

# Statement of European Regional Consultation Meeting for the 8<sup>th</sup> UNEP Global Civil Society Forum 23-25 October 2006, Geneva, Switzerland

## 1.0. Globalisation, UNEP and the environment

### 1.1 Introduction

A sound, healthy and sustainable environment is a prerequisite for a globalisation process that will “establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained” as well as promoting “social progress and better standards of life in larger freedom.”<sup>1</sup> The goal of such a globalisation process will ultimately create healthy livelihoods, a socially just and equitable society where equal opportunities for all may exist realising that “All human beings are born free and equal in dignity and rights.”<sup>2</sup>

Our world has never been richer in global resources, nor has its peoples had access to more information, research and technology, or had a deeper and more complete understanding of the complexities that tie all organisms together in a globalised unit. The process of globalisation has given us this.

At the same time, our world has never been exposed to such a combination of threats to our stability, survival, sustainability and security, while the wealth gap between nations and within nations becomes ever wider. The process of globalisation has given us this as well.

By using the wealth of our present knowledge and resources, human and natural, the distance between the two different processes of globalisation can be dramatically reduced if not totally abolished. UNEP is in a unique position to start the process of positive globalisation, and start it now.

We, representatives of civil society in ROE, consequently urge the delegations at the 24<sup>th</sup> UNEP GC to accomplish the above. To do so, they must consider and decide that the unique opportunities found in globalisation be used to:

- Apply and use the Millennium Ecosystem Approach as a norm setting standard for globalisation and subject international financing systems to the values found in this approach;
- promote the production of sustainably sound, economically affordable and environmentally acceptable energy production;
- halt development of nuclear facilities as they are neither safe, nor environmentally and economically sound and sustainable and highly precarious from a security point of view;
- make sure that decisions taken globally to promote trade relations are made subject to environmental regulations and demands including those found in the MEAs;
- promote the precautionary principle and promote sustainable development safeguarding the environment and promoting social equity;

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<sup>1</sup> Quoting from the Preamble of the Charter of the United Nations.

<sup>2</sup> Quoted from Article 1 in the “Universal Declaration of Human Rights” adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948

- ensure the normative and standard setting bodies and standards developed by the UN, is not used as a ceiling reducing environmental demands and standards, nor subjecting them to trade regulations as promoted at the WTO, as well as in regional and bilateral bodies;
- turn the GMEF into a forum concentrating on dealing with serious threats to the environment and make this a platform for Ministers of Environment to speak out forcefully on these environmental challenges;
- use the ongoing reform process pertaining to environment, the System Wide Coherence Panel Outcome document when it is finalised and the reform process on UNEP to promote and keep the demands for a strong environmental agency, at a minimum on agency level, possibly as a UNEO or WEO alive and active;
- use the opportunity called for by the reform process to shed new light on the need to develop enforcement of compliance and dispute settlement and liability mechanisms under the MEAs as well as to reintroduce voting mechanisms on environmental decisions so as not allow non-parties and non-complying state parties to inhibit progress, as well as further explore and develop the IEG process;
- promote and further enhance national capacity building as outlined in the Bali Plan of Action<sup>3</sup>
- ensure that NGOs are recognised as active and responsible players with all rights granted to NGOs under paragraph 71 of the UN Charter; and that NGOs and Major Groups as defined in Agenda 21 be permitted to participate in UNEP processes, including the IEG process and seek to further develop the UNEP national committees;
- accept the rights of Indigenous Peoples and make sure their efforts to preserve their cultures and knowledge base and way of life and not be obliterated by the forces of globalisation.

## 1.2. Operational principles

Civil society has time and again expressed the need to develop universal and acceptable standards for participation and access for all stakeholders to the intergovernmental system.

Historically UNEP was among the first UN entities to allow the NGO community to participate in its many proceedings. NGOs were present at the very making of UNEP at the Stockholm conference in 1972. NGOs are and will always be important to UNEP. In the suggested Programme of Work for UNEP for the period 2006 - 2007, there were almost 70 references to NGOs and Civil Society in the implementation of the programme.

The fact that NGOs and other representatives of Civil Society may still be barred from some key processes and proceedings of the Governing Council is neither in tune with UNEP's historical legacy nor with the global calls for better transparency and good governance.

Stressing the importance of Civil Society at the implementation level, Governments – in decision GC/SS/VII.5 adopted in 2002 – decided that UNEP's Civil Society strategy should "provide clear

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<sup>3</sup> Bali Strategic Plan for Technology Support and Capacity-building, as adopted by the High -level Open - ended Intergovernmental Working Group on an Intergovernmental Strategic Plan for Technology Support and Capacity-building at its third session, in Bali, Indonesia, on 4 December 2004.

direction to the secretariat to ensure that all programmes take into account opportunities for multi-stakeholder participation in design, implementation, monitoring, and dissemination."

Civil Society is pleased to respond to this mandate and suggest the following operational principles be utilised in all future UNEP work:

### **1. Ecosystem services**

UNEP should promote ecosystem services at all levels including local, sub national, national and regional levels.

### **2. Public Awareness**

An important aspect of UNEP's mandate is to work in enhancing public awareness on the environment. In particular stakeholders can and do play a significant role in IWRM (International Water and River Management) and this should be strengthened in UNEP's work in this area.

### **3. Public participation**

In UNEP's water policy and programmes its activities should be consistent with the basic principles of transparency, public awareness and participation, UNEP should also promote public awareness and participation in their development of work on water and sanitation issues.

### **4. Support for stakeholder involvement in UNEP Activities**

Stakeholders express their concern about the problems many of them had in attending the recent GPA Conference in Beijing. They are also concerned that they were not able to attend all the sessions of the drafting group. In all UNEP-related meetings stakeholders should be able to play the same role. The Major Groups and Stakeholders branch should produce in consultation with governments and stakeholders a model for all UNEP meetings, which should then be put to the Governing Council. If UNEP is serious about its partnership with stakeholders they need to be much more proactive with governments to persuade them that the involvement of stakeholders is a critical aspect of policy development and implementation.

### **5. Building capacity at the national level**

The Bali Strategic Plan offers an opportunity to work at the country level on capacity building and technology transfer activities. UNEP should support work by stakeholders including governments on developing multi-stakeholder approaches including the transboundary basins.

### **6. Partnerships**

Partnerships in the area of water and sanitation should aim to deliver the global environmental agreements. Partnerships are often not underpinned with adequate finance to enable them to fulfil their potential and make sure that success stories could be replicated. Funding for partnerships should be seen as new and additional resources both from intergovernmental organisations, governments and stakeholders. As many stakeholders have said at WSSD and subsequently at UN CSD meetings partnerships need to be evaluated and quantified effectively to ensure they are contributing to the delivery of the global agreements.

### **7. Support partnership with Local and Regional Government**

At present UNEP's focus on national governments for work on river basins should extend to building a partnership with Local Government through ICLEI and Regional Government through Network for Regional Government 4 Sustainable Development (NRG 4SD).

## **2. Specific areas of concern in regard to globalisation.**

### **2.1 Education awareness and stakeholder participation**

Effective public education regarding the principles of sustainable development and on public participation is essential for the integration of environment into development decision-making. An expansion of this work at national level supported by international programmes should be a priority.

UN policies on public participation, including those based on multi-stakeholder processes and the Major Group concept, environmental accounting and social equity must be made mandatory and integrated elements of NSDS (National Sustainable Development Strategies). To counter the negative effects of globalisation, government delegates at the UNEP GC should make efforts to facilitate further establishment and strengthening of national multi-stakeholder councils for sustainable development.

### **2.2 International Financial Institutions (IFIs)**

An important aspect of globalisation is the inter-relationship between the international financial institutions as well as private financing on the one hand and UN environmental standard-setting and policy-making processes on the other. IFIs and commercial banks have not adequately integrated the latter processes into their activities and decision-making. Some IFIs and commercial banks have mechanisms for considering the environmental, social, human rights and gender equity aspects in their policies and programmes, but most of these are largely confined to the periphery of decision-making and programme evaluation and have few impacts on programme implementation.

To curb negative effects of globalisation, IFIs must develop mechanisms to identify the social and environmental consequences of their current policies and practice, and must adopt necessary remedies and amend policy and practice in the light of this work. IFIs should integrate sustainable development criteria into core economic models by strengthening upstream social and environmental impact assessments of both policy-based and project lending and incorporating the findings in programme implementation. The performance of IFIs on these measures must be subject to UN scrutiny.

To make sure that IFIs do not exacerbate the negative effects of globalisation, we ask governments present at the upcoming UNEP GC in Nairobi to work towards:

- subjecting all IFI's investment decisions to ex ante and ex post sustainability impact assessment;
- subjecting policies of UN bodies, IFIs, international trade organs and other such institutions to significant appraisals as to whether they address the environmental challenges that the Earth faces today and will face in the near future. Many of these institutions currently contribute to the problems, and this situation cannot continue;
- encouraging the usage of full cost accounting of impacts of development on the environment, developing approaches to adequately measure the sustainability of economic

development and to put in place mechanisms that sustain our environment and social and economic security; and

- developing a comprehensive strategy on finance, redirecting IFIs and their funds to sustainable energy including introducing strengthened micro-financing schemes for new renewables and energy efficiency schemes.

### **2.3 Trade**

The World Trade Organization (WTO) is one of the stronger proponents of globalisation and is increasingly acting as a global governance organisation for international trade. Under its far-reaching rules, the WTO is increasingly deciding upon issues relating to areas such as the environment and human health, thereby frustrating bodies that possess more appropriate expertise, including the MEAs. The development and enforcement of existing and new environmental legislation relating to MEAs should not be hindered by subordinating these policies to free trade and competition rules. It is critical that legislation to ensure sustainable development including environment is not overruled by trade experts, international trade panels and standard-setting bodies working in isolation from other concerns.

- Governments must grant observer status to UNEP and other environment-related bodies and MEAs within the WTO.
- In line with the principle of mutual supportiveness between environment and trade rules, governments must make it clear that the WTO does not have a mandate to set rules or criteria that may in any way define or restrict the national implementation of any trade measures agreed to in MEAs, independent of the WTO Members' participation in the MEA;
- Governments must recognize and phase out Export Credit Agencies (ECA) support by 2008 for funding projects relating to fossil, nuclear and hydro energy production that do not, inter alia, comply with the recommendations of the World Commission on Dams and instruct all IFIs to do likewise.
- We call for an independent forum outside the WTO to examine the WTO - MEA relationship, as part of a coherent approach to addressing global challenges.
- The WTO and other multilateral bodies, such as UNEP, should assess the impact of WTO rules on the promotion of sustainable development. National independent sustainability and environment impact assessments are also crucial.

### **2.4 Ecosystem services**

Globalization is putting ever-increasing pressure on world ecosystems. Human well-being if not the existence of human kind, highly depends on ecosystem services.

However, in our current society accelerating decline of these services (e.g. decline of pollination, changing climate atc), are not adequately recognised and acknowledged and thus not fully taken into account in making decisions. In many cases people are not even aware of the trade-off relationships, which will ultimately impact their own welfare in a much more complex way than may be initially obvious, through the decline of some other "gifts" of nature.

Ecosystem services are not currently included into economical systems, and therefore they are exploited, as they are not allocated any price. They are also not included in national accounts like GDP. As a result decision-makers do not take into account changes in ecological services.

## **2.5 Regional ecosystem recommendations:**

- All segments of society, particularly financial institutions, intergovernmental organisations, and primary consumers need education on what the value of ecosystem services in day-to-day functioning and universal wellbeing really amounts to.
- Value of ecosystem services must be evaluated and expressed in numeric terms while taking into account the carrying capacity of ecosystems concerned.
- Costs/benefits of ecosystem services must be incorporated in any investment, infrastructure and other development plans in order to maintain / restore ecosystems.
- A shift from perverse subsidies and incentive schemes towards payment for ecosystems services is recommended
- Incorporate wider ecological risk assessment into all projects taking into account trans-boundary impacts. This must include the economical, ethical, and esthetical validation of ecosystem services, precise evaluation of the exploitation limits, and potential influence (especially in case of metallurgical, nuclear, chemical and other enterprises of high potential danger of nature harm, GMOs, etc.)
- UNEP GC should give the mandate for UNEP to study and propose a system for payment allocation.
- Developed countries have the responsibility to lead the work on this as they are the ones utilising majority ecosystem services in a global setting.

## **2.6 Principle 10 access to information participation and justice.**

UNEP GC should further promote the UNECE Convention on Public Participation, Access to Information and Access to Justice on Environmental Matters (Aarhus Convention) to all regions of the world as the Convention can be acceded by all states in the world. This should be done as this convention is the only instrument operationalising Principle 10 from Agenda 21 and hence a tool to ensure effective public participation and implementation.

## **2.7 Globalization and gender**

Whereas globalization has given women around the world greater opportunities to interact, share ideas and experiences and work together, and whereas job opportunities, educational, research as well as political opportunities have increased, it is also becoming increasingly evident that globalization has major negative impacts on the position and lives of women, particularly in the EECCA region. The social fabric and health security of people in general is being threatened and the economic development needed to support the well being of people is often brutally lacking as a result of globalisation. Women and children are always hardest hit in the struggle for survival, and often constitute the majority of poor people, no matter where they live. A degraded environment exacerbates these negative trends. It is paramount that this adverse development must be halted and turned around globally.

We therefore ask the governments present at the UNEP GC to:

- provide more information and data and monitor development esp. in the EECCA region, on the gender specific impacts of globalization to develop mechanisms to address the adverse effects of globalisation;
- ensure women workers rights and health, and equal opportunities;
- introduce values of non-domination, tolerance, and care into politics at all levels;

On our part, we commit to work to make sure that gender mainstreaming/ streamlining processes in our organizations will be undertaken and that these processes will permeate our programmes and projects. In this context we solicit the support of governments at the UNEP GC.

Finally we promise to share lessons learned (including case studies) to operationalise gender equity globally.

### **3. Environmental and equity considerations in the procurement practices of UNEP and the need for a structured programme to reduce impacts**

Referring to Decision 18/10 of 1995, UNEP GC in 2005 agreed on decision 23/8 on “Environmental and equity considerations in the procurement practices of the United Nations Environment Programme” covering many of the same issues decided on ten years earlier. Decision 23/8 recognises that there has been little progress on environmental procurement and requests the Executive Director to report to the Governing Council on the implementation of environmental housekeeping aspects of Decision 18/10 by the United Nations Environment Programme at its twenty-fourth session. As NGOs we suggest that the failure to take this work forward is regrettable and recommend that a fresh start should now be made.

The following recommendations to act will show that change is possible and that UNEP is prepared to lead by example. We therefore call on the governments participating in the UNEP GC to make sure that:

- UNEP accepts responsibility for the environmental and social impacts of its' global activities. As a major worldwide agency those impacts are substantial and varied.
- UNEP shall develop an action plan to progressively reduce those impacts. This should include the further development of clear purchasing and procurement guidelines and a structured work programme to ensure that these guidelines are put into action in every UNEP programme and workplace and their effectiveness monitored.
- UNEP should undertake an overall assessment of the major areas in which UNEP and other UN agencies are contributing to the emission of gases linked to global climate change. Given the urgency of climate change as a global issue this is imperative.
- UNEP should finally develop an overall programme that would set clear targets for waste reduction, for the phasing out of hazardous chemicals where these may be used in UN operations, and for the long-term reduction of CO<sub>2</sub> emissions resulting from UN activities.

#### **4.0 Environment for Europe**

We call upon UNEP GC to give a strong support to further development of regional cooperation processes on environment and sustainable development. Environment for Europe should serve as a unique example of Pan-European intergovernmental cooperation processes with active and productive public participation and contribution leading to effective partnership in the pan-European theatre. This could serve as an example for other UNEP global regions where similar regional processes may bring added value to global cooperation.

### **5. Chemicals and environment**

#### **5.1 Unwanted and unknown exposure to hazardous chemicals**

All citizens in this world are daily exposed to an unknown cocktail of chemicals, many which are hazardous to their health and the environment. Hazardous substances can be found in water, soil, air, humans and animals, with some of the highest concentrations found in the remotest parts of the planet, such as the Arctic. Of the ca. 100.000 chemicals on the global market, less than 10 percent have been tested on their health effects.

Safe Management of Chemicals should be guided by the following principles:

- Precautionary principle
- Best Environmental Practice
- Polluter pays principle
- No Data no Market
- Right to Know
- Phase-out and substitution of known carcinogenic, repro-toxic, mutagenic, endocrine disrupting and neuro-toxic chemicals
- Just-transition

## 5.2 Follow-up to the Mercury and SAICM decisions:

We, members of civil society, would like to make the following concerns noted to the UNEP Governing Council assembled in Nairobi in February 2007 and call upon the governments present at the UNEP GC to:

- Continue to strengthen SAICM as an essential element of global governance on chemicals.
- Ensure a successful development of SAICM through a **financial mechanism** providing new and additional funds to developing countries and countries with economies in transition, going well beyond the current quick start programme.
- Make the SAICM process fully participatory, multi-stakeholder and multi-sectoral.
- Ensure that SAICM will re-enforce the linkages with other chemical management in particular with REACH, the EU draft chemical regulation, which puts in practice many of the guiding principles including the principle 'no data no market', the 'right to know' and 'producer responsibility'.
- Further encourage the UNEP Governing Council members to **strengthen the SAICM process**, and provide it with predictable and adequate financial support.
- Ensure that the SAICM process addresses the need for gender- differentiated data and gender differentiated implementation measures.

Furthermore and in particular, civil society calls on the UNEP Governing Council to:

- start working towards a global binding instrument on mercury;
- establish a global mercury use reduction goal of 70% by 2017, and achieve the goal by ending the use of mercury in electronics, button cell batteries, thermometers, and other non-electronic measuring equipment; phasing out the mercury-cell chlor-alkali process; and decreasing the use of mercury in artisanal and small-scale gold mining;
- reduce the supply of mercury by ceasing primary mining, except where mercury is produced as by-product of other ore processing; restricting mercury exports from

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