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GLOBAL MINISTERIAL ENVIRONMENT FORUM

REPORT ON THE IMPLEMENTATION OF THE DECISIONS ADOPTED AT THE TWENTY-FIRST
SESSION OF THE GOVERNING COUNCIL/GLOBAL MINISTERIAL ENVIRONMENT FORUM

Report of the Executive Director

Addendum

Draft strategy on enhancing the engagement of civil society in the work of the
United Nations Environment Programme

Note by the Executive Director

Annexed to the present note is the draft strategy on enhancing the engagement of the civil society in the work of the United Nations Environment Programme. The draft strategy has been prepared in pursuance of Governing Council decision 21/19 and is submitted to the Council for its consideration.

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DRAFT STRATEGY ON ENHANCING THE ENGAGEMENT OF CIVIL SOCIETY IN THE WORK OF
THE UNITED NATIONS ENVIRONMENT PROGRAMME

I. OVERVIEW OF CIVIL SOCIETY'S ENGAGEMENT IN UNITED
NATIONS ENVIRONMENT PROGRAMME

A. Objective

1. The purpose of this strategy is to enhance the engagement of civil society in the work of UNEP. In decision 21/19 the Governing Council called for the drafting of such a strategy. Given the continued growth of partnership and cooperation with civil society, it is necessary to review the relationship between UNEP and civil society in order to sustain effective and appropriate frameworks addressing their involvement with UNEP without diluting the decision-making role of governments. This strategy will provide an overview of UNEP's civil society engagement and examine the strengths and weaknesses of their affiliation, while introducing recommendations for further action for enhancing civil society participation in UNEP's work.

B. Introduction

2. The engagement of stakeholders from major groups as partners in the work of UNEP is important for many reasons. Firstly, external stakeholders have many different perspectives to be taken into account in order to foster long-term, broad-based support for UNEP's work. Secondly, engaging a wide range of stakeholders – including civil society and the private sector - in addressing environmental issues expands the reach and impact of strategies far beyond the capability of UNEP's own limited financial and human resources. Thirdly, active involvement of stakeholders may compensate for UNEP's limited operational presence at the national level, where many environmental problems need to be addressed, and many of its programme partners are present.

3. In recent years there has been a growing need to respond to changes in the character and roles that civil society has assumed, especially since the United Nations Conference on Environment and Development in 1992. The World Summit on Sustainable Development to be held in 2002 will be another watershed in the building of effective international environmental governance, and hence it is critical for UNEP to review and revitalize its modalities of engagement with civil society.

4. The Governing Council called for such a review during its twenty-first session in February 2001, through decision 21/19. Thereafter, the Executive Director undertook the necessary consultations globally and regionally. He also benefited from the views, perspectives and guidance of the Committee of Permanent Representatives, which has been most supportive of the process. The report prepared by the Executive Director and the discussion of its content during meetings of the Committee of Permanent Representatives in November 2001 have paved the way for this strategy paper, which focuses primarily on matters directly concerning the relations between civil society and the governance mechanisms of UNEP. Recommendations related to programme implementation, operational structures and outreach - which fall under the direct responsibility of the Executive Director - are taken into account in the draft strategy.

C. Background to UNEP's historical engagement with civil society,
the private sector and other major groups

5. Civil society has established itself as both a responsible and a challenging actor in global environmental issues. The concept of participation by major groups was accepted in Agenda 21. The major challenge now for UNEP is to ensure the engagement with civil society to respond to new realities.

6. Milestones in the history of the UNEP's relations with civil society are as follows:

- 1972 - Adoption of United Nations General Assembly resolution 2997(XXVII), calling for the establishment of UNEP;
- 1973 - An office for non-governmental organizations established in UNEP;
- 1988 - Establishment of the Youth Advisory Council;
- 1995 - Adoption of Governing Council resolution 18/4 calling for the development of a policy framework and appropriate mechanisms for working with civil society, the private sector and other major groups;
- 1996 - Policy statement issued concerning participation by non-governmental organizations in UNEP's activities; a section on non-governmental organizations incorporated in UNEP's project manual;
- 2000 - Establishment of the Civil Society and NGO Unit;
- 2000 – Launch of the Secretary-General's Global Compact with the private sector, in which UNEP is a key partner;
- 2000 - Adoption of the Malmö Multilateral Declaration, recognition of the importance of civil society on a par with governments and the private sector;
- 2001 - Governing Council decision 21/19 calling for the Executive Director to submit to it at its seventh special session a draft strategy for the active engagement of civil society, the private sector and other major groups in the work of UNEP.

II. STRENGTHS, WEAKNESSES AND CHALLENGES

7. UNEP enjoys a positive image with the public in general and civil society in particular. Governing Council decision 21/19 provides a firm basis and a unique opportunity for further enhancing UNEP's relationship with civil society. This in turn will ensure that there is a constituency with which UNEP can ally itself and benefit from the strength of civil society organizations and their advocacy to enhance effective environmental policy and action. Specific strengths and weaknesses related to the areas of policy, programme, institutional aspects, outreach, consultation and finance have been examined in the course of the consultation process, and brought to the attention of the Committee of Permanent Representatives.

A. Challenges

8. The principal challenge is for UNEP to be a global leader in designing policy and strategic action frameworks that build on principles of consensus, stakeholder ownership and joint action partnerships. The strategy and policy for civil society engagement should reflect this challenge.

9. A second challenge is to ensure that the strategy put in place by UNEP is also acceptable to its civil society partners. In order for this to happen there needs to be substantial consultation with these stakeholders to solicit their input on the way forward.

10. Reactions of civil society groups to the recent international meetings on a variety of issues ranging from trade and debt to poverty in the developing world are lessons to be taken into account. The challenge entails creation of a mechanism to facilitate the contribution of civil society groups to the international dialogue.

III. STRATEGY FOR ENHANCED CIVIL SOCIETY PARTICIPATION IN UNEP'S WORK

A. Policy

11. The core need in the area of policy development is to provide much more effective mechanisms for ensuring a high - calibre contribution of civil society to UNEP's policy development processes. Such a mechanism will guarantee that the voice of the civil society is heard. The principles of access to information and participation will be central to the civil society engagement policy. In formulating a response to this need, the strategy is inspired by the recent words of the President of the Governing Council, who stated:

“An enhanced global ministerial environment forum must provide for meaningful participation by representatives of civil society, including non-governmental organisations and the private sector, giving them clear channels for providing Governments with their views. A particular effort to enable civil-society organizations from developing countries to participate would be required. The experience of the commission on sustainable development and its multi-stakeholder dialogue could be useful in this respect. A UNEP civil society/private sector forum to further develop the relationship between civil society, the private sector and other major groups, and UNEP and its governance structures, should be developed and should incorporate UNEP's regional non-governmental organization networks”.¹

12. Accordingly, civil society organizations will be afforded a more institutionalised relationship with the Governing Council/Global Ministerial Environment Forum and the secretariat through a forum of stakeholder representatives that takes into account the mandate, decision-making processes, operational arrangements and the intergovernmental nature of UNEP. This multi-stakeholder body would meet prior to meetings of the Governing Council/Global Ministerial Environment Forum, to reflect on issues of major concern of the global environment, and to make recommendations on these matters to be considered by these meetings. Such a body will not have any decision-making role, but modalities for the development of the forum will be agreed with the Committee of Permanent Representatives.

13. The contribution of the stakeholders will reflect balanced representation from all regions, as well as reflecting as much as possible the views of local and national - level stakeholders. Regional offices will play a key role in facilitating participation. The lessons learned with regard to the UNEP's National Committees, youth programme, Infoterra, the former Africa NGOs Environment Network and the development of industry voluntary initiatives will be applied in the enhancing of UNEP's engagement with civil society. To this end, the strategy provides for increased support for the convening of subregional and regional multi-stakeholder forums, on the model of the preparatory process for the World Summit on Sustainable Development. These regional processes will nominate representatives to the global forum.

14. In order to identify relevant participants for the subregional and regional forums, UNEP's regional offices will, where possible, work in consultation with national - level umbrella groups or networks of major groups, or with UNEP National Committees or National Councils for Sustainable Development. Where such bodies do not exist, Governments can be requested to convene multi-stakeholder meetings that will select representatives to regional meetings and provide recommendations on substantive issues. In either case, an important part of the function of the regional offices in this process will be to strengthen the capacity of national bodies in building consensus around environmental issues. The relevant UNEP divisions will work closely with the regional offices to design and implement this component of the strategy. UNEP will consult widely with the private sector to determine the modalities of their representation.

¹"Proposals of the President of the United Nations Environment Programme Governing Council for consideration by the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance" (UNEP/IGM/4/2, para. 10 (d)).

15. The strategy will ensure that all programmes and projects take into account opportunities for multi-stakeholder approaches, including participation of major groups in the design, implementation, monitoring and evaluation of projects and programmes.
16. Robust mechanisms for monitoring and/evaluating the quality and impact of multi-stakeholder approaches will be established. This will include substantive reporting on progress to the Governing Council/ Global Ministerial Environment Forum, and where possible the environmental ministerial governance.
17. The report of the Secretary-General's Task Force on Environment and Human Settlements identified the need to engage civil society in global policy processes, and this has been carried forward in the current deliberations on international environmental governance. UNEP's input to these discussions needs to be informed through extensive dialogue with civil society organizations and the private sector. In future such dialogue on the external - as well as internal - governance environment could be greatly facilitated through the consultation process outlined above.

B. Legislative issues

18. The needs and options identified through the consultations should be considered in the content of the current strengths and gaps in rule 69 of the Governing Council's rules of procedure. Specific changes may include the following:
- (a) As the rule restricting participation in the Governing Council to international non-governmental organizations is outmoded, categories of groups to be allowed observer status should include international non-governmental organizations representatives of civil society networks (including national - level representatives), national and local members of global multi-stakeholder networks dealing with environmental policy, national organizations with documented contributions to global environmental policy processes, and accredited to the Commission on Sustainable Development or an international environmental convention;
- (b) 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, accredited civil society organizations should be permitted to make oral statements on matters within the scope of their activities. In order that any such statements may be given due consideration in the deliberations of the Governing Council or the subsidiary organ concerned, the President or Chair should make every effort to schedule the presentation of such statements together with, rather than after, statements by government representatives. In this regard, preference will be given to statements presented by the official civil society forum;
- (c) Accreditation and assessment procedures need to be revised to bring them into line with a revised rule 69, and to provide a basis for strengthening the quality of input from major groups to policy development and expand the range of potential implementation partners. If accreditation and assessment procedures are viewed as a facility in the engagement process beyond mere participation in governance activities, they will take on a much broader role as, in a sense, a gateway to engagement. Well-formulated assessment criteria will assist UNEP to identify organizations with capacity and technical expertise that can be valuable for programme implementation. It will be important, therefore, for UNEP to contribute to the development of such criteria, in consultation with the Committee of Permanent Representatives.

C. Finance issues

19. Pursuit of the goals of Governing Council decision 21/19 requires the earmarking of financial resources in UNEP's biennial programme budget. UNEP's engagement with civil society is in keeping with objective 3 of subprogramme 2 for the biennium 2002-2003. In addition to core funding for subprogramme 2, it is recommended that all programmes should work with civil society partners to ensure that programme design and management reflect civil society inputs and have the necessary resource allocations. Civil society engagement should be reflected in the budget lines of UNEP subprogrammes.

20. A trust fund should be established to provide targeted funding at the level of resources necessary to support the implementation of the strategy, including implementation of institutional, capacity - building and programmatic measures as described above. It is important that additional funds should be made available for the implementation of all aspects of the strategy.

21. Clearly, new resources will be required for the institutional strengthening in order to build the internal capacity that will be required to support implementation of this strategy.

D. Programme, institutional and outreach issues

22. The strategies developed by the Executive Director for action to be taken by the secretariat in enhancing the engagement of civil society in its work, particularly in relation to programme implementation, institutional structures and outreach issues, are outlined in the report of the Executive Director on the implementation of the decisions adopted at the twenty-first session of the Governing Council/Global Ministerial Environment Forum (UNEP/GCSS.VII/4). The Executive Director will report on progress in the implementation of this strategy to the Governing Council on a periodic basis.

IV. RECOMMENDATIONS FOR FURTHER ACTION

23. Most of the options of the strategy will require some level of follow-up. The main recommendations for action by the Governing Council emanating from the strategy are as follows:

(a) The Governing Council and its subsidiary organs as intergovernmental bodies will benefit from a forum of stakeholder representatives with rules of procedure that will be established. Participants to this forum will, inter alia, be nominated by parallel regional-level forums convened by the regional offices of UNEP. Participants in the regional forums will be nominated by national - level umbrella groups or networks of major groups, UNEP National Committees or National Councils for Sustainable Development. Where such bodies do not exist, governments may be requested to facilitate the nomination of representatives. This may be done by convening multi-stakeholder meetings. Separate modalities for representation of the private sector will be determined;

(b) Rule 69 of the Governing Council's Rules of procedure require strengthening to foster the broadening of the participation of civil society at the various levels;

(c) A trust fund should be established - through donor support - to effect the targeted implementation of this strategy;

(d) The Executive Director will keep the policy and strategy of engagement with the civil society under review and report to the Governing Council at its annual sessions.
