



## Chapter 2:

# Civil Society Participation in International Environmental Policy

© UNEP, 9th GCSF (2008): A platform for exchange and consultation on key environmental issues to be addressed during the GC/GMEF, Principality of Monaco

**T**his chapter provides information for civil society representatives about how they can interact with government representatives at the UNEP Governing Council/Global Ministerial Environment Forum, where member governments undertake policy discussions and make decisions related to the management of global environmental issues. It also provides information about how to engage with Multilateral Environmental Agreements, which have close links with UNEP.

## Participating in the UNEP Governing Council/Global Ministerial Environment Forum (GC/GMEF)

UNEP's Governing Council (GC) is composed of 58 Member States elected by the UN General Assembly for four-year terms, based on the principle of equitable regional representation. The UNEP GC functions like a "board of directors" for UNEP. The main functions and responsibilities of the Governing Council consist of deciding on the nature of UNEP's work programme, on its budgetary allocation, and on promoting international policy co-operation in the field of the environment. In practice, all Member States of the UN system can have a say regarding UNEP's work, and the 58 Member States of the GC have a specific role only when a decision is to be adopted by vote, which is seldom the case.

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Every other year, UNEP holds a week-long regular session of the Governing Council in Nairobi. In this session, the GC makes decisions on UNEP's work programme and budgetary allocation for the following two years. Since 2000, UNEP has also organised biennial special sessions of the GC in between the regular sessions that take the form of three-day sessions. In addition to approving UNEP's budget and Programme of Work, the GC also takes decisions about needed actions related to a broad range of environmental policy issues. In recent years, for instance, it has made decisions aimed at promoting better management of chemicals, controlling mercury pollution, assessing the health of the global marine environment, shifting to more sustainable production and consumption patterns, addressing the links between poverty and the environment, and strengthening UNEP's scientific base.

The Global Ministerial Environment Forum (GMEF) is convened annually alongside the GC regular and special sessions as a forum where environment ministers from around the world review important and emerging environmental policy issues. UNEP uses the term GC/GMEF, to designate a meeting of both the GC and the Ministerial Forum. The GC/GMEF special session agenda normally focuses on current global environmental policy issues that are high on the international agenda.

International non-governmental organisations (INGOs) can be accredited to participate in the GC/GMEF. The participation of INGOs in the Governing Council is addressed in Rule 69 of the Rules of Procedures of the UNEP Governing Council. (See Box 1.)

### Box 1. Rules of Procedure of the Governing Council Chapter XIII. Observers of International Non-governmental Organisations. Role 69

1. 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 the invitation of the President or Chairman, as the case may be, and subject to the approval of the Governing Council or the subsidiary organ concerned, international nongovernmental organisations may take oral statements on matters within the scope of their activities.
2. Written statements provided by international non-governmental organisations referred to in paragraph 1 above, related to items on the agenda of the Governing Council or of its subsidiary organs, shall be circulated by the secretariat to members of the Governing Council or of the subsidiary organ concerned in the quantities and in the languages in which the statements were made available to the secretariat for distribution.

More than 200 civil society organisations are currently accredited to UNEP. Any CSO that meets the criteria stipulated in Rule 69 can seek accreditation, following the procedure described in Box 2.

### Box 2. Steps for Civil Society Accreditation to UNEP

- 1) NGO submits a set of papers to the Major Groups and Stakeholders Branch of UNEP showing proof of its interest in becoming accredited and proper documentation of its nongovernmental, international, and environmental focus.

These papers include:

- Letter requesting accreditation.
  - Copy of constitution, charter, statutes, or by-laws with all amendments and list of affiliated organisations.
  - Copy or certificate of registration.
  - Proof of interest in the environment (papers, reports, press releases, etc.).
  - Detailed account of organisation's international scope (location of headquarters, programs, international activities, etc.).
- 2) The Major Groups and Stakeholders Branch of the Division of Regional Cooperation reviews the submission and determines if any additional documents are required. If so, it notifies the organisation.
  - 3) When the review is complete, the Major Groups and Stakeholders Branch sends the documentation and its recommendation to the office of the Secretariat for Governing Bodies.
  - 4) The Secretariat for Governing Bodies notifies the organisation of its decision.
  - 5) The Major Groups and Stakeholders Branch updates its database with the new organisation's information, sending a confirmation e-mail to the organisation.

The process takes approximately three months.

For further information, see [http://www.unep.org/civil\\_society/About/accreditation.asp](http://www.unep.org/civil_society/About/accreditation.asp).

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The Secretariat for Governing Bodies, which is responsible for the organisation of the GC/GMEF, will automatically invite the accredited INGO to participate in the GC/GMEF as an observer. The INGO then has to send back the list of representatives planning to attend.

In the process leading up to sessions of the GC/GMEF, accredited Major Group organisations receive unedited working documents of the GC/GMEF at the same time as the Committee of the Permanent Representatives. Accredited organisations are also able to submit to the UNEP Secretariat written contributions to these unedited working documents for distribution to the governments.

While the GC/GMEF is under way, accredited Major Group organisations are entitled to attend the plenary, the Committee of the Whole, and the Ministerial Consultations discussions as observers; to circulate written statements to governments through the UNEP Secretariat; and to make oral statements during the discussions of the GC/MEF at the invitation of the chairperson.

In recent years, Major Groups representatives have also participated in ministerial roundtable discussions and upon invitation by the Secretariat have served as keynote speakers for the ministerial deliberations. Major Groups representatives have also hosted side events in the “Green Room” facility provided for their use.

### Policy Statements to the GC/GMEF

Major Groups have the opportunity to present collective policy statements to the GC/GMEF. UNEP’s new Guidelines for Improving the Global Civil Society Forum stipulate that the Major Groups representatives to the Major Groups Facilitating Committee will play a central role in the preparation of policy statements. In particular, the guidelines foresee three possible scenarios related to the development of policy statements:

Scenario 1 – Each of the Major Groups representatives coordinates the effort, and consults a global electronic constituency to help make the text final. The Major Group representatives may decide to join forces with other Major Group representatives to produce joint statements.

The Major Group representative writes the paper, or assigns the writing to experts, and solicits support or critical comments from UNEP-accredited organisations belonging to his/her constituency. The solicitation is done via the Internet through the methodology of ‘electronic’ hearings, and the Major Group representative brings in, at the group’s own discretion, arguments that have come in through the hearing, and finalises the paper. This is then the global paper representing the Major Group.

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Scenario 2 – Each of the Major Groups representatives prepares background positions, but allows various Major Group constituencies at the regional meetings to produce a final statement if they so choose either as a distinct Major Group or in collaboration with other Major Groups.

The Major Group representative prepares background position papers, and allows each of the regional meetings to prepare the final text during the regional meetings.

Scenario 3 – Each of the Major Groups representatives invites a peer group from within their own Major Group to write the policy positions based on the discussion at the regional meeting, and the peer group finalises the text. The Major Group representatives may choose to join forces with other Major Group representatives to produce joint statements.

The Major Group representative will seek out the best possible persons from the organisational unit within the group's constituency to write the final policy paper based on detailed reports from each of the six regions. The peer group then edits and combines each of these reports into one global report representing that particular Major Group. Regional policy statements will still be included as official documents if deemed appropriate by the regions.

The Guidelines stipulate that Scenarios 1, 2, or 3 should be adopted according to each Major Group's preference, noting that these scenarios constitute a good transition from a purely regional model towards a model where the Major Groups play a more significant role. They also note that there may be substantial commonality in views between many if not all Major Groups and that joint statements among multiple Major Groups may thus be possible and should be encouraged.

### UNEP's Global Civil Society Forum (GCSF) and the Regional Civil Society Consultations

The GCSF is a one to two day event that takes place immediately prior to each GC/GMEF. Agenda items for the GCSF are the same as those on the ministerial agenda. The objective of the GCSF is to provide a platform for exchange and consultation on key environmental issues to be addressed by the member states during the GC/GMEF and to facilitate Major Groups' contribution to the GC/GMEF and other international environmental forums.

UNEP provides relevant information in advance. CSOs are encouraged to gather their views at the regional level and to consult scientific information available from the UNEP website and other sources. The Major Groups and Stakeholders Branch coordinates the preparation and execution of the GCSF, in co-operation with UNEP's Regional Offices and the Secretariat for Governing Bodies.

About 190 participants representing CSOs from 42 countries attended the 2008 Global Civil Society Forum. All UNEP-accredited CSOs are invited to participate in the Forum at their own

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expense. In addition, UNEP sponsors approximately 30 other participants to attend, 24 of whom are selected at regional preparatory consultations. In selecting sponsored participants, important criteria include gender, Major Groups, and geographical balance. In addition, the participation of civil society representatives from the host region is encouraged.

Prior to the GCSF, each UNEP region facilitates a regional CSO consultation. UNEP provides discussion papers to promote meaningful dialogue. To reinforce the scientific basis of the discussion, regional offices cooperate with other UNEP science-related officers posted within each region to provide relevant information to CSOs.

The regional civil society consultations are not ends in themselves. They aim to channel regional civil society input into the GCSF and the GC/GMEF. The regional consultations also are a tool for strengthening the relationships between UNEP's regional offices and civil society and for building regional networks of CSOs around important environmental policy issues.

The two regional representatives to the UNEP Major Groups Facilitating Committee are elected at the regional meetings for two-year terms. In addition, two technical experts are selected each year at the regional meeting to participate in the Global Civil Society Forum and the GC/GMEF.

For further information about the regional consultations, see [http://www.unep.org/civil\\_society/GCSF10/regionalconsult-gcsf10.asp](http://www.unep.org/civil_society/GCSF10/regionalconsult-gcsf10.asp).

### Exploring New Approaches

The GCSF and the direct participation of civil society at the GC/GMEF is currently the main entry point for civil society participation in UNEP at the governance level. Other possible types of interaction include the following:

#### Civil society expert meetings to assist the CPR

The Committee of Permanent Representatives (CPR) is composed of all the government representatives to UNEP. The CPR monitors implementation of UNEP's work programme and also drafts the decisions that will be used to further the UNEP work programme. In order to better inform the preparation of new decisions, the strategy paper on enhancing civil society engagement within the work of UNEP proposed that civil society representatives could address the CPR at its sessions.

## Inclusion of civil society representatives in governmental delegations

Some governments include representatives from CSOs in their delegations, including NGOs, members of the scientific community, academics, and parliamentarians. Doing so increases understanding between civil society and governments at the national level and enhances the transparency and accountability. Sometimes governments provide financial support for civil society representatives included on their delegations.

## Civil Society Engagement with the Multilateral Environmental Agreements

Civil society and Major Groups engagement with Multilateral Environmental Agreements (MEAs) is also needed in order to strengthen the effectiveness of international environmental governance). UNEP works with many different MEAs and hosts the secretariats for MEAs covering biodiversity, chemicals and hazardous wastes, migratory species, ozone depletion, regional seas, and trade in endangered species.

Secretariats have responsibility for convening the Conferences of the Parties (COPs), where the governmental parties to the MEA adopt policies and goals to track compliance and promote implementation; for convening expert panels to advise the parties on ways of achieving the targets set up by the COPs; for helping to implement programmes to reach the goals of the agreement; and for reporting on the status of implementation.

CSOs can actively support the work of the secretariats and the governments in the design, execution, and monitoring of activities for effective implementation of the MEAs. For example, the rapid entry into force and implementation of the Aarhus Convention can be attributed to the role of civil society. Participation of civil society in the UN Framework Convention on Climate Change (UNFCCC) or in the Mediterranean Action Plan, two of the most proactive MEAs to engage CSOs, is enlightening on how to incorporate civil society participation at all levels in the implementation of a MEA.

CSOs can participate at the Conferences of the Parties as observers, which means that the CSOs can come to the meeting, sit, and listen. For example, the UNFCCC has a roster of more than 1,000 CSOs accredited as observers. CSOs can usually provide written and oral statements to the plenary. They are normally allowed a slot at the opening, and in some COPs they can read statements from the floor: these include the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the UNFCCC, the Montreal Protocol, and the Convention on Biological Diversity (CBD). For example, at the Montreal Protocol COPs, Friends of the Earth and Greenpeace regularly make statements of global public concern.

Being an observer at MEA negotiations enables civil society to:

- Work through its own government to try and include its views in the intergovernmental debate;
- Lobby before and during the session, contribute to daily newsletters, and attend briefings provided by governments for CSOs (the European Union and United States do this regularly);
- Hold side events to launch publications or initiatives relevant to the implementation of the conventions;
- Take note and be a neutral observer of the meeting, making its own government accountable for the actions taken when implementing the MEA.

For information on how to become an observer to a particular MEA negotiation, CSO representatives should contact the relevant secretariat directly. The secretariat handles administrative matters and can provide information about accreditation procedures. The criteria are generally two-fold: first, the CSO has to provide proof of being non-profit; second, the CSO has to demonstrate interest in the particular field of the MEA.

Civil society representatives can also become involved with MEAs by serving on expert panels. There are different technical panels of experts in relation to each MEA. These include technical and economic panels, environmental effect panels, and scientific assessment panels. The panels provide technical views, information on economic implications, or scientific information necessary for governments to make properly informed decisions. Governments select experts proposed by the secretariat. Individuals from NGOs, the private sector, and research centres typically have strong expertise in a specific environmental field and are often selected.

There are two main avenues for nomination as an expert. A CSO can propose a name to the secretariat of the MEA or work through governments to propose a name. In either case, the secretariat will then seek intergovernmental endorsement at the COP. The secretariat maintains a roster of these experts, and can contact them directly to receive their views as a panelist.

To assist civil society representatives in their efforts to engage with MEAs, UNEP released a handbook in 2007 called *Negotiating and Implementing MEAs: A Manual for NGOs*, produced in co-operation with Earth Media, Stakeholder Forum, and Centro de Estudios Ambientales. The manual examines the intersection between MEA formulation and the civil societies that affect and are affected by MEAs. While the manual includes extensive background on both MEAs and NGOs, its primary focus is educating stakeholders on how to understand and negotiate these treaties. It includes chapters devoted to topics such as navigating MEA meetings, utilizing the Internet, implementing MEAs, and procuring funding. The publication is available online at <http://www.unep.org/delc/docs/MEAs%20Final.pdf>.

## Cooperating with the UN System at Large

Interaction between the United Nations and civil society has grown significantly in the past decade. Thousands of NGOs now have formal consultative status. Their contribution has enriched the debates and influenced the outcomes of many intergovernmental deliberations. Due to the scale and number of diverse interactions, there is a pressing need for better ways of organising the relationship between the UN system and civil society.

We the Peoples: Civil Society, the United Nations and Global Governance, the 2004 report of the Panel of Eminent Persons on United Nations–Civil Society Relations appointed by then-UN Secretary General Kofi Annan, provides a set of practical recommendations on how to improve the UN's relationship with civil society and with the private sector, parliaments, and other non-governmental actors. Given UNEP's focus on "environment for development," it is important for UNEP to cooperate in civil society engagement efforts with other multilateral agencies working on environmental, social, and economic issues, including UNDP, the World Bank, and the World Trade Organization. This co-operation will assist civil society in its efforts to engage meaningfully with these organisations, avoid duplication of efforts, and strengthen civil society input into the international policy development process.

Strong links with the UN Non-Governmental Liaison Service (NGLS) are central to these efforts. Established in 1975, NGLS is the key contact point between the wider UN system and NGOs. The NGLS secretariats in Geneva and New York are voluntarily funded by programmes (such as UNEP) and specialised agencies in the UN system, and by bilateral agencies and foundations. They have done a great deal to interpret the UN system and its work for civil society and to facilitate CSO engagement in its activities—in particular by mobilizing and administering resources for developing countries—as well as NGO participation in major conferences. NGLS also advises agencies across the system on their civil society strategies and convenes occasional informal meetings of NGO focal points to discuss common challenges and share experiences. For more information, see <http://www.un-ngls.org>.

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