

UNEP/DEWA comments on the Almaty Guidelines

1. Comments on guidelines

Overall, the guidelines are very comprehensive and mirror the provisions contained in the first two pillars of the Aarhus Convention.

With respect to access to environmental information (Section IV), UNEP has taken practical steps to comply with these provisions. Environmental information is provided proactively via the web on the corporate site www.unep.org. Live webcasting of the UNEP Governing Council / Global Ministerial Environment Forum (GC / GMEF) has been pilot tested at previous sessions of the Council/Form. Fast and reliable internet access is an issue for developing countries and the reference to capacity building in para 17 is very important. Aside from webcasting, the simple downloading of documents from websites can take as long as one hour for developing country users with limited bandwidth.

With respect to public participation in international forums (Section V), at a practical level representation would have to be facilitated through non-governmental organizations and civil society groups that have accreditation status. There is a need therefore for relevant international forums to have a formal accreditation process that takes into account such factors as geographic balance (across regions and national versus local representation), gender, thematic issues, and organizational roles (advocacy, policy setting, programmatic implementation, etc).

The reference in para 36 to the web as a means of engaging with the public and obtaining comments on draft documents under preparation for international forums is very timely and relevant.

2. Does your forum have formalised rules?

Yes, the Governing Council/Global Ministerial Environment Forum of UNEP has formalised rules of procedures. Rule 69 deals with accreditation of international non-governmental organisations to the Council/Forum.

United Nations General Assembly Resolution 2997 (XXVII) of 15 December 1972 Section IV Paragraph 5 which "invites other intergovernmental and those non-governmental organizations that have an interest in the field of the environment to lend their full support and collaboration to the United Nations with a view to achieving the largest possible degree of co-operation and co-ordination".

The Rules of Procedure of the Governing Council (1988) - Rule 69 states:

"1. International non-governmental organizations 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 organizations. Upon the invitation of the President or Chairman, as the case may be, and subject to the approval of the Governing Council or of the subsidiary organ concerned, international non-governmental organizations may make oral statements on matters within the scope of their activities.

The rules of procedure are available on the UNEP website <http://hq.unep.org/resources/gov/Rules.asp>

UNEP plays a significant role in catalysing action to protect the environment through enhanced collaboration with the multitude of civil society actors who share the same purpose around the world. UNEP's strategy on enhancing civil society engagement is based on engagement at the policy level to take into account civil society expertise and views at the intergovernmental level, and on the programmatic level in implementation of UNEP's work programme.

Since 2000, UNEP organizes a yearly Global Civil Society Forum (GCSF), in conjunction with UNEP Governing Council / Global Ministerial Environment Forum (GC / GMEF). This forum is the main entry point for civil society participation at governance level. During odd years (e.g., 2001, 2003, 2005) UNEP convenes its Governing Council, which is the board of ministers from the countries governing UNEP. The Governing Council takes place at the UNEP headquarters in Nairobi, Kenya. During even years (e.g., 2002, 2004, 2006) UNEP convenes special Sessions on the different continents (e.g., 2000 in Malmö, Sweden; 2002 in Cartagena, Colombia; 2004 in Seoul, Republic of Korea; 2006 in Dubai, United Arab Emirates). The Global Civil Society Forum is held just prior to the Governing Council or its special session, in the same venue. The 8th GCSF will be held in Nairobi prior to the 24th GC/GMEF in February 2007.

The GCSF annual cycle is built through regional consultation meetings (one per region). Representatives of major groups are invited to the regional consultation meetings three to four months prior to the GCSF.

Accreditation process

The accreditation process is as follows:

The civil society organization seeking accreditation should forward the following documents to the UNEP Major Groups and Stakeholders Branch:

- (a) **Letter requesting accreditation;**
- (b) **Proof of non-profit-making status** (copy of document of incorporation);
- (c) **Proof of interest in the environment** (such as annual reports; conference and seminar reports; recent press releases and copies of media statements; newsletters and other periodicals);
- (d) **Detailed account of the international scope of its activities** (such as headquarters and regional offices in different countries ; projects or programmes that are taking place in other countries ; activities that have international implication: for example international water management, desertification on trans-boundary areas, waste management of estuaries that affects a region; activities that have an international scope: for example coordinating regional or international position or work on a specific area).

Please note that a proof of participation in an intergovernmental meeting is good to be mentioned but is not sufficient to demonstrate the international scope of work. Similarly, agreements with another organization or membership of an international network are good to be mentioned but are not sufficient.

In addition, civil society organizations can send a copy of their accreditation to other United Nations bodies and agencies, including the United Nations Economic and Social Council. In this last case, the civil society organizations still have to provide a letter requesting accreditation, the proof of interest in the environment and the detail of international scope of activities.

The accreditation process comprises the following steps:

- (a) The Major Groups and Stakeholders Branch will review the file in cooperation with the Law Branch in the Division of Policy Development and Law. If any documents required for the application are missing or need clarification, the Major Groups and Stakeholders Branch will notify the civil society organization and request further information;
- (b) When the analysis is completed, the Major Groups and Stakeholders Branch sends the documentation together with its recommendation to the office of the Secretariat for Governing Bodies for its decision;
- (c) The Office of the Secretariat for Governing Bodies notifies the civil society organization of its decision.

There are immediate advantages to accreditation. In the process leading up to sessions of the UNEP Governing Council/Global Ministerial Environment Forum the accredited civil society organizations have the possibility:

1. To receive unedited working documents of the UNEP Governing Council/Global Ministerial Environment Forum at the same time as the Committee of the Permanent Representatives;
2. To submit to the UNEP Secretariat written contributions to these unedited working documents of the Governing Council/Global Ministerial Environment Forum, for distribution to the Governments;

Criteria for Participation in the GCSF

- Accredited CSOs to UNEP's Governing Council are automatically invited to the GCSF.
- Representatives of each of the six UNEP regions are selected by major groups organizations during the regional consultation meetings.
- Representatives from the hosting region are additionally invited.

The participation of the following representatives is supported by UNEP:

- Four selected CSOs representatives from Latin America and the Caribbean;
- Four from Africa;
- Four from Asia and the Pacific region;
- Four from West Asia;

Two from Eastern Europe in addition to selected representatives from the hosting region.

For more information on UNEP's engagement with civil society, click here:
http://www.unep.org/civil_society/

3. Does your forum have non-formalised practices?

Non-governmental and civil society organisations may organise or participate in side events and exhibits in the wings of the main sessions and special sessions of the Governing Council/Global Ministerial Environment Forum of UNEP.

Many NGOs (global, regional and national) are involved in the delivery of UNEP's programme of work which obviously strengthens their participation in programmatic activities at the operational level. The Global Environment Outlook global reporting process has involved NGOs as collaborating centres in the writing and reviewing of various environmental reports.

NGOs are also engaged in the provision of information and data to the global set of country environmental profiles which highlights their own institutional profiles and related activities (<http://countryprofiles.unep.org>).

4. Are there any current or future workplans?

Yes, a process has been initiated to review the organization of the ministerial consultations of the Governing Council/Global Ministerial Environment Forum of UNEP. Working document UNEP/GC.24/12 entitled Improving the Ministerial Consultations of the GC/GMEF is under preparation

and will be presented to the 24th session of the GC/GMEF in February 2007. Civil society organisations will have the opportunity to provide inputs and comments to this working document.

5. Challenges

One major challenge is the financing of meetings of civil society organizations in support of the Global Civil Society Forum (GCSF). At present, consultations are organised on a regional basis with the result that there are practical limitations on the numbers of civil society organisations that can be represented. Financing their attendance is also an issue given tight limitations on budgets for such consultations. There are a large number of NGOs and civil society organizations operating in the broad area of environmental protection and sustainable development. Large countries may have numerous environmental organizations with competing interests with the result that it is difficult to implement a formal nomination process that is representative of the various stakeholder interests.

There will be a need for an extensive awareness raising campaign on the Almaty Guidelines and this campaign will have to be targeted initially on the secretariats responsible for organising and servicing international forums. Rules of procedure governing various international forums may need to be updated in the context of the Almaty Guidelines. The awareness raising campaign should also target the environmental NGOs and civil society sector as they stand to benefit most from the universal application of the Almaty Guidelines.

The reference in para 36 to the web as a means of engaging with the public and obtaining comments on draft documents under preparation for international forums will present some challenges. It should be noted that there are language considerations to be taken into account. Drafts may only be available in English and this may rule out the receipt of comments from non-English speakers. Furthermore, individuals and organizations in developing countries may have difficulty in accessing documents due to bandwidth limitations.

With respect to draft decisions, it may be very difficult for the public to influence decisions that are prepared by the secretariats of international forums and the delegations of member states. It has to be assumed that non-governmental and civil society organisations, as representatives of the public, would scrutinise draft decisions and provide comments on them, which may lead to subsequent amendments by member states.

The reference to capacity building in para 17 also presents a challenge and should perhaps be brought to the attention of the UN development Group (UNDG).