discussion focused on the possibility of using NGO networks to facilitate participation. Some participants suggested existing UN networks, such as the

Commission on Sustainable Development (CSD) network. Other participants thought that existing networks within the NGO community might be effective if time were spent communicating the benefits of working with UNEP to them. Another participant suggested that a group of organizations could build a fund to house an employee at UNEP headquarters to coordinate outreach, organize brown bag lunches, and produce a newsletter.

22. **Participation of Civil Society in UNEP.** The participants made a variety of suggestions and raised a number of concerns during this part of the discussion. While one participant suggested that UNEP might adopt guidelines for CSO participation in an effort to refute the argument that civil society organizations are not accountable to anyone, another participant raised concerns that guidelines might be used to restrict CSO participation. Another participant suggested that since UNEP is taking on a capacity-building role with governments, perhaps one of UNEP's goals should be to facilitate those governments' building of capacity with their national CSOs.

23. Finally, another participant raised the importance of leveling the playing field. The participant stated that, although CSOs are generally welcome at negotiating tables, they are at a disadvantage due to fewer resources. To combat this, UNEP should expand its subsidies of CSO participation. Furthermore, UNEP should announce meetings far in advance so that CSOs might have the time to raise their own resources to participate.

24. **International Environment Governance (IEG).** Participants discussed the various comparative advantages of UNEP and civil society, with particular emphasis on capacity-building, in an effort to decide what role UNEP should play in IEG. One participant believed UNEP's role was to catalyze the implementation of projects already underway. At least one participant saw UNEP as filling in the gaps of the "development marketplace," which does not always allocate resources in the most efficient or effective ways. Other participants saw UNEP's role as a facilitator between institutions that plan and fund programs and local governments and CSOs that implement them.

25. Stemming from the idea of UNEP as a facilitator, many participants suggested that UNEP could create a website page that could serve as a "development clearinghouse." This could facilitate linking governments that were developing plans with project implementers, and it could provide a link between needs and resources. This could be especially helpful for nations like the United States that have begun to develop bilateral agreements rather than multilateral ones. The website clearinghouse could allow U.S. officials to see the overlapping needs of countries and perhaps prompt the United States to develop multilateral agreements to address similar, regional needs, rather than develop individual agreements with each nation.

26. Participants also raised the issue of sustainable development and were particularly concerned with coordinating UNEP's efforts with governments, other UN agencies, and especially UNDP. Participants expressed the concern that environmental issues are often seen as an impediment to economic activity, rather than an essential tool in the goal of sustainable development.

27. Many participants stated that over-consumption is a particularly important issue for North American CSOs to address because the United States uses more resources than any other nation. They observed that UNEP has youth programs in Europe to address Millennium Development Goals Target 9, yet such programs have not been implemented in the United States, because the U.S. government has not supported attempts to link UNEP's resources with willing NGOs.

28. Participants had diverse views on the merits of a World Environment Organization (WEO) and whether UNEP should be elevated to a United Nations Environment Organization (UNEO). Many participants dismissed endorsing the French government's proposal to elevate UNEP to a UNEO, while others feared that elevating UNEP to a UNEO could result in environmental issues being "pigeon-holed" rather than spanning all sectors. Other participants supported the idea of a UNEO or WEO. Because there was no consensus on this issue, participants felt it would be inappropriate to offer any position on the formation of a WEO or UNEO in the North American Civil Society Statement.

Next Steps

29. The Moderator then introduced several procedural questions relating to:

- (a) Drafting of the North American Civil Society Statement for the GMEF;
- (b) Drafting of a Moderator's Summary;
- (c) Election of two North American representatives to the drafting session for the Global Civil Society Forum Statement in Nairobi in December; and
- (d) Election of four North American representatives to the 23d Session of the Governing Council/Global Ministerial Environment Forum (GC23/GMEF) in February 2005 in Nairobi.

30. **Creation of North American Civil Society Statement.** The Moderator offered to prepare a draft Statement based upon the discussions over the course of both days of the Forum. The draft would be subject to suggestions and edits from participants, and participants would be able to opt-out of the finalized Statement if they chose. The North American Statement would then be used as input to the Global Civil Society Forum statement, and it would be presented in its own right to ministers at the GC/GMEF.

31. **Moderator's Summary.** The Moderator also offered to prepare a summary of the discussions during the Forum and to circulate it to participants in final form.

32. **Representatives to the Drafting Session for the GCSF Statement.** The Moderator opened the floor for nominations to the December drafting session. Mr. Glenn Wisner and Ms. Kate Davenport were nominated and accepted those nominations.

33. **Representatives to GC23/GMEF.** The Moderator then opened the floor for nominations to the GC23/GMEF. Due to concerns over funding, participants agreed that names of interested individuals would be taken, but selection of representatives would be postponed until the individuals had an opportunity to confirm funding.

34. **Adjournment.** The Moderator and Ms. Van Dyke thanked George Washington University and all the participants for coming and providing their input. The Moderator encouraged civil society to stay engaged in the GMEF process and formally adjourned the meeting.

Annex 1

Agenda

UNEP North American Regional Civil Society Forum held at George Washington University (GWU) Washington, DC

November 10-11, 2004

November 10, 1-5 pm

Introduction to UNEP and Opportunities for Collaboration between UNEP and North American Civil Society Organizations (CSOs)

1:00-1:10 Welcoming Remarks

Brennan Van Dyke, UNEP Regional Director for North America
Mark Starik, Director, GWU's Environmental and Social Sustainability Initiative (ESSI)

1:10-1:20 Facilitator's Introductory Remarks

Glenn Wiser, Center for International Environmental Law (CIEL)

1:20-1:40 Participants' Introductions

1:40-2:30 UNEP Briefings on:

1. General Policy on the International Environment Governance (IEG): The Main Issues

- Strengthening UNEP
- Intergovernmental strategic plan for technology support and capacity building
- U.N. Environmental Organization (UNEO) Proposal

Background Paper:

*Third World Network, "International Environmental Governance (IEG) and the
Intergovernmental Strategic Plan on Technology Support and Capacity Building (IGSP)"*

2. The UNEP Governing Council

- Role of GC
- Important GC decisions and their relevance to the environmental community
- Preview of GC23 2005

Background Papers:

*UNEP, "Environment Fund Budgets: Proposed Biennial Programme and Support Budget for
2006- 2007"*

*Varda Group, "Review from a Civil Society Perspective of UNEP's Draft Programme of Work
for 2006-07"*

3. Work of UNEP's Major Groups and Stakeholders Branch towards UNEP GC23

- UNEP strategy on civil society engagement
- Current activities (World Women's Assembly; from the regional civil society forum to the 6th GCSF)
- Accreditation of International NGOs to the UNEP Governing Council

Background Papers:

UNEP, "Natural Allies: UNEP and Civil Society"

UNEP, "Engaging Civil Society in the Governing Council/Global Ministerial Environment Forum"

UNEP, "Accreditation of International Non-Governmental Organization at UNEP"

2:30-3:00 Questions/Discussion on UNEP Briefings

3:00-3:15 Break

3:15-4:15 Presentations by North American CSOs: Thoughts on International Environmental Governance and UNEP's Programme of Work, in light of experiences collaborating with UNEP

Dan Magraw, Center for International Environmental Law

William Bertera, Water-Environment Federation

Susana Carrillo, World Wide Fund for Nature, Macro-Economics

Policy Office

Representative, World Resources Institute (TBC)

4:15-5:00 Group Discussion (including foreshadowing of the goals for the following day)

November 11, 9 am-5 pm

Civil Society Discussion and Preparation for 6th Global Civil Society Forum

9:00-12:00: Civil Society Discussion on GC23

- Discussion on UNEP Programme of Work (including budget)
- Discussion on International Environment Governance (IEG)
- Discussion of contemplated Governing Council Decisions

Please note: Format of discussions will be determined based on November 10th discussions. The discussion may be organized by UNEP functions, issues, or divisions and break-out groups may be employed.

Background Papers:

UNEP, Proposed Biennial Programme and Support Budget for 2006-2007

Varda Group, "Review from a Civil Society Perspective of UNEP's Draft Programme of Work for 2006-07"

Third World Network, "International Environmental Governance (IEG) and the Intergovernmental Strategic Plan on Technology Support and Capacity Building (IGSP)"

12:00-1:00: Lunch Break

1:00-5:00: Discussion of Outputs of North American Civil Society Forum

- Elaboration of a regional statement on the above two topics
- Election of two civil society representatives for the drafting group meeting to be held 3 and 4 December 2004
- Election of four civil society representatives for the 6th GCSF