

FINAL DRAFT

Enhancing Stakeholder Engagement in the work of UNEP and UNEA.

A Report by Stakeholder Forum

UNEP commissioned Stakeholder Forum to undertake several activities and studies to support stakeholder engagement in preparation for UNEA 2 in June 2016, most of which have been completed and already separately reported.

As a final element of this project, UNEP commissioned Stakeholder Forum to develop an options paper, with proposals on improving the effectiveness of stakeholder participation in UNEA in future including through the Global Major Groups and Stakeholders Forum (GMGSF).

The lead consultant for this work was Jan-Gustav Strandenaes, a long-standing associate of Stakeholder Forum and world expert on stakeholder engagement and governance issues. He undertook a deep and broad analysis of the history of stakeholder engagement in UN and UNEP processes, and conducted a number of interviews with stakeholders and major group representatives. His full report “Quo Vadis UNEP and UNEA” is currently undergoing peer review and is expected to be available shortly.

In the light of that deep and broad study and drawing on some of its analysis and recommendations this shorter complementary paper by Stakeholder Forum highlights some of the key points about the role of stakeholder engagement in the work of UNEP, including the specific questions about the role of GMGSF requested by UNEP.

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Summary

There is a vast range of organisations or stakeholders around the world that are concerned with environmental issues. Many of these are – or could be - valuable allies for UNEP, UNEA and national governments in the continuing quest for better protection and enhancement of the world's environment.

Some have expert knowledge, original policy analyses, profound insights and practical experience to help shape policies. Some have important capabilities that can help to deliver action on the ground. Some have mass membership and the capacity to build public awareness of environmental challenges and to generate political pressure for change and action. Some represent interest groups that may be significantly affected by the state of the environment or by actions affecting it.

All of these can make important contributions to the work of UNEP and collective international action on the environment – and their own work can benefit from the global knowledge base and internationally concerted action that UNEP and its activities can generate. Over the 40 years of UNEP's existence there have been many occasions when stakeholders of various kinds have played a significant part in analysing and debating environmental concerns, helping to devise solutions, and building the necessary momentum for their adoption and implementation.

Recent UN Summit decisions¹ have led to the upgrading of the standing of UNEP in the global intergovernmental system by giving it a biennial high level assembly (the United Nations Environment Assembly or UNEA) with a universal membership of all the countries of the UN to lead it. They have also given it an important additional mandate to monitor and promote all the environmental aspects of the 2030 agenda and the Sustainable Development Goals (SDGs), including Sustainable Consumption and Production (SCP)². In principle these changes should increase the authority and capability of UNEP to lead and inspire action for the environment in the world.

These changes ought also to increase the potential for fruitful interaction with stakeholders. In particular the biennial meetings of UNEA should provide a strong focal point and opportunity for drawing together a significant range of stakeholders to engage productively with each other and with the high level governmental participants, and to help raise the global visibility and ambition level of those meetings.

In practice however the first two UNEA meetings have not yet completely fulfilled this potential.

UNEA 1 was largely preoccupied with procedural and process issues which could not be expected to attract a wide range of stakeholders.

UNEA 2 had a much broader agenda and began to draw in a wider range of participants. But the range of stakeholders who attended did not cover the whole agenda under discussion adequately;

¹ In particular, the Rio+20 Summit in Rio de Janeiro, the UN Conference on Sustainable Development and the September 2015 Summit at the UN Headquarters on Transforming our World

² A/RES/67/290 General Assembly Resolution adopted by the General Assembly on 9 July 2013 -Format and organizational aspects of the high-level political forum on sustainable development, paragraph 21

and in a number of cases those who did attend had not been fully engaged early enough in the cycle to be able to make a strong contribution. The Global Major Groups and Stakeholders Forum (GMGSF) which immediately preceded UNEA was not as well organised productive as it could have been and did not feed as productively into UNEA as it should have done. This “engagement deficit” may in turn have contributed to the rather modest and unambitious conclusions in many of the UNEA 2 resolutions, and in particular on what was meant to be one of the over-arching themes of the event – environment and health. Deeper levels of stakeholder engagement and higher levels of ambition for outcomes are often closely correlated.

Against this background, SF have examined what could now be done to enhance existing arrangements and create a more useful, meaningful and productive stakeholder engagement process around UNEA for the future.

Starting from the analysis and assembly of stakeholder views in Mr Strandenaes’ longer report the SF authors of this shorter report offer a number of suggestions for consideration by UNEP and other parties concerned.

We have formed three principal conclusions:

- (i) UNEA meetings are not stand-alone conferences. They are the culmination of a two-year cycle of work by UNEP and its Member States and the launch of a new cycle. Stakeholder participation at UNEA meetings can only be fully effective and achieve significant impact if it is based on a thorough, well-informed and adequately resourced interaction with UNEP and member governments throughout the whole two-year cycle.
- (ii) Having stakeholders present at meetings cannot be regarded as an end in itself. Stakeholders will only want to engage more deeply if their contributions have the potential to have more impact on outcomes, whether it be through influencing the agenda, the decisions and actions on particular topics, or in the implementation of decisions and agreements. Many of the most important stakeholders will only want to re-engage more deeply if they feel that in doing so they will be helping UNEP and UNEA to stand forward with new determination in their role as environmental leaders in the world, helping to lead an ambitious transformative global agenda towards a more environmentally sustainable world.
- (iii) In order to enable such dynamic participation and partnership to flourish effectively there needs to be a significant effort both by UNEP and its member states and by the Major Groups and other stakeholders to improve and diversify the mechanics of the engagement process, to attract a wider range of stakeholders into the process and to resource the whole engagement process adequately.

We have grouped our suggestions accordingly into three main chapters.

The first chapter “Continuous Engagement” reviews experience of stakeholder engagement with UNEP and member states on the environment, and how important continuity of engagement is. It identifies key stages in the UNEP/UNEA cycle at which stakeholder engagement needs to be reinforced.

The second chapter “Raising the Sights” focuses on UNEP’s role as leader of the environment in the UN system and in the world, and how it might try to generate a new impetus for international action on the environment. It makes suggestions for some new or expanded forms of outreach activity

which UNEP and UNEA might undertake in order to draw in contributions and support from individuals and stakeholder organisations of all kinds that are at the forefront of the worldwide movement for protecting the global environment and safeguarding the planet for future generations.

The third chapter “Oiling the Wheels” focuses on the processes and procedures for enabling stakeholder engagement with UNEP and UNEA and suggests a number of changes that might help them to work more effectively and productively. Rules of procedure and engagement are of course important to ensure transparency, fairness, accountability and balanced participation. But to find their way through these rules so that they can make effective contributions stakeholders also need proactive support from the UNEP secretariat and their own collective Major Group organisations and other networks. There needs to be some reinforcement of these support arrangements to facilitate effective engagement; and they need to be adequately resourced.

The recommendations in the three chapters are interdependent. Taken together they could help to rebuild a more vibrant and committed stakeholder community around UNEP. This would enhance the significance, ambition level and visibility of successive UNEA meetings; and that in turn would then resonate through the whole of UNEP’s work and help to achieve progressively more ambitious outcomes for the world’s environment.

Ch 1. Continuous Engagement

The importance of stakeholder engagement in international work.

The UN family is made up of the UN itself and many affiliated programmes, funds, and specialized agencies, all with their own defined membership consisting of national governments.

Although formal membership is confined to governments³ the work of these international bodies is however of immense interest and significance to a wide variety of other stakeholders throughout the world including the stakeholder grouping known as the Major Groups⁴—and an enormous variety of NGOs reflecting a great variety of civil society concerns. There need to be good processes to ensure that the knowledge and experience of stakeholders of all kinds, their vital interests and legitimate concerns, their wisdom and their energy, can all feed into the international processes. Conversely the work of stakeholders of many kinds can be inspired, enriched and enhanced in many ways by the global vision and perspectives which international work can provide and by the agreements and action programmes agreed at that level.

Governments differ in their approach to this interaction with stakeholders. At one extreme a few appear still to believe that each government should handle its relations with its own national stakeholders and that separate stakeholder input is not much needed or even desirable at international level. But most now believe that in an increasingly globalised world there is a need for direct relationships between the international bodies and stakeholders of many different kinds.

Over the years most of the international community has therefore come to recognise the importance in principle of building stakeholder engagement processes into international work. It has been endorsed in many decisions by the UN itself, (found in outcome document from, inter alia, the UN summit documents such as UNCED and Agenda 21 (1992), The Malmoe Declaration on UNEP, 2000, WSSD, Johannesburg in 2002, and the World Summit in 2005,) including many other international fora. It was strongly supported in the 2030 Agenda for Sustainable Development that was promulgated by the UN Summit in September 2015 which launched the Sustainable Development Goals (SDGs).⁵

The special importance of stakeholder engagement in relation to international action on the environment

Effective action to protect the environment is especially dependent on good stakeholder engagement. Frequently the impetus for action on environmental problems arises from a combination of good data and good scientific analysis about a problem, brought vividly to wider attention and active political debate by concerned NGOs, and then carried through to effective

³ The only exception to the membership restrictions is UNHABITAT which allows local authorities as elected representatives of municipalities to participate.

⁴ There are officially nine major groups, as decided by Agenda 21, Chapter 23, A/Conf/151/26/Rev.1 Vol 1 and by the UNGA - A/Res/47/190 of March 16, 1993. They are: Women, Children and Youth, Indigenous Peoples, Farmers, NGOs, Trade Unions, Science and Technology, Local Authorities and Business and Industry. The Rio+20 Outcome Document also made efforts to expand on the multitude of NGOs by naming several other stakeholders – see paragraph 43 of the Outcome document.

⁵ A/Res/70/1

implementation by creative innovation, adaptation and investment by governments, businesses and other stakeholders acting together.

At international level, environmental issues arise and can be addressed in a number of different international fora. There are Multilateral Environmental Agreements (MEAs) on some key issues which have their own conferences of the parties and processes for stakeholder engagement. Environmental issues come up in other international fora, such as the WHO, FAO, WMO, ICAO, etc. The environmental agenda is also a key part of the sustainability debate which is kept under review by the UN itself through ECOSOC and the recently established High Level Political Forum (HLPF).

Stakeholder engagement and participation is important in all these arenas. But as global champions for the environment, UNEP and UNEA should be the heart of that engagement at global level. They should be leading exemplars and champions of good engagement processes and practice for the whole international system and for promoting it at national level. And since the environment interacts with so many other subjects in the context of sustainability they should be showing the way in how to secure effective interaction between environmental and other stakeholder communities so as advance environmental sustainability on a broad front.

The need for an inclusive, transparent, well-focused, well-organised and continuous engagement process.

To make the most of the potential for constructive engagement there needs to be an inclusive, transparent and well-organised plan or system for engaging stakeholders of all kinds in a continuous way throughout the work of UNEP and UNEA.

The processes for engaging stakeholders effectively at the UNEA meetings themselves are of course one important aspect of this. But contact and communication at these high level biennial events can only add real value to outcomes if they are the culmination of a significant process of engagement and interactive working throughout the previous two years and act as the launch pad for further productive engagement over the next cycle. Currently UNEP and its Member States do not achieve enough engagement in depth and breadth with stakeholders (and between stakeholders) in between one UNEA meeting and the next.

To achieve an effective and continuous stakeholder engagement process needs careful planning and sequencing of activities, meetings and other contacts over the whole biennial UNEA cycle, and the whole of UNEP's Programme of Work.

In principle, the cycle of UNEP's work can be conceptualised as having five main stages

- Monitoring and review of progress using indicators and other reporting processes;
- Agenda setting; the identification of key topics and emerging issues for deeper analysis, debate and possible international action
- Discussion and negotiation on key topics
- Adoption of key decisions at UNEA
- Implementation by UNEP, Governments and other parties

Opportunities and specific and resourced modalities for appropriate stakeholder engagement need to be built into each of these stages.

Some stakeholders may want to focus more on the strategic level, and to be involved in the general preparatory processes that lead to the establishment of priorities in the overall programme and the identification of significant new issues for analysis, discussion, negotiation and action. Others may be more tightly focused on particular topics and issues and arrangements for their engagement need to be built in at an early stage when such topics come on to the active UNEP agenda. Others again may be more interested in participating in action programmes or partnerships initiated by UNEP and UNEA to implement UNEA decisions. The engagement arrangements should be sufficiently flexible and responsive to draw in the appropriate stakeholders at the appropriate time. Scientists may want to engage in one way, NGOs in another, and business in a third. Different types of engagement may be appropriate for different types of stakeholder, though it is important to keep some significant space for multi-stakeholder engagement so that the different perspectives of different types of stakeholder can be brought to bear on one another.

Stakeholder Engagement with Monitoring and Review Processes.

Typically, UNEP monitoring and review processes are built around three main components – analysis of environmental conditions and trends as revealed by statistical indicators; analysis of country reports on general trends or particular topics; specially commissioned studies or reports on key topics. One crucial product is the periodic Global Environmental Outlook (GEO) report which brings together a wide range of material from sources both inside and outside UNEP to give a comprehensive assessment of the state of the global environment, trends, prospects and drivers of change.

Stakeholders of many kinds are regularly drawn in by UNEP to contribute to these major reports, and that process is well understood and respected. For example, the global scientific community has a great deal to contribute in terms of ensuring decisions and policies are based on sound and current science. Other stakeholders sometimes have important information and expertise of their own to build into the review process and valuable insights into the issues and trends revealed by other reports. It might for example be useful to draw together a compendium of stakeholder views and reactions to such comprehensive assessments as the GEO.

UNEA2 introduced for the first time the Science Policy Forum. This meeting was successful in drawing together significant contributions from many of the leading scientific authorities in the field of environmental science, and should clearly be built on for the future. In particular it needs to be considered how the insights generated by such a gathering can best feed into the periodic assessment processes and the identification of priorities for future action to protect the environment. Other stakeholders could have an important part to play here too

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Stakeholder Engagement with agenda setting.

The crucial transition from analysis and assessment to identification of key issues and priorities for action is not always well articulated. There need to be real opportunities for stakeholders to comment on emerging conclusions about existing conditions and trends and their implications, and to engage in open discussion and debate about possible solutions to problems, especially new and emerging issues that may require innovative solutions.

Key issues requiring international attention in UNEP may arise naturally from the monitoring, review and assessment processes. They may arise from high level reports or reviews by groups of eminent

persons and UNEP should keep in view the possibility of commissioning such studies on key issues or concerns. They may arise (as they often have in the past) from widely expressed concerns starting initially amongst NGO groups or other stakeholders. They may arise from reactions to environmental disasters or threats.

The official machinery and governments need to be alert to all these possible drivers for change, and open to bringing the issues raised into the active agenda for wide-ranging discussion that may allow possible new solutions to emerge. Currently they do this well in relation to some specific and comparatively well-developed topics such as the management of chemicals and waste. But on other topics and in particular on strategic overview engagement is less well-developed.

Stakeholder Engagement with Discussions and Negotiations

Stakeholder Engagement with UNEP on a significant issue may take many different forms. UNEP may need to commission research, assemble data and other information about the situation in different parts of the world, explore policy options, bring together countries willing to work together on the issue, develop advice, guidance and support programmes for member states and their stakeholders, and from time to time support a full-scale negotiation amongst member states on the way forward.

Different modalities of engagement will be appropriate for different topics. But UNEP needs to be particularly attentive to the logistical and resource constraints that many stakeholders have to contend with, and make their arrangements for consultation, participation and engagement as transparent and user-friendly as possible. Stakeholders may need to make their own arrangements between themselves to invite one or more of their number to take the lead on particular issues so as to concentrate their resources and deploy them most effectively. The Major Groups and their organising partners have an important part to play in facilitating such arrangements. But UNEP should also consider how they themselves can identify some of the stakeholders they particularly want to engage with so as to be able to draw them in at the appropriate time.

Once a proposal gets to the stage of formal negotiation between countries more formal rules have to govern the way in which stakeholders can participate in the formal sessions. But it is important for the negotiations to be kept as transparent as possible so that stakeholders can keep abreast with the process, and add their voices appropriately inside and outside the negotiating chamber and help to maintain the momentum and support needed to generate significant outcomes.

Stakeholder Engagement at UNEA

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