

Thank you Mr. Chair for giving me an opportunity speak, My name is Carole Excell and I represent the World Resources Institute and the Access Initiative Network a global network of civil society organisations and individuals working to improve environmental democracy worldwide. I make this statement with the support of the European Eco-Forum.

It's my pleasure to speak very briefly on new developments in the form of UNEP's Access to Information policy released last week at the United Nations Environment Assembly in Nairobi. By Decision 27/2 UNEP's Governing Council made a clear and purposeful decision to enhance transparency and openness in UNEP's work by creating such a policy. The new policy has been described as a pilot policy that has been put in place for one year. This is perhaps the best thing about the policy.

I tried last night to come up with a very short way to describe my views on UNEP's Access to Information policy and instead of using my own somewhat dry boring words I decided to adopt words from a famous Dutch Poet **Albert Verwey (fervie)**from a poem called "Cycle" where he says

"I am a spark without goal, without direction"

UNEP's policy is really a spark but fails to have any direction and will likely not achieve the goal of increased transparency and access to information or data. UNEP had an opportunity to pass an access to Information policy that could spark the imagination and interest of people around the world in how they tackle some of the world's biggest environmental challenges, in today's lingo they had an opportunity to "invite the crowd" to engage in addressing global and regional problems that UNEP addresses. Instead UNEP's Access to Information Policy falls short of its own UNEP Bali Guidelines passed by the Governing Council in 2010 and falls far also from the Model provided by the Aarhus Convention. We are extremely grateful for the intervention of the European Union at the UNEA that highlighted a number of the weaknesses of the policy in keeping with Aarhus obligations and would encourage other countries party to Aarhus to do the same during this pilot stage.

The policy does not include adequate provisions that would require the proactively release of relevant, timely and accurate environmental information and data to the public including use of UNEP live to disseminate information including open data over time.

There has not been Established an Independent Appeals Mechanism to ensure independence and impartial application of the policy rather the “appeals Panel” consisting of 7 UNEP staff

The policy states that no reasons shall be given for denying someone information.

The policy also contains a **vastly overbroad regime of exceptions undermined by vastly overbroad statements.**

UNEP is at a pivotal time in its history. It has currently expanded Governmental membership from 58 member countries to “universal membership” involving participation of all 193 UN member states. This move seriously broadens the organization’s scope and reach—so there’s no better time for it to improve its transparency.

UNEP took a preliminary step toward transparency last week, a spark so to speak but it’s important that the organization uses its pilot year to strengthen its access to information policy, consult broadly with civil society, and make space for innovation. We encourage all Aarhus parties to urge UNEP to create a policy that reflects the scale of information needed to overcome our current environmental challenges.