

Global Major Groups and Stakeholders Meeting Prior to the Open Ended Meeting of the Committee of Permanent Representatives

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Rapporteurs: Maggie Comstock, Regional Representative, North America, and Nhattan Nguyen, Global Coordinator, Major Group for Children & Youth

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Executive Summary

- The Global Major Groups and Stakeholders Meeting featured sessions on the role of the OECPR and opportunities for stakeholder engagement, an update on the draft policy for stakeholder engagement at UNEP and an MGS discussion of next steps, a presentation of key issues on the OECPR agenda—SDGs/Post-2015 and Environment Rule of Law concerning illegal trade in wildlife and timber—, an open dialogue with Ibrahim Thiaw, and an interactive dialogue with government/CPR representatives about stakeholder engagement.
- The Major Groups and Stakeholders (MGS) emphasized the need for greater stakeholder engagement. This sentiment was positively echoed by government representatives in an interactive dialogue. Government representatives contended that civil society plays central functions in providing expertise and scientific knowledge, informing governments of local needs and opinions, as well as identifying real world realities of policy decisions.
- MGS have agreed on positions for the main bracketed points regarding stakeholder engagement, including agenda setting and access to Information, legal registration, consultation with the CPR, and definition and categories of stakeholders.
- The discussion of stakeholder engagement is the means to the ends of having substantive and informed civil society input on policy issues.
- The MGS had specific questions regarding UNEP's role in the development of the SDGs. MGS contend that UNEP should play a larger role in the development of the SDGs as the environment and addressing planetary boundaries are central to sustainable development.
- Meaningful rules of procedure are important to effective stakeholder engagement.
- The MGS have created self-organized thematic clusters to develop common statements and positions on SDGs/Post-2015, Environment Rule of Law, SCP, and Chemicals and Waste.

Opening

Facilitated by Norine Kennedy, Co-Chair, Major Groups Facilitating Committee (MGFC)



Norine Kennedy, Co-Chair of the Major Groups Facilitating Committee, introduced the Major Groups model and the role of the Facilitating Committee. The Major Groups model represents nine sectors--NGOs, Women, Indigenous Peoples, Labor and Trade Unions, Farmers, Business and Industry, Children and Youth, Science and Technology, and Local Authorities. Members of the Major Groups participate from across all six of the UNEP regions.

The Global Major Groups and Stakeholders Meeting prior to the Open Ended Meeting of the Committee of Permanent Representatives marks an historic meeting. A primary goal of the meeting is to adequately prepare for the OECPR, with careful attention to the stakeholder engagement policy.

Her Excellency, **Ambassador Julia Pataki** of Romania, welcomed attendees to this important meeting and imparted her best wishes for productive discussions.

Alexander Juras, Chief, Major Groups and Stakeholders Branch, UNEP, provided an overview of the OECPR in preparation for UNEA. This is the first time that Major Groups and Stakeholders (MGS) have been permitted to participate in the Committee of Permanent Representatives. This opportunity is both unique and timely, because a topic of the OECPR is how UNEP can better engage with MGS.

Increased civil society engagement is a direct outcome of Rio+20. And while historically the agenda for MGS has been prepared by UNEP, the Secretariat now expects MGS to self-organize. The Major Groups and Stakeholders Branch remains a resource to support MGS efforts.

Maggie Comstock, Regional Representative, North America, explained the role of Regional Representatives and the importance of geographic diversity. The Regional Representatives represent varied views from both the Global North and South. Geographically diverse perspectives complement the Major Groups and Stakeholders model. Together, the Major Groups and Regional Representatives possess a multitude of thematic competencies, allowing civil society to substantively contribute to UNEP processes.

Norine Kennedy, Co-Chair of the Major Groups Facilitating Committee, closed the opening session by reviewing the objectives of the Global Major Groups and Stakeholders Meeting. An aim of the meeting is to engage in an interactive dialogue between the MGS and governments. The agenda throughout the day will provide a better understanding of the CPR, identify where and how civil

society can engage in the process, and highlight important themes and decision points over the next five days, with a focus on the stakeholder policy.

Open Ended Meeting of the Committee of Permanent Representatives

Facilitated by Lucy Mulenkei, Co-Chair, Major Groups Facilitating Committee (MGFC)



Jiri Hlavacek, Secretariat of Governing Bodies and Stakeholders, UNEP, provided an overview of the UNEA and OECPR. The OECPR is being held as a preparatory meeting for the UNEA, this differs from formal CPR business. UNEA HLS themes: “SDGs and the Post-2015 Development Agenda, including Sustainable Consumption and Production,” as well as a Ministerial dialogue on “Illegal Trade in Wildlife and Timber.”

Mr. Hlavacek reviewed the mandate of the OECPR (paragraph 9, Decision 27/2), as well as the difference between the Governing Council and UNEA. Notable attributes of the UNEA include universal membership, a 10 member Bureau, and the addition of a two-day high-level segment at the end of the 5 day meeting. UNEA will meet biannually in even years. The UNEA will determine the budget and programme of work, make decisions and additional deliverables at the discretion of Member States.

The primary function of the UNEA will be to set the global environmental agenda; providing overarching policy guidance and defining policy responses to address emerging environmental challenges; undertaking policy review, dialogue and exchange of experiences; setting the strategic guidance on the future direction of UNEP; and organizing a multi-stakeholder dialogue.

In 2014, the UNEA will discuss issues of critical environmental, economic and social significance (i.e. green economy and rule of law, human well-being) with diverse actors. The following decisions are expected outcomes of the 2014 UNEA:

- on budget and programme of work for 2016-2017, preparation of the UN system wide strategy on environment,
- on starting the process of midterm review of the Montevideo Programme IV (review ready by June 2015)
- on preparation of Global Gender and Environment Outlook 2016
- on preparation of international water quality guidelines for ecosystem services by 2016, omnibus chemicals decision
- outcomes of HLS on the Post-2015 Development Agenda /SDGs and on illegal trade in wildlife

Lucy Mulenkei, Co-Chair, Major Groups Facilitating Committee opened the floor for questions and comments.

Jan-Gustav Strandenaes, Stakeholder Forum, cautioned participants to be vigilant of issues of access to information. Access has many dimensions; and while live streaming is a form of access, it does not allow for interaction and collaboration with government delegates on the ground. Notably, the upcoming SIDS process allows governments to rule out participation of civil society organizations. The "no objection principle" had not been used at an international conference before.

Mr. Strandenaes added that Sustainable Consumption and Production is crucially important. The High-Level Political Forum is home to the Sustainable Development Groups, in which SCP is focus area 14. While they may make recommendations to UNEP, ECOSOC may block these recommendations. Will UNEA be able to overwrite what ECOSOC decides to ensure that issues on SCP aren't lost in UN procedures?

Marcos Orellana, Co-Chair, Major Groups Facilitating Committee asked whether contact groups may be formed after OECPR.

Jiri Hlavacek, Secretariat of Governing Bodies and Stakeholders, UNEP, replied that there is an intense discussion among Member States on the themes for the UNEA Ministerial. The final decision was to include SCP under the SDGs, as SCP is an integral part of the Post-2015 Development Agenda. SCP will maintain its place as the main focus of the 10 Year Framework of Programmes. Experts on SCP will explain this situation next week.

The UNEA will have a formal link to the UN General Assembly and ECOSOC, including issues of their budget cycles. Regarding the illegal trade of wildlife, it is important to improve international cooperation on this subject. FAO will play an active role in partnership with WTO.

Yunus Arikan, ICLEI - Local Governments for Sustainability cautioned, those two weeks before the UNEA, Ministers will be in Bonn for the UNFCCC Intersessional and following the UNEA Ministerial, they will need to participate in an ECOSOC meeting. How will the same ministers prioritize the many meetings? If we do not emphasize and prioritize the UNEA among the three meetings, it could receive less attention than the others. There is no major process in UNEP that can influence the Post-2015 agenda since the next UNEA will be held in 2016 after everything concludes. If UNEP is sidelined for this reason, how can UNEA become a priority?

Nicholas Senyonjo, Uganda Environmental Education Foundation, inquired about the UNEA 2014 goal of increasing consequences of illegal wildlife trade. Will the UNEA oversee compliance with these laws and implement punitive measures for violations? This is particularly important in some countries, for example in Africa, where the rule of law is treated lightly.

Florence Daguitan, Tebtebba (Indigenous Peoples International Centre for Policy research and Education), added comments on the green economy and rule of law. It is a struggle for many indigenous people to defend their land against extractive industries. Is there discussion within UNEP on how to resolve conflict of rule of law and human rights aspects? For example, in the Philippines funding is needed to incorporate development, which means corporate interests prevail over indigenous issues.

Jiri Hlavacek, Secretariat of Governing Bodies and Stakeholders, UNEP, responded to the inquiries. The UNEA is recognized as important by many international events. There is a formal link between the UNEA and HLPF and the Executive Director sent a personal letter to Minister highlighting importance of the UNEA. Regarding the environment, UNEP is considering hosting two parallel events, one symposium on the financing of the green economy (24-25 June) and one on the rule of

law (24 June). These are opportunities to reflect concerns on this matter, like those of indigenous peoples.

At the close of the OECPR overview session, **Marcos Orellana, Co-Chair, Major Groups Facilitating Committee**, recommended that the MGS develop thematic clusters to facilitate substantive contributions to the OECPR. Clustering will allow the MGS to prepare positions, statements and exchange ideas.

Marcos Orellana, Co-Chair, Major Groups Facilitating Committee, volunteered the NGO Major Group to lead a cluster on environmental rule of law. **Isis Alvarez, Global Forest Coalition**, volunteered the Women's Major Group to lead the cluster on the SDGs. Each morning, the MGS will receive an update on each cluster during the daily coordination meeting. **Tunga Bhadra Rai, Nepal Federation of Indigenous Nationalities (NEFIN) Climate Change and REDD Partnership Program**, volunteered to lead the cluster on indigenous peoples. **Yahya Msangi, International Trade Union Confederation (ITUC) Africa**, volunteered to organize the cluster on Chemicals and Waste.

Stakeholder Engagement at UNEP

Facilitated by Lucy Mullenkei, Co-Chair, Major Groups Facilitating Committee (MGFC)



Fatou Ndoeye, Major Groups and Stakeholders Branch, UNEP, provided the history of stakeholder engagement in UNEP, as well as and future provisions. Increasing stakeholder engagement in UN processes was stipulated in the Rio+20 outcome document, paragraph 88(h).

The process for stakeholder engagement involves consultations with Member States and stakeholders in the form of surveys. These surveys address the key principles of policy based on paragraph 88(h) as well as the agreed principles of MGS engagement. Additional consultations reviewed the stakeholder engagement practices of a number of multilateral organizations in an effort to identify best practices.

Key outcomes of the UNEP Governing Council affecting MGS include accreditation and participation, access to information policy and amendments to rules of procedures. Notably, Rule 69 is the only rule that captures the intent of stakeholder engagement within governing bodies. The key issues regarding stakeholder engagement:

- The scope and nature of the organization;
- The observers status;
- The nature of the meetings: public meetings;
- The adoption and possible revision of the list by Member states poses the issue of the possibility of vetting accreditation/participation of stakeholders randomly by Member states;
- The right must be embedded and not granted at the discretion of the Chair.

The following features of the new stakeholder engagement policy will facilitate greater engagement from stakeholders:

- Accreditation: Issue of legal registration: Some Member States are of view that only legally registered organizations should be allowed to participate; however, other States believe that the process would benefit from broader participation, including organizations not legally registered nationally. This may broaden the scope of work of organization. Could MEA-, CSD- and ECOSOC-accredited organizations, including those accredited to Rio+20, receive automatic accreditation to UNEP? (However, not all MEAs have accreditation criteria.)
- Participation in agenda-setting and decision-making: The aim of changes to this issue is to add more transparency and accountability to the process. All meetings of the CPR are open unless otherwise decided by the chair. Civil society is able to submit statements for consideration. MGS should have open access to information and working documents. There should be a two-way accountability mechanism for stakeholder engagement.
- Access to information and working documents: The policy on access to information is currently being drafted and will be available in 2015.
- Opening up to additional categories of stakeholders: There has been a plea by stakeholders to open up participation within UNEP to additional groups.
- The proposed stakeholder mechanism: The proposed mechanism for stakeholder will be self-organized by the MGS. This will serve as the main interface between secretariat and MGS; however, there are no details on the specific role of such a body. A handbook will be developed to support the mechanism.

Regarding rules of procedures, there needs to be a discussion on Rule 69. So far, there has been no proposal on rules of procedure except for one which focuses on accreditation and participation by the G77 and China. The current rule does not cover accreditation. It will be possible to discuss Rule 69, but only once the stakeholder policy is finalized.

Norine Kennedy, Co-Chair of the Major Groups Facilitating Committee, opened the comments and questions regarding stakeholder engagement in UNEP. The common statement on stakeholder engagement developed by the MGFC and Regional Representatives was distributed for reference. **Marcos Orellana, Co-Chair, Major Groups Facilitating Committee**, added that the discussion on rules of procedures will be held on Monday and the stakeholder policy will be discussed on Tuesday. How will those intertwine? Will they have two separate decisions? **Fatou Ndoye, Major Groups and Stakeholders Branch, UNEP**, responded, stating that the rules of procedure will need to be agreed upon by the Member States and it will clearly refer to the stakeholder engagement policy.

Jan-Gustav Strandenaes, Stakeholder Forum, remarked that it is not easy to rewrite the rules and get them right. The draft policy is interesting because it mixes modalities, including specific modalities on how to interact at different levels. Document 67-90 must be the resolution adopted by UNGA for a progressive approach to UN meetings. Challenging the 1992 agreement regarding the identification of 9 Major Groups provided precedence for other fora; adding additional groups will set additional precedents for the future. **Farouk Ullah, Stakeholder Forum**, asked a question regarding process. How will civil society be engaging and debating? If MGS are to self-determine, we need to explicitly state our views. The debate is becoming circular. By defining terms and identifying different views, we can overcome the existing confusion.

Rajendranath Awotar, Mauritius Council for Development, Environmental Studies and Conservation (MAUDESCO) remarked that we need to improve the role of regional groups and their self-organization. For example, how we group organizations working on sustainable development is important. Mr. Awotar looks forward to contributing to the formulation of the handbook. **Essam**

Nada, Arab Network for Environment and Development "RAED", Regional Representative for Africa, weighed in on the proposed stakeholder participation mechanism. It was a mistake from the beginning to not have a separate Major Group for Environmental NGOs.

Alexander Juras, Chief, Major Groups and Stakeholders Branch, UNEP, responded to the comments. Regarding Jan-Gustav's comments, UNEP is doing its best to ensure that it does not fall behind and that it includes the best practices for stakeholder engagement from multilateral organizations around the globe. ECOSOC accreditation may not be the best model, as it can sometimes take up to 5-6 years to become accredited. **Jan-Gustav Strandenaes, Stakeholder Forum**, conceded that the ECOSOC accreditation model should be considered a minimum standard, one which UNEP aspires to surpass. Regarding Farouk's comments, **Alexander Juras, Chief, Major Groups and Stakeholders Branch, UNEP**, added that the proposal from civil society to include ENGOs and Other Stakeholders was disputed. A weak point of this model is that all other stakeholders go to the NGO MG, inflating its membership, while not increasing their proportional representation. Regarding the Stakeholder Mechanism Handbook, it will be up to civil society on how they want to self-organize. Regarding Rule 69, one must recognize that there is time to adjust and improve the process with new progressive measures that reflect new reality.

Mohamed Abdel Raouf, Global Coordinator of the Science and Technological Communities Major Group, asked for clarification on the criteria for accreditation, definitions of "non-governmental" (because some NGOs set up by governments), and clarifications on legal registration (national and international are sometimes not clear). Mr. Raouf added that he believes meetings should be open to everyone. **Habiba Al Marashi, Emirates Environmental Group (EEG)**, inquired about the certification period for Major Groups and NGOs. She continued, asking, what is the role of the private sector within the UNEP process? **Peter Denton, Regional Representative for North America**, requested to develop a Working Group on stakeholder engagement policy. A **representative from the Indigenous Peoples Major Group** recommended that UNEP review practices and policies from other agencies and their contributions to UNEP (e.g. World Bank, UNDP, etc.). **Yunis Arikan, Global Coordinator for the Local Governments and Authorities Major Group**, remarked that the current process for stakeholder engagement is too conservative. UNEP needs to undertake more activities in order to reach stakeholders. **Ana Belén Sanchez, International Labour Foundation for Sustainable Development**, cautioned that funding is essential for participation in UNEP.

Fatou Ndoeye, Major Groups and Stakeholders Branch, UNEP, responded to the questions and comments. The current accreditation process for UNEP is different than ECOSOC. UNEP is working on developing its own safeguards. The MGSB will raise the question of a Working Group on Stakeholder Engagement with the CPR. **Alexander Juras, Chief, Major Groups and Stakeholders Branch, UNEP**, proposed that the MGS prepare a statement on the stakeholder engagement policy for Tuesday, as there will not be a lot of time for major group interventions.

Presentation of Key Issues of OECPR Agenda

Facilitated by Marcos Orellana, Co-Chair, Major Groups Facilitating Committee (MGFC)

Maryam Naimir-Fuller, Special Advisor on Sustainable Development Goals and Post-2015 to the Executive Director of UNEP, provided an overview of the SDG/Post-2015 Agenda, as well as an update on their development. The SDGs/Post-2015 Agenda is a Member State-led process, grounded in meetings in New York with the Open Working Group. The Open Working Group on SDGs will meet from March 2013 to February 2014. Most Member states are focusing on 'integration,' but there are different definitions. In the next round of meetings, the OWG will develop goals and targets. The most contentious issues are the architecture of the SDGs, how to cover rule of law, universality vs CBDR, SD finance, and other means of implementation.

UNEP will co-lead five of the focus areas and contribute to all others. UNDG is conducting e-consultations through the My World platform. UNEP's contributions to the Post-2015/SDGs processes are based on the 'Integrated Framework,' seeking a convergence between the MDG and Rio processes. The SDGs are being developed in collaboration with MEAs, 'building on existing commitments' as stipulated in the Rio+20 outcome document. Recently the OWG Co-Chairs presented 19 Focus Areas for the SDGs. Next, the OWG will identify lessons learned from the MEAs for monitoring, reporting and accountability. The SDGs are also being developed in collaboration with civil society, including the science community, Sustainable Development Solutions Network, Global Compact, WBCSD, the Independent research forum for post-2015 (IRF) and informal 'like-minded groups.'

The UNEP Post-2015 Note No. 1 identifies 3 interlinkages that can be used as a filter to assess the completeness and robustness of future goals, targets and indicators: Leave no one behind and provide a life of dignity for all; achieve greater prosperity in an inclusive manner within the capacity of the earth's life support system; and investing in new capital should achieve greater resilience and secure future generations' livelihoods. The following two-pager resources will be available in March 2014: Green Employment and Poverty Eradication; Natural Capital and Poverty Eradication; Inequality from an Environment Perspective; SCP; Health and Environment; Environment and Resilient and Peaceful Societies; and Access to information, monitoring, reporting.

UNEA-1 will include a high-level segment, featuring six hours of debate on SDGs, including SCP, symposium on finance, exhibit on sustainability solutions, launching/adding to Rio+20 commitments log, side events, keynote speeches, webinars and other media products.

Ms. Naimir-Fuller fielded questions and comments: How are environmental targets framed? What will UNEP's participation be in the SDG development process? What is the timing? **Yunis Arikan, Global Coordinator for the Local Governments and Authorities Major Group**, expressed concern that the process is well advanced and UNEP is lagging behind as the post-2015 agenda is coming to a close. **Maryam Naimir-Fuller, Special Advisor on Sustainable Development Goals and Post-2015 to the Executive Director of UNEP**, mentioned that there has been a strong response on the concept note and that they are taking a higher, more strategic approach to what sustainable development could look like. At the moment, the dialogue is taking place in silos; however, this process needs to converge as soon as possible. A lot of time and effort has been put in by UNTST, working behind the scenes and supporting the OWG. Some controversial subjects have arisen, including sustainable consumption. When it comes to addressing climate change within the SDGs, the UNFCCC Secretariat argues that the processes should be separate. Member States should decide any limits and goals within the UNFCCC tracks; while the SDGs should focus on solutions only.

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