The UNEP Policy on Access to Information is not progressive or innovative as the mandate “to enhance transparency and openness” of UNEP’s Governing Council Decision of 2013 had foreseen.

Expectations to go beyond current practices are not met, especially when comparing to international standards, such as the Aarhus Convention or best practices and information policies, e.g. by multi-lateral financial institutions.

But also UNEP’s own requirements, set in the Bali Guidelines (passed by the Governing Council in 2010) are not met:

(i) The policy does not provide for a proactive release of information; the policy foresees no obligation to collect and disseminate specific data; also the existing platform of “UNEP live” is not mentioned. This is a gap which affects in particular vulnerable and marginalised groups who often do not have the capacity to make official requests for information, and who are more capable to make use of open data.

(ii) The policy contains an overbroad regime of exceptions (paras. 8-16) which essentially defeats the purpose of the policy.

(iii) There is no requirement to provide reasons for refusal which is contrary to the Bali Guidelines (no. 3) as well as to the Aarhus Convention (4 (4)).

(iv) No independent appeal body is foreseen – the proposed appeal body is composed of 7 UNEP staff members who are appointed by the Executive Director.