

**Thematic session "Promotion of the principles of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) in international forums"
20 June 2013**

Presented by Ms. Joanna Cornelius at the Session one - Update on establishment of High Level Political Forum by United Nations Department of Economic and Social Affairs

At Rio+20 it was decided to "establish a universal intergovernmental high-level political forum, building on the strengths, experiences, resources and inclusive participation modalities of the Commission on Sustainable Development, and subsequently replacing the Commission". The outcome document from Rio +20 *The future we want* instructs inter alia that the high-level forum could "Promote transparency and implementation through further enhancing the consultative role and participation of major groups and other relevant stakeholders at the international level in order to better make use of their expertise, while retaining the intergovernmental nature of discussions". It was decided to launch an intergovernmental and open, transparent and inclusive negotiation process under the General Assembly to define the format and organizational aspects of the high-level forum with the aim of convening the first high-level forum at the beginning of the sixty-eighth session of the Assembly. The outcome document further instructs the United Nations "to establish an inclusive and transparent intergovernmental process on sustainable development goals that is open to all stakeholders". It also acknowledges, "that the implementation of sustainable development will depend on active engagement of both the public and private sectors".

Since Rio+20 the high level political forums role and future mandate in the UN institutional framework has been discussed and negotiated. Should it be a Forum, a process under ECOSOC or a designated, high level institution? In our view there is a need for a designated institution to drive and guarantee development and implementation of the SDGs and of global and national sustainable development governance in general. That institution must be based on the absolute principles of good governance. This, we are afraid, may not happen.

What we have seen from the current negotiations, and from what we heard by the input during the WGP today from UN DESA, we are concerned that it will end up with a process mainly focused on meetings at different levels. We see it as crucial also to define the hlpf as an institution with secretariat, review tools and adequate resources. And strong mechanisms, which are able to implement the sustainable development goals and Sustainable Development governance. An institutionalisation of the high level political forum enables also organisation for enhancing public participation, speaking rights and transparency of documents. The Rio+20 outcome was meant to upgrade SD in UN structure, not downgrade or weaken it.

The inclusion of civil society is crucial over the next years when the SDGs will be developed and in the Post-2015 process. We support the integration of the SDG process with the post-2015 process, provided that sustainability remains the over-arching theme and purpose.

Public participation needs to be ensured in the processes. To follow what was advocated throughout Agenda 21, the public needs to be involved and have possibilities to influence. This need is further demonstrated by the weaknesses of the MDGs, which were much due to that voices from civil society were not taken into account. A multi-stakeholder approach and the participation by different groups of civil society will lead to better informed decisions by governments and more likely give opportunity for those groups to participate in the implementing of decisions. Broad ownership is fundamental for implementation.

Civil society needs to be involved and have possibilities to influence at every level. The hlpf must adopt and build on the CSD rules and procedures, including taking into account the active participation of the 9 Major Groups and other stakeholder participation as opposed to the more limited participation within both ECOSOC and the General Assembly.

Major groups and stakeholders have rights at the sustainable development debate at the UN; the years of CSD have given us the right to be accredited and participate, have access to all meetings, speak in plenary, develop papers as official background documents, comment on the chair's text in plenary, meet with the bureau, have access to the negotiating texts as they are negotiated and conduct and organise dialogue sessions.

In addition, to fulfil the rights on public participation, we want to establish the principle of non regression concerning our rights, have a fund to help finance major groups/civil society participation, be integrated in review processes, be allowed to have input into the agenda setting processes, and be part of the decision shaping process.

There is need for balanced representation of interests representing the three strands of sustainable development, ensuring in particular that environmental NGOs are not under-represented in the process. It is important that if any adjustments are made to the major groups approach this should be done in a way strengthening public participation and ensuring that the rich diversity of voices from civil society are heard in the process.

In September at the 68th session of the General Assembly the decision on the framework of the high level political forum will be decided upon. We have serious concerns that the current process might result in the reduction of stakeholder access in the hlpf compared to earlier experiences in the CSD. In the last draft from the open working group on the hlpf there are included some good writings giving rights in the same ways as in the Commission on sustainable development (CSD).

We would like to give some recommendations for what the process of the high level political forum should mean for Aarhus Secretariat and Parties in the context of promotion of the Principles in international forums (PIIF):

- Aarhus parties and bodies should stress the need for a designated institution to provide political leadership in overseeing the implementation of sustainable development, including by driving the development and implementation of the SDGs and Sustainable Development governance, based on the absolute principles of good governance.
- Aarhus parties and bodies (Secretariat, Bureau) support and lobby for strong and improved public participation to be included in the document defining the high level political forum. The same level of participation for civil society as before (9 Major Groups) needs to be secured and further strengthened (on several aspects as mentioned above).
- Aarhus Secretariat and other Aarhus bodies to consider very carefully what it should be doing to support the high level political forum in fulfilling its mandate. Parties

should lobby to ensure that the function of enhancing public participation is taken on, not just a possibility, at all levels.