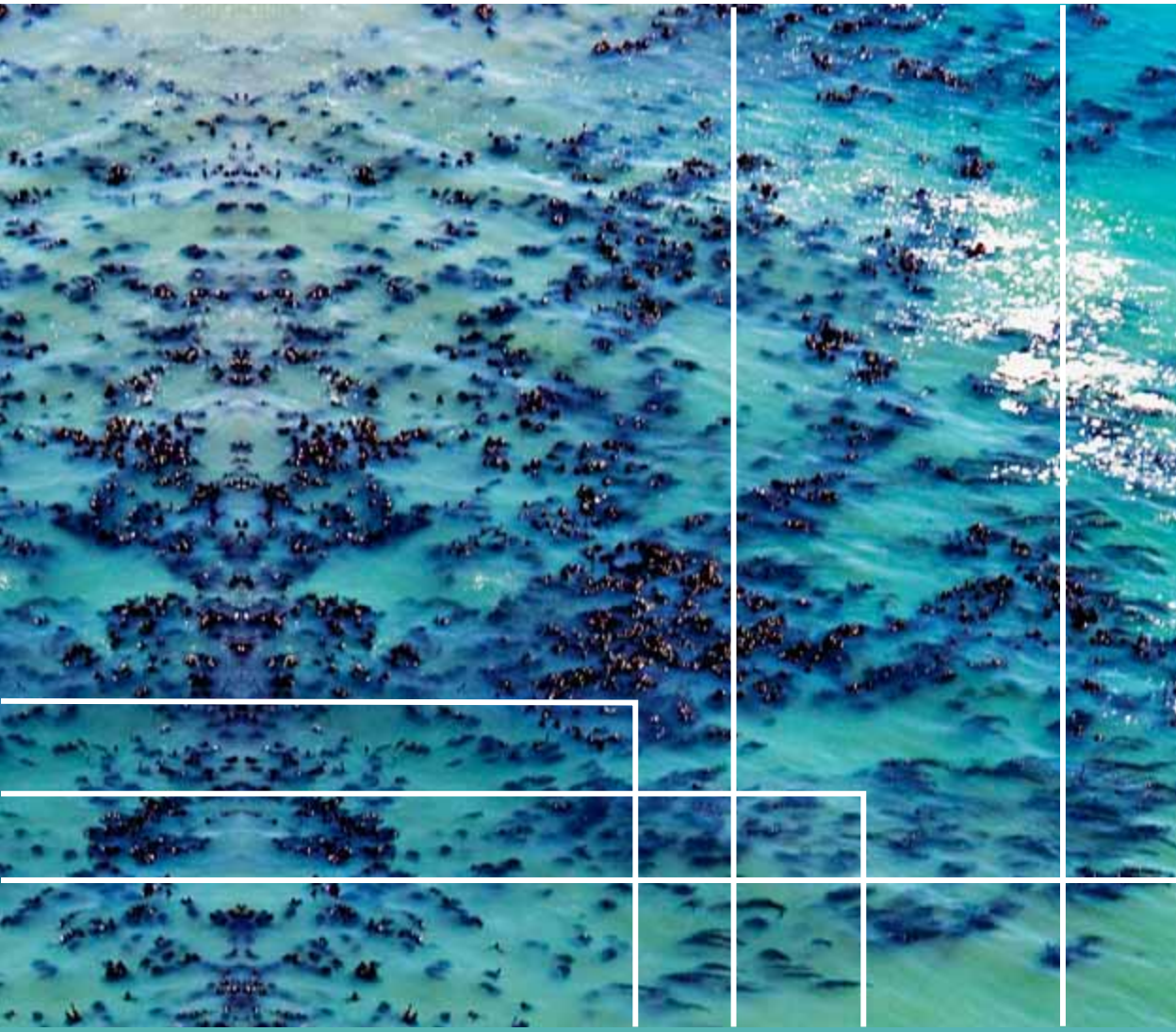
Negotiating and Implementing MEAs: A Manual for NGOs



UNEP

UNITED NATIONS ENVIRONMENT PROGRAMME

United Nations Environment Programme

NEGOTIATING AND IMPLEMENTING MULTILATERAL ENVIRONMENTAL AGREEMENTS (MEAs): A MANUAL FOR NGOs

Centro de Estudios Ambientales
CEDEA

Negotiating And Implementing Multilateral Environmental Agreements (MEAs): A Manual For NGOs

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FOREWORD

Non-Governmental Organizations (NGOs) are crucial actors and partners, both in the negotiations and the implementation of Multilateral Environmental Agreements (MEAs) and the wider environmental and sustainability challenges facing the world in the 21st century. They are often well placed to reach local communities and to be an important bridge and interface between citizens, governments and multilateral organizations like the UN Environment Programme (UNEP).

NGOs will continue to be vital in others ways - from lobbying for change, providing influential research from often a different or unique perspective up to highlighting concerns via headline grabbing stunts or provocative arguments in national and international fora. Indeed NGOs have played important roles in assisting governments to realize many of the seminal environmental conventions and treaties of the past few decades and were a key player in catalyzing the establishment of UNEP in 1972.

Today, NGOs are widely represented on the intergovernmental scene including at UN conferences and talks. This reflects progress since the agreement of Principle 10 of the Rio Declaration on Environment and Development adopted in 1992. It recognized that "environmental issues are best handled with participation of all concerned citizens, at the relevant level". UNEP is committed to providing support to NGOs so they can more effectively impact the political decision-making process.

Negotiations at the intergovernmental level can be challenging and complex for all participants including NGOs. Meanwhile, new NGOs and new faces at established NGOs are attending intergovernmental discussions. In order to maximize their contribution and their impact, background information and advice on how to negotiate the conference maze would seem a useful aid.

This Manual distills the knowledge of many leading NGO experts with a wealth of experience in high level negotiations. It identifies some of the key skills that could prove necessary to those who would consider being environmental lobbyists. The Manual gives readers information and tips to back up their preparations for multilateral environmental meetings including as they relate to implementation of MEAs.

I sincerely hope that this Manual will assist all NGOs in achieving their aims because the global environmental challenge of our age demands nothing less than all actors to be fully and effectively engaged.

Mr. Achim Steiner,
United Nations Under-Secretary General and Executive Director,
United Nations Environment Programme

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Introduction

The decade and-a-half since the 1992 Earth Summit has seen a vast expansion in the number and scope of Multilateral Environmental Agreements (MEAs). There are now more than 700 environmental conventions, charters, agreements, accords, protocols and treaties in force, from global to regional to bilaterally-applicable agreements. They cover areas as narrowly-focused as the Biosafety Protocol in the Convention on Biological Diversity and as widely encompassing as the recently activated Kyoto Protocol of the Framework Convention on Climate Change.

And there are still dozens of conferences, commissions, and ad hoc expert groups negotiating additional agreements, often on intensely complex intersectoral issue areas.

These MEAs form the building blocks for an emerging and much needed global system of environmental and sustainable development governance. Yet MEAs negotiations themselves represent an organic process. All are still evolving – a series of parallel works-in-progress. And it is widely understood that a vast amount must be done in implementation for these instruments to be considered successful.

A second major evolutionary impact that flowed from the Earth Summit has been the exceptional expansion of the role that non-governmental organizations (NGOs) play in the international negotiation of MEAs, and then in their national and local application. This, also, is a fluid structure. The very term 'non-governmental organization' can now include a wide array of institutions and sectors, from activist NGOs campaigning at the grassroots level to academic organizations, trade unions, farmers' cooperatives, religious structures, local authorities, and business associations. NGOs serve as scientific researchers, as policy advisors to governments and intergovernmental agencies, as advocates to political officials, as communicators to media and the public, and as active partners in program implementation at all levels.

These roles vary widely among different groups and in different regions, depending upon each NGO's primary issues of interest, its constituency, its resources and its political mandate. At times the positions of different organizations on specific policies may conflict. However, the scope and diversity of stakeholder involvement as a whole is adding immense value and energy to the worldwide effort to address the critical challenges facing the environment and sustainable development – both in the development of theoretical policy, and in its practical implementation in the field.

This **Manual** attempts to link these two areas of MEA formulation and civil society participation. Its goal is to both strengthen multi-stakeholder participation and

increase political momentum for effective MEA development, implementation and enforcement. The two are interdependent and equally essential: by strengthening the effectiveness of stakeholders' involvement, MEAs themselves become more relevant, more resilient and more resolute.

The format of the Manual follows the sequence of governments' and NGOs' actual work on conferences and treaties. It provides step-by-step background information, 'inside the process' guidance, and expert advice on how stakeholders can effectively engage in developing and implementing MEAs. It contains essential information for activists working in a wide range of issues and arenas of action, and it provides access to additional academic, institutional and web-based resources that analyze and promote civil society participation.

The MEA Civil Society Capacity Building project has produced three elements to help NGOs actively increase their capabilities:

- A booklet that provides an overview of options for NGO involvement in MEA negotiation and implementation;
- A series of Workshops in ten modules that explores the areas of potential NGO participation;
- An accompanying Workbook that covers the ten areas in detail and suggests additional actions that NGOs can take.

This work is a collaborative effort. Together with the United Nations Environment Programme (UNEP), three organizations have teamed to produce the workshops and this handbook: Stakeholder Forum for a Sustainable Future (an international NGO based in London and San Sebastian), El Centro de Estudios Ambientales - CEDEA (a sustainable development research institute based in Buenos Aires) and Earth Media (a political and media consultancy based in New York).

The project is part of UNEP's extensive involvement with MEAs – a role that includes serving as secretariat for specific MEAs, and providing cooperation and support functions on many issues for national governments, intergovernmental organizations, NGOs and local authorities. It is a companion to UNEP's "Guidelines on Compliance with and Enforcement of MEAs" [2002], and its "Manual on Compliance with and Enforcement of Multilateral Environmental Agreements" [2006].

The idea for the project grew out of the publication "How to Lobby at Intergovernmental Meetings," by Felix Dodds and Michael Strauss (Earthscan; 2004). UNEP's Division of Environmental Law and Conventions suggested developing a project to actively support the work of civil society organizations by providing hands-on guidance to all stages of MEA negotiation and implementation. The project was carried out by a team with broad experience in civil society participation at intergovernmental, national and local levels: Maria Onestini, Megan Howell, Felix Dodds, and Michael Strauss as well as Elizabeth Maruma Mrema and Anne Bourdy from UNEP, and earlier in it's development also Carl Bruch of the Enviromental Law Institute. The content has been peer-reviewed by representatives of a variety of non-governmental and intergovernmental organizations and at a series of workshops.

All of us involved in the project believe that the broad and evolving process of multilateral negotiations of environmental policy, and their subsequent implementation, hold immense potential for addressing the many critical challenges facing the Earth's environment and the needs of its people. We hope this work provides effective support and encouragement to the thousands of motivated civil society participants now actively working in those processes, and contributes in some way to helping us all turn the corner away from environmental catastrophe and towards the creation of an equitable and sustainable world.

We would very much appreciate any comments you have on how to improve this Manual. Please send them to:

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MODULE I

INTRODUCING MULTILATERAL ENVIRONMENTAL AGREEMENTS (MEAs)

In this module:

- Gain a better understanding of MEAs
- Defining MEAs
- The proliferation of MEAs
- MEAs and international law
- Looking at different MEAs
- Are all environment-related international instruments MEAs?
- The clustering approach

Defining MEAs

MEAs are commitments by countries to meet certain environment-related objectives. Agreeing on what is and what is not a Multilateral Environmental Agreement (MEA), however, can be complicated. A broad number of instruments can be described as MEAs. Some assessments have indicated that there are nearly seven hundred MEAs currently in place around the globe. Other estimates indicate that there are even more, depending on how broadly MEAs are defined. It is, however, clear that exact number of existing MEAs is not yet not known or certain.

Generally, and for the purposes of this manual:

An MEA is a legally binding instrument between two or more nation states that deals with some aspect of the environment.

Aside from the requirement that they deal with some aspect of the environment, two elements of the definition are very important to understand:

- **Legally binding**

Multilateral environmental agreements are legal instruments binding countries that have agreed to become parties through ratification or accession. For the countries which have only signed and not as yet ratified, they are nonetheless not expected to do anything that will affect the aims and purposes of the MEA. They are not declarations of intention or avowals; they are rules of law. As such, they are a powerful tool for the implementation of policies with environmental protection and sustainable development goals. Civil society actors can make use of MEAs to achieve environment-related objectives.

- **Between two or more nation states**

The better-known environmental agreements are multilateral in the sense that they involve many nations and deal with broad aspects of environment (climate, biodiversity, etc.). However, an MEA can be any treaty between two or more nation-states if and when this instrument deals with direct environmental objectives.

The proliferation of MEAs

MEAs of some sort have been in place for about a hundred years. These instruments have flourished enormously in the last three decades especially after the 1972 International Stockholm Conference on Human Environment which also established UNEP. As has been noted, some studies have counted a conservative estimate of 700 MEAs currently in place. Reasons for the proliferation include:

- A response to the gravity of environmental problems.
- Growing understanding that environmental issues are often not only local in nature but also regional and global and that solutions and tools to deal with them should also be regional and global.

While certainly current and applicable, earlier environmental conventions were quite different from agreements signed and coming into force in the last years. The first accords aimed at protecting particular species, for example of fauna. Earlier agreements also dealt with a particular media, such as oceans. Conceivably this latter matter is due to the fact that the seas were perceived as the main (or only) global shared resources where nations' actions interacted but where no clear dominion rules were available.

Segmented approaches were gradually abandoned in the quest of more integrated considerations and, therefore, more integrated mechanisms and solutions. Yet, until the early 1990s, multilateral environmental accords remained sectoral in the sense that they did not incorporate specific sustainability approaches; they basically still dealt with preservationist or conservationist points of view. With the advent of the United Nations Conference on Environment and Development (UNCED) in 1992 the acknowledgement of an interaction between society and bio-physical problems began to emerge as well as the broad-spectrum understanding on the intimate links between development and the environment. More recent MEAs fully concede these aspects as crucial.

Synonyms

Legally binding and non-legally binding agreements come in many shapes and forms. They can, *inter alia,* be of the following types or denominated as follows:

Legally binding		***Non-Legally binding***
Treaties	Accords	Resolutions
Conventions	Pacts	Decisions
Agreements	Charters	Declarations
Protocols		Recommendations
Amendments		

In this manual:

- A finite number of agreements that are more well-known and global in nature are addressed. (There are simply too many MEAs to address them all in detail).
- The principles, recommendations, and actions discussed are expandable to many other circumstances and other environment-related international accords.
- Tools and guidance for civil society organizations on implementation of UNEP Guidelines on Compliance with and Enforcement of MEAs, as well as its accompanying Manual, are found.

Basic information on MEAs organization

Most international agreements that deal with environmental issues have a series of structures that impel their implementation and uphold or run the activities that arise out of the accord. Although there might be more institutional arrangements than these[1], the basic organizational compositions that are set up after an agreement is adopted are:

- **Secretariat:** Secretariats are set up with manifold mandates, yet all co-ncentrating upon the implementation of the agreement itself. Secretariats provide support for the parties to the conventions in tasks such as:
    - reporting on compliance;
    - upholding information systems related to the convention and the issues it deals with;
    - employing or fostering financial mechanisms for projects dealing with MEAs implementation;
    - assisting and servicing the periodic meetings of the Conference of the Parties (COP) for MEAs or Meeting of the Parties (MOP) for Protocols or regional agreements.
- **Conference of the Parties (COP):** Those countries that ratify after adoption and signature or accede to particular international agreements are called *Parties*. They meet periodically through Conferences of Parties to assess different aspects and implementation of MEAs. The Conferences are open to civil society representatives under certain terms. These conferences have the following goals:
    - *Appraise* the implementation process an MEA is going through at the national levels. This is done by evaluating the different reports submitted by national governments to the COP.
    - *Deliberate* on all aspects of the MEAs.

1 The following organizational compositions are the more general ones. However, each key MEA can potentially have different bodies (generally organized as committees) and, at times, diverse names for these institutional arrangements. For example, these can be named: Standing Committees, Compliance Committees, Implementation Committees, Non-Compliance Committees, and so on. For instance, the Standing Committee of the Ramsar Convention on Wetlands; the Compliance Committee under the Aarhus Convention, or the Montreal Protocol's Implementation Committee.

- *Resolve* on new or additional issues that need to be settled for the implementation of the treaty.
- *Revise* the multilateral agreement when and if necessary. Some conventions also consent the COP to add protocols or amend the original treaty where new state of affairs guarantees it.

DEFINITIONS

Parties: A party to a multilateral treaty is a country that has ratified or acceded to the accord.

Signatory countries: (that is, countries that have "signed" the convention but have not carried-out all the steps necessary for ratification) are not considered parties to a convention.

- **Scientific Body:** Formal scientific bodies authoritatively accompany MEAs. They provide a more comprehensive evaluation of how the environmental issue that the MEA deals with is being confronted, as well as explore scientific and technical issues related to the agreement's issues. Although nominated by Parties (i.e. countries that are a part of the accord) a MEA's scientific group is meant to act independently in providing its assessments as well as advise. This is an area of a convention where civil society members (many academics) have a strong role to play.

Basic information on selected MEAs

Following is very basic information on the most salient global MEAs. Much information and analysis is available from all sorts of different sources. However, a good point to start gathering information or keeping abreast of changes and developments is the agreement's own web page. It is listed in the following chart for the conventions highlighted in this manual. Some of these conventions are directly administered by UNEP while others fall within different United Nation's or other regional organization's administration.

A helpful general source of information on international treaties of all kinds (not only for environmental agreements) is the United Nations Treaty Collection. All bilateral or international treaties are generally deposited at this section of the UN. The basic as well as specific information on treaties can be found. Even information, for example, regarding what countries are party to a treaty. The web page for this UN division is http://untreaty.un.org/.

Ramsar Convention on Wetlands		
Other names	Ramsar convention	Convention's charge is to promote the conservation and wise use of all wetlands through local, regional, and national actions and international cooperation, as a contribution towards achieving sustainable development worldwide.
Signature date	Ramsar 02.02.1971	
Date of entry into force	01.12.1975	
Link	http://www.ramsar.org	

Convention on International Trade in Endangered Species of Wild Flora and Fauna		
Other names	CITES	Aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival. Subjecting international trade in specimens of selected species to certain controls via licensing of import, export, re-export, and introduction from the sea of species.
Signature date	Washington, D.C 03.03.1973	
Date of entry into force	01.07.1975	
Link	http://www.cites.org	

Convention on the Conservation of Migratory Species of Wild Animals		
Other names	CMS or Bonn Convention	Aims to conserve terrestrial, marine, and avian species that migrate across or out of national limits. The protection of these animals by conserving or restoring their habitats and mitigating obstacles to migration is sought through this agreement.
Signature date	Bonn 23.06.1979	
Date of entry into force	01.11.1983	
Link	http://www.cms.int	

Convention for the Protection of the Ozone Layer		
Other names	Vienna Convention	Aims at establishing the framework for co-oparation, development and policies, and formulation of agreed mesures in order to protect human health and the environment against adverse effects resulting or likely to result from human activities which modify the ozone layer (art.2).
Signature date	Vienna 22.09.1988	
Date of entry into force	1988	
Link	http://ozone.unep.org	

Montreal Protocol on Substances that Deplete the Ozone Layer		
Other names	Montreal Protocol	Aims at protecting the ozone layer by taking measures to control global emissions of substances that deplete it. Its definitive objective is the elimination of these materials based on scientific developments, taking into account technical and economic considerations as well as developmental needs of developing countries.
Signature date	Montreal 16.09.1987	
Date of entry into force	01.01.1989	
Link	http://www.unep.org/ozone	

Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal		
Other names	Basel Convention	Ensure that management of hazardous wastes and other wastes including their transboundary movement and disposal is consistent with the protection of human health and the environment whatever the place of disposal.
Signature date	Basel 22.3.1989	
Date of entry into force	8.05.1994	
Link	http://www.basel.int	

Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade		
Other names	Rotterdam Convention / PIC	To promote shared responsibility and cooperative efforts among Parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm and to contribute to their environmentally sound use.
Signature date	Rotterdam 10.09.1998	
Date of entry into force	24.02.2004	
Link	http://www.pic.int	

Convention on Persistent Organic Pollutants		
Other names	Stockholm Convention / POPS	To protect human health and the environment from persistent organic pollutants. The convention guards human health from chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of living organisms and are toxic to humans and wildlife.
Signature date	Stockholm 22.5.2001	
Date of entry into force	13.02.2005	
Link	http://www.pops.int	

United Nations Framework Convention on Climate Change		
Other names	UNFCCC	Achieve stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with climate. Level to be accomplished within sufficient timeframe to allow ecosystems to adapt naturally to climate change, to ensure the non-threat to food production and enable economic development to proceed in a sustainable way.
Signature date	New York 9.5.1992	
Date of entry into force	21.03.1994	
Link	http://unfccc.int	

Protocol to the United Nations Framework Convention on Climate Change		
Other names	Kyoto Protocol	Ensure that aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A to the Protocol do not exceed the assigned amounts, with a view to reducing overall emissions of such gases by at least 5 per cent below 1990 levels in the commitment period 2008 – 2012. Besides setting binding constraints on greenhouse gas emissions, the Protocol encourages the use of economic incentives to meet with the changes. The Kyoto Protocol is an amendment to the UN Framework Convention on Climate Change.
Signature date	Kyoto 11.12.1997	
Date of entry into force	16.02.2005	

Convention on Biological Diversity		
Other names	CBD	To conserve biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources, taking into account all rights over those resources.
Signature date	Rio de Janeiro 5.6.1992	
Date of entry into force	21.03.1994	
Link	http://www.biodiv.org	

Protocol on Biosafety to the Biodiversity Convention		
Other names	Cartagena Protocol	Ensure an adequate level of protection in safe transfer, handling and use of living modified organisms resulting from biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, and specifically focusing on transboundary movements.
Signature date	Montreal 29.1.2000	
Date of entry into force	11.09.2003	
Link	http://www.biodiv.org	

International Tropical Timber Agreement		
Other names	ITTA	Promotion and application of guidelines and criteria for the management, conservation and sustainable development of all types of timber producing forests.
Signature date	Geneva 26.1.1994	
Date of entry into force	01.01.1997	
Link	http://www.itto.or.jp	

Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa		
Other names	UNCCD	To fight desertification and mitigate drought effects in nations with serious drought and/or desertification issues, particularly in Africa, through effective action at all levels, supported by international cooperation and partnership arrangements, in the framework of an integrated approach, and contributing to the achievement of sustainable development in affected areas.
Signature date	Paris 17.6.1994	
Date of entry into force	24.06.1998	
Link	http://www.unccd.int	

Convention on Access to Environmental Information, Public Participation in Environmental Decision-making and Access to Justice		
Other names	Aarhus Convention	To protect the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters. The Convention was open for signature for member states of the Economic Commission for Europe as well as States having consultative status with the Economic Commission for Europe.
Signature date	Aarhus 25.6.1998[2]	
Date of entry into force	25.06.1998	
Link	http://www.unece.org/env/pp	

2 Although this is a regional convention, it has been included in this work given that it is repeatedly pointed out as a clear example of an agreement that expands upon Agenda 21 and Rio Principle 10.

Regional Seas Conventions and Action Plans		
Other names	UNEP Regional Seas Programme	UNEP's Regional Seas Programme involves 18 Regional Seas and marine environments and it promotes the conservation of marine ecosystems and coastal areas concerning about 140 nations. It functions through Regional Seas Conventions and their pertaining Action Plans. These regional conventions relate to the following: the Antarctic, Arctic, Baltic, Black Sea, Caspian, Eastern Africa, East Asian Seas, Mediterranean, North-East Atlantic, North-East Pacific, North-West Pacific, South Pacific, Red Sea and the Gulf of Aden, ROPME Sea Area, South Asian Seas, South-East Pacific, the Western and Central Africa and the Wider Caribbean.
Signature date	Various	
Date of entry into force	Various	
Link	http://www.unep.org/regionalseas	

MEAs and International Law

Multilateral environmental agreements must conform to international public law (as must all international instruments of this type[3]). The compliance is guided by the 1969 Vienna Convention on the Law of Treaties. This treaty, which entered into force in 1980, prescribes the components and general guidelines for the development, negotiation and adoption of international treaties. The Vienna Convention delineates international agreements' definitions as follows.

3 Key resources for this subject are the Guidelines and Manual on Compliance with and Enforcement of Multilateral Agreements from UNEP's Division of Environmental Law and Conventions at www.unep.org/delc. See further information and resources sections for details. Much information on environmental agreements is contained in this work, which can be of use for potential civil society participation vis-à-vis MEAs.

Common Terms used in negotiations defined in the 1969 Convention on the Law of Treaties

The Vienna Convention on the Law of Treaties is quite specific in defining terms as they are to be used in international accords. Its Article Two defines the following terms for international agreements in specific terminology:

- "treaty" means an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation;
- "ratification", "acceptance", "approval" and "accession" mean in each case the international act so named whereby a State establishes on the international plane its consent to be bound by a treaty;
- "full powers" means a document emanating from the competent authority of a State designating a person or persons to represent the State for negotiating, adopting or authenticating the text of a treaty, for expressing the consent of the State to be bound by a treaty, or for accomplishing any other act with respect to a treaty;
- "reservation" means a unilateral statement, however phrased or named, made by a State, when signing, ratifying, accepting, approving or acceding to a treaty, whereby it purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that State;
- "negotiating State" means a State which took part in the drawing up and adoption of the text of the treaty;
- "contracting State" means a State which has consented to be bound by the treaty, whether or not the treaty has entered into force;
- "party" means a State which has consented to be bound by the treaty and for which the treaty is in force;
- "third State" means a State not a party to the treaty;
- "international organization" means an intergovernmental organization.

How does a multilateral agreement enter into force internationally?

MEAs enter into force after a series of institutional processes take place. Subsequent to a global agreement's negotiation, several steps and measures need to be taken at national and international levels to ensure it becomes enforceable. Basically, the phases that an agreement goes through after negotiation of a draft text(s) is agreed are as follows:

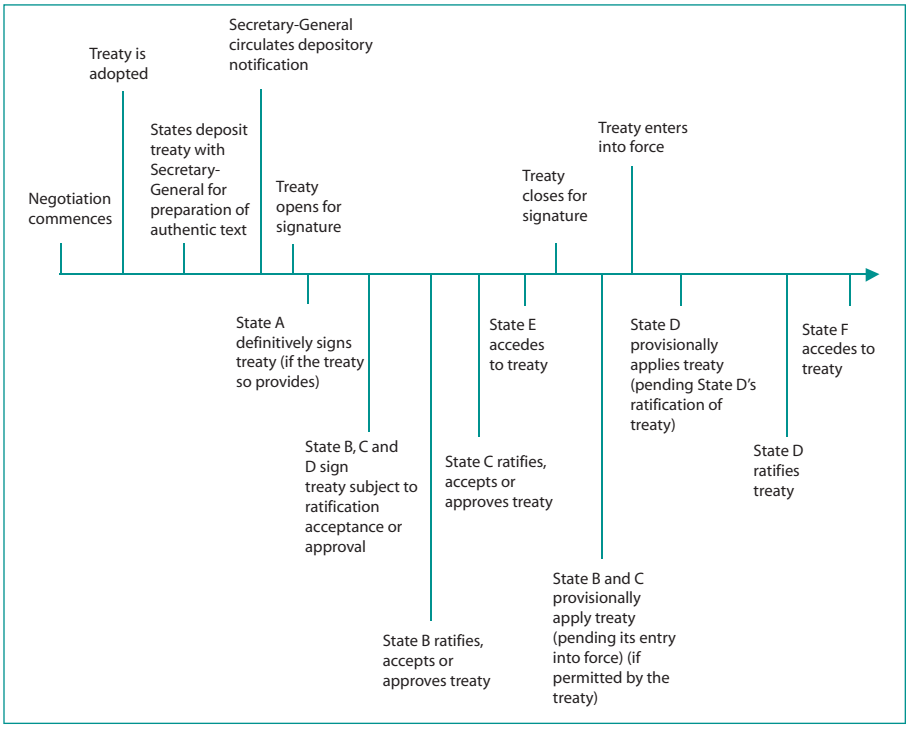
- ***Adoption:*** Upon finalising the negotiation of text, a treaty will be first "adopted" then "signed". This is a proclamation that usually takes place upon the finalization of a conference specially convened to negotiate the treaty. The adoption of the treaty signals the ending of text negotiation and the beginning of the process that an international treaty passes through before enforceability.
- ***Signature:*** A country begins a process of endorsing a treaty by "signing" it. However, for multilateral agreements, this is a necessary but not sufficient step for the application of the treaty. It is understood that when a state becomes a treaty's signatory it expresses its readiness to proceed with the steps needed to fulfil entering into force procedures. This action is at times called "Signature Subject to Ratification, Acceptance or Approval."
- ***Ratification, acceptance, or approval:*** Action by which a state specifies its assent to being bound by the treaty after completion of required national constitutional procedures for ratification or accession or approval depending upon the country's legal system. The treaty's depository keeps track of ratification/acceptance/approval. This is particularly important since a certain quantity of states must ratify a treaty before it enters into force. Ratification and acceptance/approval also implies that a country will enact national implementing legislation to put national effect to the multilateral treaty.
- ***Entry into force:*** Normally, multilateral treaties enter into force after an established period has elapsed subsequent to a set number of states ratifying or acceding to the agreement. Some agreements have other terms that must be met so that it enters into force.
- ***Accession:*** This is the act by which a state accepts to become a party to an agreement whose text has been negotiated, adopted and signed by other countries. Basically, this act has the same denotation as ratification, the only difference being that accession occurs after negotiations have taken place.
- ***Withdrawal or denouncing:*** Countries can (and do) withdraw or denounce themselves from some international agreements in accordance with the procedure set in that instrument. If the treaty has a denunciation clause or is silent about this matter, a state may withdraw after a certain period of notice or after consent of contracting parties.

National Phases

The phases stated above are the stages that a country meets vis-à-vis the international aspects of a multilateral agreement. Nonetheless, there are also steps that states go through at the national level in order to provide with domestic effect to the international rule.

The nationwide stages vary somewhat from country to country depending upon the national administrative and legal architecture a country possesses with regard to international treaties. Some states have legal system set in their constitution where by simply ratifying it an accord automatically becomes enforceable within that particular country. Other countries require parliamentary review and approval of the treaty as well as eventual implementing legislation for the agreement to have a normative effect domestically.

Timeline of possible sequence as treaties enter into force



Source: Treaty Handbook United Nations - Office of Legal Affairs Treaty Section, http//untreaty.un.org .

Looking at different MEAs

MEAs can be, and are, categorized according to different typologies, criteria or groupings. The classifications tend to vary and are not mutually exclusive. A very broad one can be to catalogue them by two broad spheres: one being their geographical reach and another by the sort of regulatory tool they use.

A. Geographic classification: global, regional, multilateral and/or bilateral

B. Regulatory tools classification: stand-alone, framework or appendix-driven

A. Geographic reach classification: An international environmental legal instrument can be classified, for example, according to its geographic scope. If it can be applied throughout the world (that is, if it is global) or if it can be valid in a certain geographic region (that is, if it can be thought of as a regional agreement). In the latter case, it is often so for a certain river basin or a block of countries. Furthermore, it can also be classified as multilateral or bilateral, depending upon the number of nations that are party to it.

B. Regulatory tool classification: An agreement can be stand-alone if it includes all necessary components in order to be applied. Accords can also be "framework agreements," meaning that they need further party-negotiated protocols in order to be functional. Lastly, there are appendix-driven accords. These sorts of agreements include appendices that list and propose actions according to different criteria.

Examples of Different Types of International Environmental Agreements

Although certainly numerous examples of multilateral environmental agreements can be provided according to different classifications, a few accords are listed following as an illustration. This is not meant at all as an exhaustive list or tally, this is simply a descriptive listing of instances and cases that can serve as demonstrations of the many different types of international environmental agreements that exist and of the many classifications in which they can be catalogued.

Global / Multilateral MEAs:

- Convention on Biological Diversity (CBD) (1992)
- Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD) (1994)

Bilateral MEA:

- Treaty between Argentina and Chile on the Environment (1991)

Regional MEAs and MEAs with regional implementation agreements:

- Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (1983)
- Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Waste within Africa (1991)
- Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region - Waigani Convention (1999)
- Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora (1994)

Stand-alone:

- International Tropical Timber Agreement (ITTA) (1994)

Framework:

- Framework Convention on Climate Change (UNFCCC) (1992)

Appendix-driven:

- Convention on International Trade in Endangered Species of Wild Fauna and flora (CITES) (1973)

Exercise 1a

What other MEAs are there?

How would they be categorised?

Of course, there are many other characteristics, especially due to the proliferation of MEAs. The following sections will look at other characteristics as well as key elements present in MEAs.

Are all environment-related international instruments MEAs?

A question that often arises is the issue of whether all international environmental instruments are MEAs or not. The general division is between what is called *hard law* and *soft law*. It is generally implied that hard law instruments are binding while soft law instruments are not. *Hard law* instruments are assumed to be "true" MEAs. That is multilateral environmental instruments that do conform to the aforementioned Vienna Convention on the Law of Treaties. These are instruments that have the force of law.

A large group of instruments are not necessarily MEAs, yet they do play an important role in policy setting and implementation.

Soft law instruments, on the other hand, are a whole myriad of other global or regional mechanisms that do not strictly conform to the precepts of the Vienna Convention on the Law of Treaties. These are generally non-binding documents. Some types of the diverse sorts of soft law devices and which are examples of environmental-related instruments are as follows:

Declarations

- 1972 Declaration of the United Nations Conference on Human Environment (Stockholm Declaration)
- 1992 Rio Declaration on Environment and Development
- 2002 Johannesburg Declaration on Sustainable Development

Action Plans

- 1992 Agenda 21
- 2005 Bali Strategic Plan for Technology Support and Capacity-building

Codes of Conduct

- 1985 International Code of Conduct on the Distribution and Use of Pesticides
- 1995 Code of Conduct for Responsible Fisheries.

Although these instruments are not MEAs and although they are non-binding, this does not at all mean that they are inconsequential. In fact, soft law instruments have vigorous positive aspects. They can delineate and promote international issues, and centre attention at all levels upon particular problems. Soft law instruments can help to build multilateral capacity to solve environment and development problems, and can generate actions and rules at the international and at the national levels. As will be seen in the section on Principle 10 of the Rio Declaration, the principles, declarations, and/or actions professed by soft law instruments can and do permeate into policies at all levels. In addition, soft law instruments can sometimes be precursors to hard law agreements. (for instance, Principle 10 of the Rio Declaration was a precursor to the Aarhus Convention). Because they are non-binding, it is often easier and more acceptable to begin discussion of multilateral problems in a 'soft' forum. Such discussions can develop mutually acceptable language to describe problems, and pinpoint specific issues that would benefit from a hard law approach. In this way, soft law fuels the debate needed to progress with the generation and application of true binding agreements.

Paradigms of this are Agenda 21 and the Rio Declaration. Although they are soft law instruments and non-binding mechanisms, they have been a significant basis for changes related to environment and development issues throughout the globe.

Hard Law	Soft Law
Legally binding	Non-binding
MEAs that conform to the 1969 Vienna Convention on the Law of Treaties	Global or regional instruments that do not strictly conform to the Vienna Convention but could play positive role in national policy-making
Enforceable in law	Important influence on international and national policy
	Can lay the groundwork for multilateral accords

Civil society participation: Rio Principle 10 and MEAs

This section clarifies the relationship between international environmental agreements and civil society. Principle 10 of the Rio Declaration on Environment and Development provides a basis for civil society participation through the overall access to justice and to the particular rights indicated below:

- access to information;
- access to judicial measures and proceedings;

- access to administrative processes;
- access to redress, and
- access to remedy.

Rio Declaration On Environment And Development Principle 10

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

A/CONF.151/26 (Vol. I), United Nations General Assembly

Overall, the issue of public participation, and especially participation in sustainable development concerns, has permeated an untold number of policies, norms, and civil society initiatives. Participation has become a normal element of policy development processes. Some key examples are listed in the boxes below.

Example: The Access Initiative

The Access Initiative is researching how well different nations have performed regarding access to information, public participation, and justice in decision-making for the environment. The specific questions analysed are:

- Degree of access to selected types of information about the environment and mechanisms for such access;
- Degree of public participation in decision-making processes affecting the environment; and
- Comprehensiveness and quality of capacity building efforts to encourage informed and meaningful public participation.

For further information see: www.accessinitiative.org

Case Study: the Aarhus Convention

"Although regional in scope, the significance of the Aarhus Convention is global. It is by far the most impressive elaboration of principle 10 of the Rio Declaration, which stresses the need for citizen's participation in environmental issues and for access to information on the environment held by public authorities. As such it is the most ambitious venture in the area of environmental democracy so far undertaken under the auspices of the United Nations."
- Kofi A. Annan, Secretary-General of the United Nations

The Aarhus (Århus) Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters is an MEA that applies mainly across Europe[1]. The explicit objective of the Aarhus Convention is as follows:
"In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention."

Some of the Aarhus Convention's key attributes are:

- Rights-based approach
- Establishing of minimum standards
- Non-discrimination
- Inclusion of regional institutions and international bodies
- Open to accession by non-ECE countries

For more information, see www.unece.org/env/pp

1 The Convention is open to accession by non-ECE countries, subject to approval of the Meeting of the Parties

MEAs Clustering Approach

Soon after beginning to work with MEAs, it becomes apparent that there is a vast degree of fragmentation yet – at the same time – a great deal of overlap among these instruments. The overlaps, fragmentation, and proliferation of MEAs have resulted in the following obstacles:

- Increasing "double-work" and potential conflict or confusion between different multilateral accords;
- Increasing requests for co-ordination among and between different MEA structures;
- Increasing funding required by developing countries and non-State actors to participate in the different MEA-originated systems[4].

4 Oberthür, S. "Clustering of Multilateral Environmental Agreements: Potentials and Limitations" Working Paper from the United Nations University Institute of Advanced Studies project on International Environmental Governance, February 2002. Available at http://www.unu.edu .

To resolve these obstacles, some international agencies, countries, and practitioners have called for a "clustering" approach. The general idea has been that grouping (i.e. clustering), conceptually merging, or integrating agreements according to different variables can result in an improved and more robust international governance system.

A clustering approach, conceivably, could address fragmentation and also harness synergies between MEAs to improve implementation processes. This could be particularly beneficial in countries with limited technical, human and financial resources. Grouping MEAs implies greater efficiency in implementation processes, especially advantageous for countries that must meet a series of new and additional international commitments with restricted expertise or resources.

This possibility, however, is faced with certain limitations. First, there is a need to agree upon the criteria of clustering. Then, there is the need to acknowledge that clustering takes place at different levels (international, national, etc.).

UNEP distinguishes grouping criteria by themes and it distinguishes the following four themes[5]:

- Sustainable development;
- Biodiversity associated;
- Chemicals and hazardous wastes; and
- Regional seas and related conventions.

Yet, other analyses add the following two variables:

- Atmosphere; and
- Land.

Groupings of MEAs
Although not strictly clustering, exercises in grouping MEAs based on issues also take place. Some examples of these are:

- evasive alien species;
- inland waters;
- information management; or
- climate change and sustainable use.

As can be seen above (and there are many other instances along these lines where different clusterings are recommended by diverse institutions, academics or policy makers), controversies and difficulties arise out of the clustering approach. Even clusterings that attempt to "gather" different MEAs along functional or thematic lines are not always agreed upon.

Given the multifaceted and integrated nature of environmental and development issues, overlaps cannot be totally avoided. Sustainable development issues are complex, have common characteristics and are by "nature" superimposed. Therefore, integrated issues require integrated approaches and will always contain a certain element of overlap[6].

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5 See UNEP Manual on Compliance with and Enforcement of Multilateral Environmental Agreements, op cit.

6 For further information see: "Synergies and Cooperation: A status report on activities promoting synergies and cooperation between Multilateral Environmental Agreements, in particular biodiversity-related conventions, and related mechanisms" prepared by the UNEP World Conservation Monitoring Centre, May 2004. Available at http://www.unep-wcmc.org .

Exercise 1b

List the MEAs that you think would be included in the following groupings. What kind of overlaps and fragmentation do you see?

Possible Cluster	Which MEAs?
sustainable development	
atmosphere	
land	
chemicals / hazardous wastes	
oceans (regional, etc.) and related	
biodiversity	

The above are examples of clustering by issue or subject. There are other clustering approaches being worked out, such as clustering by functions or clustering by regions. All of these approaches, however, face challenges and limitations. For example:

- How can issue meetings be combined?
- How can diverging reporting, monitoring, enforcement regimes and scientific background for different MEAs be gathered when they must respond different questions?
- How can the synergies within secretariats and other bodies related to MEAs be maintained and not overshadowed by clustering approaches?

These and other questions arise out of the clustering debate. Although a challenging approach, it could also give rise to further limitations or complications in international governance systems.

Other overlaps and synergies

MEAs are a dynamic and evolving field in institution building, international governance issues, and public participation, as well as international environmental law. As could be expected, there are innumerable matters that are analysed and debated concerning multilateral environmental agreements.

A case in point is the debate on the inter-relationship between and among different regimes. An environmental regime is a set of rules, administrative and institutional architecture through which societies deal with environment issues. Considering that MEAs fall under an international *environmental* regime, analysis and debate has highlighted the synergies or conflicts that arise when the MEAs are confronted with other regimes that are not, *strictu senso*, part of the environmental system.

A forceful momentum has been given not only to the issue of clustering within environmental regimes (as seen above) but to analyse conflicts and synergies between MEAs and other regimes. Two examples where regimes can be complimentary or conflict with one another are the conditions present between MEAs and the Habitat Agenda or between MEAs and trade regimes.

The UN's Habitat II conference in Istanbul, Turkey, in June 1996 produced a political document called the Habitat Agenda. It contains a series of commitments and a global plan of action, endorsed by countries, to deal with human settlements and urban issues. Given the connected concerns of urban settlements and sustainable development issues, it is evident that overlaps and synergies exist between the Habitat Agenda and MEAs. Therefore, many analyses try to encompass and gather the actions and institutional arrangements that arise out of the Habitat Agenda and out of MEAs practice. Making the most of the synergies between the Habitat Agenda and relevant MEAs is relatively simple. Although they arise out of different processes, these two instruments are synergetic since they originate from similar approaches to global sustainable development issues [7].

A different analysis surfaces when dealing with the interlinkages between environmental regimes and trade regimes. Here much of the debate has turned to identifying the differences in approach, in objectives, in political evolution as well as in leverage that gave rise to the two regimes. Much has been written, argued, and considered between these two apparently opposing systems. Some analysts argue that the trade system undermines the capacity of international environmental rules to act in an integrated and equitable manner[8]. Others indicate that environmental policies arising out of MEAs are not practicable to apply in a trade context, given the lack of formal global environmental architecture. What is irrefutable is that commerce issues advanced by the international trade regime do have an impact on sustainable development concerns and that many MEAs do have a trade component (some have very strong trade elements) Therefore, numerous examinations prosper and many attempts are being made to clarify linkages as well as to make both regimes mutually supportive.

In this period of proliferation of international instruments and structures, synergies and overlaps must be identified within the MEA system. There are also complex interweaves between different regimes, such as the ones indicated above. Unravelling them and at the same time using them to support the advances made by international global environmental tools is one of the challenges for the immediate future.

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7 For references and information on the urban aspects of MEAs and the relationship to the Habitat Agenda the following documents have basic data: "Multilateral Environment Agreements (MEAs) and the Urban Arena: Localizing the Global Environmental Agenda" Makiko Yashiro, United Nations University and "Coordination Matters: Cooperation between the United Nations Human Settlements Programme (UN-habitat) and the United Nations Environment Programme: Joint progress report of the Executive Directors of the United Nations Human Settlements Programme (UN-HABITAT) and the United Nations Environment Programme" Twenty-second session of the Governing Council/Global Ministerial Environment Forum, Nairobi, 3-7 February 2003.

8 As assured, there is an enormous amount of literature, policy analysis, and lobbying reaching different conclusions. To begin obtaining glimpses on this domain, it is worthwhile to examine what different institutions are examining and what points-of-view they are putting forward. Within the UN system, evidently the line organizations such as UNEP and WTO have done and continue to carry out much work on this. In addition, within the international system the United Nations University (UNU) has done work in these subjects. Academic institutions and non-governmental organizations from developed and developing countries have carried-out vast amounts of work in this area, it is a good place to start to look at publications and grey literature.

Summary

- MEAs are generally defined as legally binding instruments between two or more states that deal with some aspect of the environment.
- Multilateral Environmental Agreements (MEAs) are cornerstones to the international environmental governance debate and policy.
- A key factor of MEAs is their wide-ranging first-hand acknowledgement of civil society involvement in all facets of the negotiating, implementing, and monitoring aspects of international accords that deal with sustainable development concerns.
- MEAs have been proliferating in the last decade as awareness of the global dimension of environmental issues has extended.
- This proliferation has brought positive aspects (greater consciousness, larger number of instruments to deal with the issues, etc.); yet, it has also brought about negative aspects (overlaps, dispersed efforts, and so on).
- There are sets of analysis and efforts that are taking place in the global and regional levels to attempt to agglomerate MEAs in order to facilitate functions as well as to establish the rules of limitations and synergies of differing international systems.

Further Information and Resources

UNEP (2002). *Guidelines on Compliance with and Enforcement of Multilateral Environmental Agreements*. UNEP: Nairobi. Available at http://www.unep.org/dec/docs/UNEP-Guidelines-for-MEAs-English-Edition.pdf

UNEP (2006). *Manual on Compliance with and Enforcement of Multilateral Environmental Agreements*. UNEP: Nairobi. Available at http://www.unep.org/DEC/docs/UNEP_Manual.pdf

MODULE II

THE ROLE OF NGOs IN MEA NEGOTIATIONS

In this module:

Learn how NGOs participate in the intergovernmental arena, including the negotiation of MEAs. Consider the value of NGO roles.

- Defining NGOs
- NGOs at the UN and in MEAs
- Defining Objectives: different NGO roles in negotiations

Defining Non-Governmental Organisations

How do you describe an NGO? One survey[1] found 48 different terms and acronyms. Here is a sample:

BINGOs	Big International NGOs	**IPOs**	Indigenous Peoples Organizations
BONGOs	Business Organized NGOS	**GROs**	Grassroots Organizations
CBOs	Community Based Organizations	**GSCOs**	Global Social Change Organizations
CSOs	Civil Society Organizations	**NPOs**	Nonprofit Organizations
ENGOs	Environmental NGOs	**VOs**	Voluntary Organizations
GONGOs	Government Organized NGOs		

The choice of term also varies from country to country:

In France – économie sociale	In Germany – Vereine
In the UK – public charities	And the US – nonprofits
In Japan – koeki hojin	

In short, there is **no agreed terminology** for describing the NGO sector.

In some ways, it is easier to describe what NGOs are *not,* rather than what they are. It is generally agreed that NGOs are not:

- part of government, or
- organized primarily for private profit.

The UN's understanding of NGOs is the most pertinent to this manual. Here are two definitions that provide a sound base for using the terminology. However, be aware that lots of people have their own interpretations!

1 Adil Najam, "Understanding the Third Sector: Revisiting the Prince, the Merchant and the Citizen," Nonprofit Management and Leadership 7.2 (1996): 203-19.

From the UN Department of Public Information: NGO refers to a non-profit citizens' voluntary entity organized nationally or internationally. Thus, professional associations, foundations, trade unions, religious organisations, women's and youth groups, cooperative associations, development and human rights associations, environmental protection groups, research institutes dealing with international affairs and associations of parliamentarians are considered NGOs[2].

From the Report of the Panel of Eminent Persons on United Nations–Civil Society Relations: Non-governmental organization (NGO). All organizations of relevance to the United Nations that are not central Governments and were not created by intergovernmental decision, including associations of businesses, parliamentarians and local authorities. There is considerable confusion surrounding this term in United Nations circles. Elsewhere, NGO has become shorthand for public-benefit NGOs — a type of civil society organization that is formally constituted to provide a benefit to the general public or the world at large through the provision of advocacy or services. They include organizations devoted to environment, development, human rights and peace and their international networks. They may or may not be membership-based. The Charter of the United Nations provides for consultations with NGOs[3].

NGOs, civil society or major groups?

Of late, the term NGO has come to be used almost interchangeably with two other terms: 'civil society' and 'major group'. How these terms are defined, who they encompass and – just as importantly – who they don't, varies according to who is defining them, and in what context. As the recent UN report of Eminent Persons on UN-Civil Society Relations notes in its glossary, 'there are no "correct" definitions for such terms as "civil society", and the boundaries between the actors are porous.'

With that in mind, the Panel described civil society in the following way:

> *"… the associations of citizens (outside their families, friends and businesses) entered into voluntarily to advance their interests, ideas and ideologies. The term does not include profit-making activity (the private sector) or governing (the public sector). Of particular relevance to the United Nations are mass organizations (such as organizations of peasants, women or retired people), trade unions, professional associations, social movements, indigenous people's organizations, religious and spiritual organizations, academe and public benefit non-governmental organizations. "*

2 UN Department of Public Information, Information Note, 85-45244, 10 April 1985

3 United Nations General Assembly (2004). We the peoples: civil society, the United Nations and global governance. Report of the Panel of Eminent persons on United Nations-Civil Society Relations [A/58/817]

"Major Groups" is a term that was introduced in Agenda 21, agreed by governments at the Rio Earth Summit. It describes nine sectors of society identified as having a significant role in sustainable development:

• Women	• NGOs	• Business and industry
• Children and youth	• Local authorities	• The scientific and technical community
• Indigenous people	• Workers and trade unions	• Farmers

Agenda 21 devotes a chapter to each major group. There are, however, limits to the Major Group approach. Significant sectors, such as educators and older adults, are left out. NGOs are considered to be a major group in their own right, but depending on the definition may also include those non-profit associations that represent other major groups. For example, the ICFTU is a part of the workers and trade unions major group, but can also be defined as part of the NGO major group. There is little connection with the UN's working definition of NGOs.

A further term that can be useful is "stakeholders", which can be defined as 'those who have an interest in a particular decision, either as individuals or representatives of a group'. This includes people who influence a decision, or can influence it, as well as those affected by it[4].'

Exercise 2a

The UN's definition of NGOs is broad-ranging, encompasses NGOs with very different interests, as well as the voluntary associations of business and industry. How do you feel about the definition of NGOs and their role at the UN and in society generally?

4 Definition used by Stakeholder Forum, available www.stakeholderforum.org

UNEP'S APPROACH TO CIVIL SOCIETY

UNEP has forged strong relationships with civil society organizations (CSOs). This extract from 'Natural Allies: UNEP and Civil Society'[1] describes the organization's approach.

In 1992, at the United Nations Conference on Environment and Development (UNCED) or Earth Summit, Governments agreed on the following definition of Major Groups: farmers, women, the scientific and technological community, children and youth, indigenous peoples and their communities, workers and trade unions, business and industry, non-governmental organizations as well as local authorities. Since then, the concept of civil society has continued to evolve, with different views of how it should be defined.

UNEP seeks to engage the full range of non-governmental actors: local, national, or international; for-profit or non-profit; and advocacy, research, or business oriented. Consistent with the governmental definition of Major Groups and the purpose of this guidebook, the term "civil society" used throughout is inclusive and should be understood in the broadest sense possible. In particular, it encompasses all the Major Groups defined at UNCED.

The term "profit-oriented" encompasses profit-making companies, enterprises, corporations, as well as federations of corporate interests, but not trade unions. The term "private sector" includes profit-making companies and their federations.

Considering UNEP's segmentation into functional divisions, we can differentiate civil society organizations (CSOs) according to their functions. In relation to the environmental field the following major categories of CSOs are relevant:

Service-delivery: organizations that develop, monitor and implement projects/programmes or services; these CSOs are often based at the grassroots level or work closely with community-based organizations (CBOs).

Representation: organizations that aggregate citizen voices; these include CSO umbrella and network organizations and indigenous peoples' groups.

Advocacy and policy inputs: organizations that provide expertise and lobby on particular issues; these include think-tanks, research-oriented institutions and "watchdog" institutions.

Capacity building: organizations that provide support to other CSOs, including funding, training and raising awareness; these institutions include foundations and major NGOs.

Social functions: organizations that foster collective social activities, including religious groups.

Many CSOs, such as indigenous peoples' networks and their communities or local authorities, fall into more than one category as they carry out different functions. The primary means of UNEP's engagement with the diverse members of civil society is through networks and organizations that have developed the capacity to relate with UNEP. For example, rather than working directly with a particular rural community, UNEP facilitates action through umbrella organizations.

1 United Nations Environment Programme (2004). Natural Allies: UNEP and Civil Society. Nairobi: UNEP. Available: http://www.unep.org/PDF/Natural_Allies_en/Natural_Allies_english_full.pdf

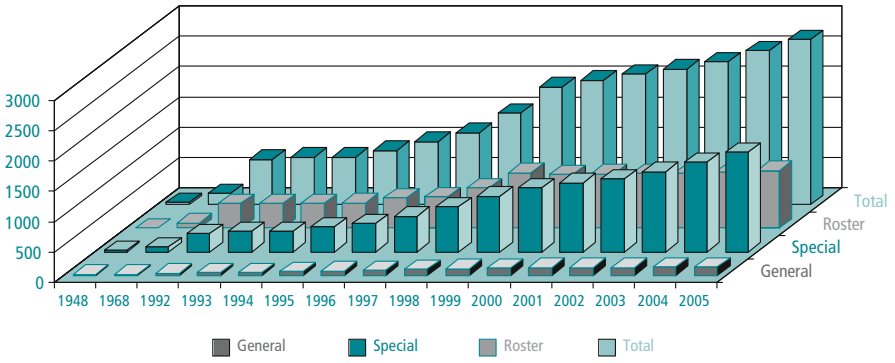
NGOs at the UN

Ten years ago, there was little talk of civil society in the corridors of power, but now the walls reverberate with at least the rhetoric of partnership, participation, and the role of citizens' groups in promoting sustainable development[5].

NGOs have been involved in the UN since its creation in 1945. Different parts of the organisation maintain different processes of engagement with NGO (details provided in module seven). An important point to note here is that NGOs generally have *consultative status* – that is, the ability to be consulted rather than the right to participate in negotiations or decision-making processes.

The number of NGOs who are active at the UN has grown rapidly, especially since the 1990s. For example, there are currently over 2,600 NGOs accredited to the UN Economic and Social Council (see graph below), plus another 400 on the UN Commission on Sustainable Development roster. 153 NGOs are accredited to the UNEP Governing Council.

NGOs in Consultative Status, by Category since 1948



Year	General	Special	Roster	Total
1948	13	26	1	40
1968	17	78	85	180
1992	38	297	409	744
1993	40	334	410	784
1994	40	334	410	784
1995	65	406	415	886
1996	76	468	497	1041
1997	85	582	517	1184
1998	100	742	663	1505
1999	111	918	909	1938
2000	122	1048	880	2050
2001	124	1132	895	2151
2002	131	1197	906	2234
2003	131	1316	903	2350
2004	134	1474	923	2531
2005	136	1639	944	2719

Figure 2.1 Number of NGOs with ECOSOC, Consultative Status by year (data from www.un.org, April 2005)

5 Michael Edwards and John Gaventa, eds., Global Citizen Action (Boulder: Lynne Rienner, 2001): 1.

This rise in accreditation reflects the growth in the number of NGOs operating internationally, and has been linked with a range of factors including:

- the end of the Cold War
- the increasing priority placed on more complex notions of human security
- technological advances
- deepening global interdependencies
- precedents set at the series of UN World Summits in the 1990s
- the diminishing authority and ability of governments to effect change alone

The function of NGOs is also changing. Once perceived as more relevant to implementation of UN policy and programmes, NGOs are increasingly becoming involved in the conceptualisation and development of these policies and programmes. It is important to note that these changes have been evolving informally through case-by-case arrangements and the creation of precedents rather than through changes in the rules governing NGO participation.

The role of NGOs in intergovernmental processes

> *The advantages of (…) increased NGO participation cannot be overestimated. [Their] participation has proven to be a very useful addition to the regular intergovernmental work of the Organization*[6].

What role do NGOs play in intergovernmental negotiations? With their intensive focus and expertise on particular issues (as compared to governments who must balance a range of policy priorities, and diplomats who often have very little expertise on the subject they are negotiating), NGOs can provide technical information, moral conviction and persuasive arguments for policies. They are often seen pushing the boundaries of what is possible.

In the intergovernmental process, it is often NGOs who possess 'the energy and perseverance needed to carry (proposals) through negotiation to formal agreement'[7]. Simmons[8]identifies four important functions:

Setting Agendas – getting issues on governments' agendas through public awareness-raising campaigns and lobbying. In the campaign to ban anti-personnel landmines, NGOs successfully used the media, electronic communications, and even Batman and Superman comics to lobby for intergovernmental action.

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6 UNGA, "A/53/170: Arrangements and practices for the interaction of non-governmental organizations in all activities of the United Nations system: Report of the Secretary-General," (New York: United Nations, 1998), paragraph 31.

7 Lynton K. Caldwell, "Beyond Environmental Diplomacy: the Changing Institutional Structure of International Cooperation," International Environmental Diplomacy: the Management and Resolution of Transfrontier Environmental Problems, ed. John E. Carroll (Cambridge: Cambridge University Press, 1988) 13-27.

8 P.J. Simmons, "Learning to Live with NGOs," Foreign Policy .112 (Fall) (1998): 82-96

Negotiating Outcomes – proposing alternative solutions and suggesting initiatives and language that states may be unable to propose but are willing to support.

Conferring Legitimacy – NGO participation and endorsement lends an air of legitimacy and credibility to processes and any resulting agreements and initiatives. It can be influential in ensuring widespread public support, and is often sought as a means of legitimising environmental initiatives, either as part of a genuine attempt for change, or as a form of public relations and 'greenwashing'.

Implementing Solutions – NGOs are often critical to implementing the outcomes of multilateral agreements, sometimes before official negotiations are complete. The 'Dolphin-Friendly' labelling campaign for tuna captured 95% of the market before the UN's moratorium on driftnet fishing in 1992[9].

In a 1998 report, the UN has acknowledged NGO's contributions as:

- introducing **additional knowledge and information** into the decision-making process;
- raising **new issues and concerns** which were subsequently addressed by the United Nations;
- providing **expert advice** in areas where they were the main actors;
- contributing to a **broad consensus-building** process in many areas which ensured commitment by all actors to a global agenda.

The United Nations Industrial Development Organisation[10] suggests NGOs bring:

- Local accountability;
- Independent assessment of issues and problems;
- Expertise and advice;
- Important constituencies;
- Provision and dissemination of information; and
- Awareness-raising.

A report prepared by Ecologic and FIELD in 2002 offers a useful breakdown of the roles of NGOs in international environmental governance, and the types of activities that they undertake. This is reproduced on the next page.

9 Peter J. Spiro, "New global communities: nongovernmental organizations in international decision-making institutions," The Washington Quarterly 18.1 (Winter) (1995): 45-57.

10 UNIDO, "UNIDO's Approch to Non-Governmental Organizations", quoted in A/53/170, "Arrangements and Practices for the interaction of non-governmental organizations in all activities of the United Nations system" Report of the Secretary General, 10 July 1998. Para. 33

Roles of NGOs in MEAs
Enhancing the knowledge base (science, policy and law) • gather, compile and disseminate information • conduct and publish studies and reports • distribute information and organise side-events at major conferences
Advocacy and lobbying • informal contacts with government delegates (side events, workshops, conferences, in the corridors, modern telecommunication technology) • formal participation in inter-governmental negotiations (official written submissions, unofficial written position papers, statements in meetings) • provision of advice to "friendly" delegations • campaigns outside the negotiating arena (e.g. media and public information, protests) to enhance influence
Membership in national delegations • receipt of inside information about governmental negotiations • provision of advice to governments • negotiate on behalf of governments
Contribution to compliance review and enforcement as well as dispute settlement procedures • submission of *amicus curiae* briefs • provision of information on implementation/alerting delegations and institutions of non-compliance
Ensuring transparency • reports from negotiations • 'naming and shaming' of laggard countries • public relations work (media) • reports on effectiveness of implementation
Supporting international secretariats • provide Secretariat functions • provide advice and expertise to Secretariats
Broader functions of NGOs in international environmental governance • shaping the opinions of individuals and groups (campaigns and training) • co-operation between environmental groups and business and industry • networking, including integrating levels of governance • 'globalisation' of values and preferences

Source: Ecologic and FIELD, Participation of Non-Governmental Organisations in International Environmental Governance: Legal Basis and Practical Experience (Berlin:Ecologic, 2002), p 4.

Case studies: NGOs and MEAs

NGOs have played important roles in the establishment, negotiation, ratification and implementation of MEAs. Their approaches are hugely diverse, and at times challenging for government negotiators.

- IUCN was instrumental in proposing and establishing CITES. IUCN provided secretariat services for CITES until 1984.
- Members of the Foundation for International Environmental Law and Development (FIELD) act as advisors on government delegations for governments of the Association of Small Island States (AOSIS) during climate negotiations.
- The Climate Action Network awards 'Fossil of the Day' awards to countries they perceive to be blocking progress in climate negotiations. The awards act as an immediate 'litmus test' for governments of the likely civil society reactions to their positions, and have occasionally helped to clarify contradictions and misalignments within government positions. Winners have been awarded such prizes as coal briquettes and cactus plants. (www.fossil-of-the-day.org).
- TRAFFIC International monitors trade in endangered species, providing valuable information to the CITES process.
- The International POPs Elimination Network (IPEN) brought NGOs from around the globe to develop a POPs Elimination Platform, and to contribute to the negotiations that led to the development of the Stockholm Convention on Persistent Organic Pollutants. The network continues to work for ratification and implementation of Convention.
- The Environmental Investigation Agency conducted an extensive investigation into the ivory trade, and brought the plight of African elephants to global public attention. (In the late 1980s, approximately 2,000 elephants were being killed every week). The EIA then worked with Tanzania, to successfully propose the listing of elephants in Appendix 1 of CITES.

Exercise 2B

The following quotes [1] suggest some different opinions of the role of NGOs. What do you think?

[A] NGOs are tugboats in international channels.

[B] social movements take an unlikely idea, make it seem feasible, and then put it into practice.

[C] …civil society is not just a resting place for social movements on their way to the state. It is meaningful and sometimes crucial as a site of political action in its own right.

[D] the rise of the global idiots … any group with a fax machine and a modem has the potential to distort public debate.

1 [A] Ann Marie Clark, "Non-Governmental Organizations and their Influence on International Society," Journal of International Affairs 48.2 (Winter) (1995): 505-525. [B] Thomas R. Rochon and Daniel A. Mazmanian, "Social Movements and the Policy Process," Annals, AAPSS .528 (July) (1993): 75-87. [C] John S. Dryzek et al., Green States and Social Movements: Environmentalism in the United States, United Kingdom, Germany, and Norway (Oxford: Oxford University Press, 2003). [D] P.J. Simmons, "Learning to Live with NGOs," Foreign Policy .112 (Fall) (1998): 82-96.

'Insider' vs. 'outsider' roles

Is it more effective to be inside the meeting rooms, or outside on the picket line?

The decision of whether to operate inside or outside negotiations is a strategic choice that must be made on a case-by-case basis. Both approaches offer different benefits and both are probably necessary to advance NGO ideas. NGO activities outside can 'push' negotiations to address issues, and activities inside can 'pull' negotiators along by offering the kinds of expertise, language and advocacy described above.

NGO activities outside can 'push' negotiations to address issues, and activities inside can 'pull' negotiators along by offering expertise, language and advocacy.

There are lots of reasons why an outside approach can feel more appealing:

- Negotiating processes can often be painfully slow, and negotiators not at all interested in what NGOs have to say;
- A protest march can feel like a far more direct expression of NGO priorities;
- NGOs who work 'inside' intergovernmental processes can be criticized for 'selling out' or propping up an ineffective system;
- Working 'inside' can require NGOs to act in a style that is more like their governmental colleagues than their NGO sisters and brothers;
- 'Inside' work can be far harder to see, and often slow to deliver results.

However, the in-the-corridors influence of NGOs can be crucial. NGOs have been able to instigate, promote and advance significant international agreements through their lobbying (including CITES and the establishment of the International Criminal Court [11]).

Academic studies provide evidence to suggest that the process of 'insider' influence works over long time-frames and requires a lot of procedural ground work first[12]. The very presence of NGOs inside a negotiation introduces new social values to the process, and can in turn lead to policy changes. In other words, by being 'inside', NGOs are able to build relationships and trust with governments, introduce new social values and ideas and, over a longer period of time, effect change.

The very presence of NGOs inside a negotiation introduces new social values to the process, and can in turn lead to policy changes.

Summary

- Terminology around NGOs varies. They are defined by the UN as 'non-profit citizens' voluntary entities organized nationally or internationally.'
- A range of other terms are used almost interchangeably, particularly 'stakeholders', 'civil society' and 'major groups'.
- NGOs have been involved in the UN since its inception; the rate of involvement has grown exponentially. Different agencies of the UN have their own accreditation arrangements (see Module Seven).
- NGOs bring knowledge and information, new issues and expert advice to intergovernmental negotiations and can play different roles, including:
    - Setting agendas
    - Negotiating outcomes (by proposing alternative language and solutions)

11 See, for example, Matthias Princen and Thomas Finger, eds., Environmental NGOs in World Politics: Linking the Local and the Global (London: Routledge, 1994) and William R. Pace, "Globalizing Justice," Harvard International Review 20.2 (Spring) (1998): 26-29.

12 For example, Rochon and Mazmanian, 1993 (op. cit)

- Conferring legitimacy
- Implementing solutions

- Sometimes, a choice has to be made about working 'inside' or 'outside' official processes. Both have pro's and con's, and the decision needs to be taken carefully.

Further information and resources

There is a great deal of analysis of the role of NGOs in MEA negotiations and, more generally, in intergovernmental processes. The references here are good starting points, and offer a mixture of practical guidance and critical analysis.

Publications:

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- Foster, J. W., & Anand, A. (Eds.). (1999). *Whose World is it Anyway? Civil Society, the United Nations and the multilateral future*. Ottawa: The United Nations Association in Canada.

Web-sites:

www.un.org/issues/civilsociety	UN resources on NGOs and civil society
www.unep.org/DPDL/civil-society/	UN Environment Programme Major Groups and Stakeholders Branch
www.un-ngls.org	UN Non-Governmental Liaison Service
www.intrac.org	International NGO Training and Research Centre

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MODULE III

NATIONAL AND REGIONAL PREPARATIONS FOR MEA MEETINGS

In this module:

- Learn about national and regional preparations for MEA meetings.
- Explore possible roles for NGOs and civil society
- National and regional reporting processes
- Role of civil society
- Advice for effective NGO contributions

The need for national and regional preparations

MEA international meetings and negotiations can be of several types, the main ones being:

- First, to determine, establish and negotiate what the MEAs and their various components will be (that is, for the setting up of accords, protocols, annexes, etc.); and
- Second, to provide wide-ranging information to the international community as to how the already approved MEAs are (or are not) being applied nationally or regionally.

The input to these meetings is based (at least in theory) on agreed national and regional positions. Depending on the type of meeting, these positions may concern how an MEA will be developed and what it will address, or – once the MEA is established – how that country is implementing its requirements.

Moreover, the period of national and regional report preparations is an important strategic opportunity for civil society groups to, either individually or collectively, input their interests, points-of-view and knowledge into the MEA process. If contributions are supplied by non-state actors in the national and regional processes, then it can be easier to advance on their issues at subsequent intergovernmental meetings.

National preparations regarding MEAs

National preparations are, again in theory, very crucial as to putting forth concerted and sensible input to the international arena. It is at this point that national interests ought to be considered and combined. This should occur in order to provide rational and sagacious input in building blocks ranging from national to global levels.

National preparations are an essential element of effective civil society input into international MEA meetings. Governments will start formulating their positions well in advance of the final official global meeting. Their preparations will include, *inter alia,* developing national policy positions as well as attending and contributing to regional and issue-focused preparatory meetings. Generally, the earlier different civil society groups can promote their positions, the greater the chance that governments will give attendance to them. The opportunities to participate are extremely varied and diverse in each national situation. In the following sections there are several accounts as to how can civil society groups participate at national level preparations as to ensure that their interests and points of view are considered.

Regional and interest group preparations

Given the intricacies of international negotiations as well as the strength-in-numbers rationale, a second tier of influence must be acknowledged. This is the regional or interest group clustering of countries that does take place in many instances before international assembling. Demonstrative and non-exclusionary examples of these transitional and/or semi-permanent country groupings can be seen below. These are only illustrations of the types of ways that countries can come together in international arenas, such as:

- By regional or **geographic vicinity** (e.g. Regional Group for Latin America and the Caribbean (GRULAC), Organization of Eastern Caribbean States (OECS), Asia Pacific Economic Cooperation forum (APEC), the Andean Community, Association of Southeast Asian Nations (ASEAN), and so on), and/or,
- By sharing same **levels of development** (e.g. G77, Group of Seven), and/or,
- By responding to some **degree of formal political or economic integration** already present in other matters (e.g. the European Union (EU), the Caribbean Community and Common Market (Caricom), the Commonwealth, African Union, Southern African Customs Union (SACU), the Southern Common Market (MERCOSUR) and so on).

These concerted presentations should be taken into account by civil society as building blocks from the national preparations to the international arena negotiations and conferences. Regional meetings can offer another useful opportunity to present civil society interests early in the MEA process.

What are the possible roles and input of civil society at these levels?

National and regional preparations are arguably the most unique and particular arrangements in global MEAs input. There is no agreement as to what specific formats of participation and preparation are better than others. Many examples around the world abound.

There is also the understanding that what is appropriate public participation needs to bear in mind the diversities between countries, regions, sub regions and their civil societies

in matters of knowledge, situations, strategies, and so on. Therefore, this assortment of circumstances and criteria do not leave room for a "one-size-fits-all" recipe but for more general guidelines to be adapted to different circumstances and diverse initiatives.

Several guiding principles for input to national and regional preparations can be applied. The different modalities of participation in national as well as regional preparations can be, for example:

- By having fluid relationships with national executive administration as well as with regional administrative bodies;
- By participating in national and regional official or non-official committees;
- By providing individual input of an organization into national and regional preparations;
- By furnishing technical information to national authorities and regional bodies on subjects of a particular MEA;
- By providing specific input into drafting of national reports and regional inputs; and/or,
- By contracting with national governments and regional bodies to generate national or regional reporting or preparations.

Regardless of the mode of participation, generally the input from civil society is "lobbying" – either "counterfactual," or "additional." That is, groups try to influence decision-making, provide a different point of view or a different set of data (i.e. counterfactual), or provide additional information, analysis, research, or knowledge than that presented in national or regional reporting exercises.

Whether the participation is formal or informal, "insider" or "outsider," or describable by any other adjective, it is substantially agreed that some courses of action work better than others. The following list provides advice based on our experience in contributing to national as well as regional preparations.

Exercise 3a: Insider vs. outsider roles

Reflections on the points in favor of and on the disadvantages of "insider" versus "outsider" ways to participate in MEA processes.

Occasions to take part in MEAs policymaking spaces have proliferated. Being a part of them ("insider") participation is but one option that civil society groups have. Some associations or citizen groups question this type of participation and advocate more contestive ways of involvement. Yet, both ways are valid.

Below are different types of activities within the different opposed modalities. Discuss their pros and cons. Some issues to consider are: visibility of actions, pace in change being sought; co-opting or not civil society's agenda, and so on.

- **Outsider:** Marches in the streets to protest a certain issue or official position. Pros? Cons?
- **Insider:** Engaging in policy dialogues with decision-makers. Pros? Cons?
- **Outsider:** Presenting an alternative/shadow report to an MEA meeting. Pros? Cons?
- **Insider:** Lobbying for the insertion of text in declaration/report or other such documents. Pros? Cons?

Advice for civil society input into national and regional preparations

Much advice can be given on the input that civil society groups can provide to MEA-related preparation. Following is some guidance on how input can be more effective in most circumstances.

- **Be focused and targeted.** Focusing on any one or combination of targets is key with respect to the subject or issue being dealt with.
- **Offer specific language and proposals.** Do not just criticize – make affirmative/proactive proposals. Although criticism is an acceptable input, this can be put forth coupled with a proposal or phrased with a proactive suggestion.
- **Be clear.** Use short comprehensible sentences and avoid jargon. Use active verbs in preference to passive verbs.
- **Time is of the essence.** National and regional preparations or inputs must conform to certain time frames. Although there is never sufficient time to take part in national or regional preparations, it is essential to ensure your inputs are made within the prescribed timeframes if they are to have any effect. This requires significant advance planning.

- **Build your information and knowledge.** Be prepared by knowing about or gathering data on the subject treated in each national or regional preparation. This is an indispensable need. Inadequate preparation or ignoring the subject(s) being dealt with can backfire the input process. This is true not only regarding scientific information; knowledge can and does also originate from experiences, projects, and practice. While this assertion might seem self-evident, it should be stressed that knowing the issues and the impacts of different actions related to MEAs (including actual and potential impacts) is crucial.

- **Coalesce within civil society**. If at all possible, creating coalitions, connecting with other social actors, or simply combining efforts with other civil society actors for national preparations is more effective. This is not only more cost-effective for civil society participants that are generally pursuing and chasing after short time frames with limited funding, it is also more effective in terms of avoiding duplication of efforts, attracting public and private attention to national preparations, or even generating political momentum. Whenever, possible and relevant, civil society groups should have their own arrangements, especially at the national level, that allow for coordination among them.

- **Coordinate at the national level.** Civil society groups need to be coordinated at national level. And although they likely will not put forth unison opinions, they need to be harmonized at the operational level in order for national governments to consider them and consult with them. This can be generally achieved by having fluid relationships with national executive administration as well as with regional administrative bodies.

- **Ensure that national instutional structure permits civil society groups' participation.** In order to ensure participation in national and regional official or non-official committees civil society groups need to first ensure that national institutional structures permits them to participate in national committees either by law or policy or administrative measures.

- **Work with different strata and sectors of government(s).** Not all government and administrative divisions are the same, nor do they reflect the same viewpoints or represent the same interest groups. Therefore, national and regional preparation should aim to include different layers and divisions of state actors. Civil society ought to attempt an interaction with different levels of governments and different divisions. For instance:

    - Connect with other departments and ministries that have an involvement with the particular MEA as well as those directly related to the subject the agreement is dealing with. For instance, as well as working with environmental divisions, make contact with trade areas, agricultural divisions, and so on.

    - In addition, a relationship (either direct or indirect, either providing information or attempting to influence output) could (and should) be

fostered with **parliamentary areas**. Parliaments after all are also one of the strategic areas of the state that must deal with implementation, compliance and monitoring of multilateral agreements' national application.

- **Build a relationship with sub-national areas of government.** Regional and provincial parliaments, local authorities, and other sub-national sections of government can also be significant in the provision of different sorts of inputs for national preparations. Many of the problems and solutions for environmental issues take place at this level and therefore the interaction of civil society with these strata can be useful.

Shadow / Alternative Reports

At times civil society groups do not concur with governmental reporting to international processes. As a strategy, these groups generate what are called shadow or alternative reports. They are generally a critique of national reporting, yet sometimes these are also used as means to provide further information than that generated by official channels.

Shadow reports can be general or may concentrate on specific points and issues. There are also an assortment of manners and methods used to generate, draft and deliver these types of reports:

- Some are prepared by coalitions;
- Some are arranged by individual groups;
- Certain reports concentrate on specific sustainable development indicators; yet,
- Others take a more general view of the problems at hand.

The overall principle however is that they are independent of government structures and, by rebuffing official data or by making available auxiliary data, they challenge what is presented in official reports.

Exercise 3b: Debate on drafting elements of a report or standardized MEA forms

There are times when governments and regional bodies must present significantly standardized forms for different MEAs, in addition to other broader national or regional reporting.

Below are the web pages for the different national reporting format templates. In order to practice reporting issues, please analyze:

- How can national reports be developed in a standard way?
- How are contents developed and put forth in a national report?
- Who is accountable for information gathering for national reports?

For Ramsar Convention: http://www.ramsar.org/index_keys_docs.htm and/or http://www.ramsar.org/key_ris.htm

For CITES: http://www.cites.org (Note: Different forms are presented for different species or issues within this website)

For CMS: http://www.cms.int/bodies/COP/cop7/list_of_docs/pdf/en/CP7CF7_06_2_national_report.pdf

For UNCCD: http://www.unccd.int/

For harmonized national reporting for a cluster of biodiversity-related MEAs: The United Nations Environment Programme's World Conservation Monitoring Centre has a project on this matter. Its site (http://www.unep-wcmc.org) contains guidance for non – governmental organizations in this particular issue as well as information on a project to impel harmonization of MEAs reporting.

Case Study: Scenario building

Scenario-building and analysis can be a very useful tool that helps politically to understand how a situation may evolve and develop strategies to influence it.

About a year before the World Summit on Sustainable Development (WSSD) a number of NGOs convened a small meeting that used the 'matrix method' to develop scenarios to explore the range of potential outcomes of the summit. This information was then used to develop lobbying strategies to influence the preparatory process of the summit.

The meeting profiled major stakeholders in the summit process. Who was influential? What outcomes did they hope from the summit? What was their bottom line? The NGOs recorded the information in a 'stakeholder matrix'. As they talked, they started to get a feel for the various dynamics that might play out in the summit, and the two important variables that would shape the whole of the summit: (1) the degree of political will (high or low); and (2) the state of the global economy (growth or recession).

They then used this information to prepare scenarios using the matrix method (where two variables are identified along axes, and the content of the resulting scenarios are deduced):

POLITICAL WILL	Growth — ECONOMY — Recession	
High	- EU approach very positively - US does not block - G77 approaches positively - Business engages positively - NGOs/stakeholders engage positively	- EU approaches positively - US is not engaged - G77 positively engages - Business does not block - NGOs/stakeholders are apologist
	New Deal	Delay
	- EU approaches less positively - US has no interest - G77 gives up on sustainable development - Business is obstructive - NGOs/stakeholders slam conference as a failure	- EU approaches less positively - US blocks - G77 replays failures of the last ten years - Business not interested - NGOs criticize
Low	Sustainable development displaced	Status quo

For further discussion of this scenario, see Dodds and Strauss (2004:17-20).

MEA MEETINGS: A YEAR IN THE MAKING

To help give an idea of a possible timetable for a year for a meeting of a Convention in December it might look something like this:

January:	Contact the international NGO coalition and national government to find out their timelines. Draw up a list of groups interested in the issue in the country – this can be wide or focused e.g. other stakeholders or just one stakeholder group.
February:	Arrange a meeting of the country's NGOs or stakeholders – set out a timetable to agree a position and input to international positions.
March:	More national meetings to review well prepared and researched background papers which will be used to force NGO position and submit to government.
April:	More national meetings and informal meetings with national government to find out their thoughts.
May to July:	Input to regional / global coalition positions.
August:	Informal meetings with national government.
September: to October	Formal meeting with national government to input to their thoughts Initiate a debate in parliament on the issue.
November:	Formal Meetings with national government to input to their thoughts.
December:	Meeting of the MEA – NGOs ensure that not only that their input is in government position but also assist government delegation during the MEA negotiation to ensure the position is retained and not compromised.

Summary

- Participation by, and consultation with, non-state actors in national preparations for MEAs is an issue of rights under Principle 10 of the Rio Declaration on Environment and Development.
- Contributions by civil society can provide information, points of view, research input, and sub-national contributions to the MEA national reporting process.
- To be effective, ensure your contributions are targeted, timely, and well grounded by evidence and experience.
- Working in coalition with other civil society stakeholders, and with a wide range of government departments can advance the uptake of your positions.
- Even if divergences in opinion arise (e.g. between government and civil society), the process of participation should be considered constructive.
- Civil society input to national preparations can result in more fluid and improved processes of MEA negotiation and application.

Further information and resources

Civil society inputting into MEAs national reporting and submittal process is a type of action that is more of a hands-on, learn-as-you-go process. Nevertheless, non-governmental organizations can become skilled at this practice through the examination of some resources and materials on national submittals.

General information on national report formats and contents:

http://www.un.org/esa/sustdev/csd/csd11/background_docs/csd11background3.pdf

http://www.unep-wcmc.org/conventions/harmonization/reports.htm

Information on preparing national submissions for particular MEAs:

For CITES Annual Reports: http://www.cites.org/eng/notifs/2002/022A.pdf

Reporting for the Aarhus Convention: http://www.unece.org/env/pp/documents/mop1/ece.mp.pp.2.add.9.e.pdf

MODULE IV

NETWORKING

In this module:

Consider the value of building networks with NGOs and other stakeholders. Learn how to develop effective networks.

- Why network?
- Strategic choices: pros and cons of networking
- Multi-stakeholder networks
- When to network?
- Establishing and operating networks
- Existing MEA-related networks

Why network?

Networking with other NGOs and stakeholders offers a range of advantages, such as:

- **Sharing information:** Working with NGOs from different countries helps you to stay in touch with developments as they happen.
- **Developing shared policy positions:** Joint positions can carry more weight with governments. The process of agreeing positions can also help to clarify your priorities, and develop an effective lobbying strategy.
- **Gaining perspective:** The process of coming to a common position is itself an important educational process. Groups that represent NGOs in the UK, India or Togo will have a different appreciation of an issue. Similarly, different stakeholders will have different priorities. The discussion is an important learning process, offering insight into the impacts, challenges and possible solutions that an issue can have depending on where people come from or the interests you represent.
- **Credibility (strength in numbers):** Being able to demonstrate that others share your views is an important indicator of the validity of your arguments. This is particularly the case if your positions are supported by different stakeholders, e.g. industry.
- **Pooling resources in negotiations:** Networks can share funding, expertise, and human resource. At MEA meetings, the more organizations who can share in the tasks the better. These include providing 'floor managers' within sessions, and meeting with the 190+ countries (see Module Six).

- **Pooling resources in implementation:** Similar benefits can be had in the implementation phase. For example, preparing region-wide project proposals can strengthen your case with funders.
- **Capacity building:** Networks help bring new participants up to speed, and introduce different experiences and perspectives to more seasoned participants.
- **Improved leverage and communication with official processes:** International negotiations offer limited space for the active contribution of NGOs and stakeholders. Working together, stakeholders can make a stronger case for improved procedural arrangements. For example, there will be very few speaking slots; commonly developed and presented statements are more likely to be given time in official proceedings.

Case Study: The Climate Action Network

The Climate Action Network (CAN) is a worldwide network of over 340 NGOs working to limit human-induced climate change to ecologically sustainable levels. It plays a leading role in coordinating civil society contributions to the processes under the UNFCCC. CAN works to:

- raise awareness of climate change issues;
- exchange information;
- coordinate and develop NGO policy and strategy;
- monitor and seek to influence climate-related negotiations, policies and measures at national and international levels.

The network is particularly active during intergovernmental meetings. It works to secure funding for Southern NGOs, and coordinates NGO contributions to negotiations. CAN has also played an important role in developing the science and policy arguments about climate change. For example, members of the network were instrumental in shifting the policy debate from focusing on population growth to levels of consumption – a critical shift in negotiations for developing countries[1].

Membership of CAN is open to NGOs who subscribe to CAN's mission and agree to adhere to regionally-determined codes of conduct. It is not open to organizations representing business or government. Seven regional offices coordinate efforts in Africa, Central and Eastern Europe, Europe, Latin America, North America, South Asia, and Southeast Asia. For more information, including web-links to the regional offices, see www.climatenetwork.org

1 See Waddell (2003) for detailed discussion of CAN's contribution to climate change negotiations.

Strategic choices: pros and cons of networking

Networking can offer lots of advantages. However, it can also take a lot of time and effort to network effectively, and the loose arrangements of networks can cause headaches. When making strategic choices about your approach to MEAs, and how you structure your involvement in various MEA-related networks, you might like to bear the following pros and cons in mind:

Pros	Cons
A loosely knit network can come together as needed	Issues of accountability, credibility and responsibility (especially as networks get larger and more institutionalized)
High degree of flexibility	Less professionalism, consistency, continuity
Keeps budgets low and reduces load on individual organizations	Often relies on one or two key leaders – but when they leave, networks can struggle to continue
Ensures coherence of policy positions and approach from network members	Can limit efforts to 'lowest common denominator' consensus
Requires a great deal of consultation and communication: can enrich your understanding of issues and create new opportunities for implementation	Requires a great deal of consultation and communication: can get bogged down in process, or spend lots of time trying to convince each other about issues instead of focussing on decision-makers

Figure 4.1 Pros and Cons of Networking adapted from 'Whose World Is It Anyway?' (1999)

Exercise 4a

From your own experience working with networks,* what are the pros and cons? How did you maximise the advantages and minimise the disadvantages of networking?

* You may have valuable insights from working with all kinds of groups to develop and achieve shared objectives, for example groups in your community or workplace.

Multi-stakeholder networks

A growing trend is to develop networks that include all kinds of non-governmental stakeholders. The extent of differences between stakeholders can have a significant impact on how the network operates, for example whether it focuses on developing common positions, or simply on facilitating access so that a range of positions can be presented (see box below).

Case Study: process vs. content

Two very different kinds of international coalitions were established for the Rio Earth Summit in 1992. The International Facilitating Committee (IFC) facilitated the participation of all non-state participants including industry groups, while the International NGO Forum (INGOF) worked to develop co-ordinated global NGO policy platforms. They illustrate the choice between developing a network or coalition for logistical/procedural purposes, versus one focussed on substantive issues or content. Both models offered advantages and disadvantages.

The IFC was organised as 'a coalition of independent sectors' to facilitate the participation of NGOs and other stakeholders, but not to define or represent policy positions. Because of the range of participants, including such diverse interests as the European Environmental Bureau, the International Confederation of Free Trade Unions and the International Chamber of Commerce, it was difficult for the IFC to reach agreement over policy (this may well have influenced the focus on facilitation rather than representation). IFC activities included providing information briefings in association with the PrepComs, and organising the Global Forum – the parallel NGO event located 40km from the intergovernmental meetings that attracted around 20,000 participants1.

INGOF was an NGO-only international coalition, focussed on common policy development. Led by ELCI, INGOF developed the Alternative Treaties, intended to be the NGO response to sustainable development. The 46 Treaties were finalised during the Global Forum, but did not impact the official negotiations. (Indeed, some NGOs felt that the Alternative Treaties process detracted from the lobbying of governments2).

The practice of NGO networking has continued to be central to NGO involvement in the UN Commission on Sustainable Development (the Commission established out of Rio). The Sustainable Development Issues Network (SDIN) operates as a 'network of networks and issue caucuses', with involvement from 4,000 organisations in over 170 countries. It aims to improve communications and access to information on sustainable development issues. See www.sdissues.net

1 Finger, 1995

2 See Finger, 1995, Grubb et al. (1993), (Bigg & Dodds, 1997a) and Brenton (1994) for commentary on the Alternative Treaties process.

Establishing and operating networks

Networking is a highly flexible and adaptable approach to working with other NGOs and stakeholders. Networks frequently evolve out of informal working relationships, and can remain highly informal. Even so, it is important to establish some ground rules for your relationships – the principles of effective partnership (below) offer some starting considerations. The level of definition will depend in large part on your objectives for the network, the range of stakeholders involved, the level of consensus needed, and the accountabilities (e.g. funding) involved. The nature of arrangements should reflect the intent of the network, whether formal or informal, ad hoc or permanent.

Principles of effective partnership

1. Mutuality
2. Clearly defined expectations, rights and responsibilities
3. Accountability and transparency underpinned by:
   trust – respect – integrity – credibility – ownership

(from Mancuso Brehm, 2001)

For those networks based on information sharing, as opposed to policy development, the accountabilities of a network can remain relatively loose. For example, one NGO may offer to act as 'secretariat' and take on administrative responsibilities. A steering group can act to provide guidance, and the wider network can contribute content for circulation.

Decision-making processes and accountabilities need to be more clearly defined for those networks who are interested in coalition building and policy development. Acting as a concerted voice in MEA negotiations requires great clarity of process, for example, over how decisions are made, timelines for contribution, and what happens when parties can't agree. The Climate Action Network Charter (see www.climatenetwork.org) offers an example of a more formalized network relationship.

Establishing more formal networks can be a lengthy and complicated process of negotiation (not to mention trial and error), and will need to be shaped in accordance with the wishes of the network members. In general, the simpler the arrangements, the better. Some key considerations are listed in the checklist following.

Checklist: some key steps in establishing an MEA-related network

- Identify your own objectives. What do you want to achieve? How could networking assist this?
- Identify potential network partners.
- Organise a meeting or discussion with potential network partners to identify common objectives and how you might work together. For countries where e-mail is commonly used, such discussion can be managed electronically. For those countries with less reliable communications, use the best available methods – for example, find a newsletter that goes to the relevant groups, and prepare an article inviting people to get in touch.
- Pay as much attention to the questions of *how* as to the questions of *what*. This includes details of organisational structure, funding, and network accountabilities (see discussion below).
- Prepare early. Working as part of a network can be slower than acting independently. Longer lead times to key events will enable the network to prepare well, and build a momentum around its activities.
- Recognize what you can and cannot achieve through a network approach, and channel your efforts accordingly. NGOs can end up spending large amounts of time at intergovernmental meetings fine-tuning the details of their own arrangements, rather than focussing on the real negotiations that are underway.

Analysis of NGO coalitions that work on World Bank activities[1] suggest there are two key aspects of coalition organisation:

- Coalition definition – agreement on fundamental purposes and membership.
- Organizing mechanisms – arrangements that facilitate effective collective action.

The following questions may assist in defining the structure and function of networks:

Coalition Definition

- What **objectives** do you want to achieve through the network or coalition? For example, are you organizing for information-sharing, to develop position statements, or facilitate logistical aspects of NGO involvement in MEAs?
- What **values** underpin your approach? What values do you hold in common?

1 Brown and Fox, 1998.

- What kinds of **activities** do you need to undertake? Possible activities include raising public awareness, media campaigns, advocacy with decision-makers, information dissemination, research, policy development, monitoring and implementation.
- Who is, or needs to be, involved? In what kind of capacity? (e.g. members, observers, steering group functions) Should eligibility criteria be applied?

Organizing Networks (operational considerations)

- What kind of approach or **structure** is necessary to deliver your activities and meet your objectives? Do governance and secretariat functions need to be determined?
- What are the **roles and responsibilities** of members?
- How will your approach reflect your **shared values**? These could be around participation, equity, environmental stewardship, etc. A key example is ensuring mutual and trustful relationships between NGOs from the North and South.
- **Representation**: can people speak or present position statements on behalf of the coalition? If so, who? What kind of sign-off processes are necessary? (One option here is to develop a 'sign-on' process for position statements. In this way, organizations are required to make a clear statement of commitment to a given position, rather than positions being attributed to the entire network or coalition).
- **Governance and decision-making processes:** What kind of decisions are likely to be required on an ongoing basis? How should they be made?
- **Financial management and accountabilities**: how will project funds be raised, managed and accounted for?
- How will you address **differences of opinion and conflict?**

Exercise 4b

Drawing on the example of the Climate Action Network, what range of NGOs and stakeholders would you involve in a national information-sharing network on another MEA issue (e.g. biodiversity)? How would this differ if you were establishing a regional advocacy network?

When to network?

If you decide that networking is the appropriate approach, the question of *when* to network is an important one. In the past decades NGOs have tried to coordinate their positions the weekend before a meeting. This is not a productive approach, for two reasons:

- Most governments have already agreed their positions, so the ability to influence their policy positions with your own is greatly reduced. The meeting – particularly for those MEAs that are already established – is the end phase of negotiations and so the flexibility of positions limited. Most governments work in blocks and so any change of position needs a huge change in a number of countries.
- Building relationships and developing commonly agreed positions takes time. The process for governments is extensive and, whilst NGOs can be somewhat quicker, it is unrealistic to expect them to deliver robust positions and policy papers within two days.

The 11 months leading up to a meeting are when most of the work needs to be done (see Module Three). A network pre-meeting in the weekend leading up to an intergovernmental meeting should be a strategic session to address:

- Latest information updates;
- Review of priorities and game-plan for the meeting: allocating tasks, agreeing processes;
- Training for new participants.

During MEA meetings, it is important to meet regularly to share information and allocate tasks. If NGOs have shared areas of interest, or represent common sectors, it can be useful to organize 'caucus meetings'. However, you should try to keep these meetings to a minimum, to allow you to spend more time with governments (see Module Six). Good advance preparation can help facilitate this.

Existing MEA-related networks

There is great value in joining up with existing MEA-related networks. Find out details of their work programmes, and ensure you are on relevant e-mail lists (e.g. if you wish to contribute to position papers). There may be network meetings which you should attend.

Below is a list of NGO networks related to the MEAs we are addressing in this Manual. Networks are variously organized for example to develop common positions or to facilitate information exchange. Some networks will also have regional focal points. These people help to facilitate views from the region, and coordinate regional implementation efforts (e.g. through the Global Environment Fund or similar means).

Note that this list is intended as a starting point for you to connect with relevant networks, not as an exhaustive list of NGO and stakeholder networks active on the issues. Also note

that the different networks' policy platforms and operating styles may or may not fit with your objectives. It pays to do some research: look at their web-sites and talk with colleagues. Credible networks should provide information regarding their membership, funding sources and governance and decision-making structures (if any). For some networks, membership requires making an application, and contributing annual subscription fees.

Existing MEA related Networks

Basel Action Network (www.ban.org)
Based in the US, BAN describes itself as:

- a campaigning organization;
- an investigative and research body;
- a political advocacy group; and
- the definitive clearing house for information on toxic trade.

Climate Action Network (www.climatenetwork.org)
See case study above.

Eco-Forum Public Participation Campaign (www.participate.org)
European ECO Forum is a coalition of more than 200 environmental citizens organizations (ECOs) from countries of the United Nations Economic Commission for Europe (UNECE) region taking part in the "Environment for Europe" process.

The Public Participation Campaign Committee is focussed on the practical implementation of the Aarhus Convention. It:

- brings ECO positions and expertise into the official Aarhus Convention process;
- prepares position papers and declarations; and
- runs regular meetings, workshops and communications (e.g. via five thematic list-servers).

Global Biodiversity Forum (www.gbf.ch)
A multi-stakeholder forum related to the Biodiversity Convention, the GBF provides a mechanism for dialogue and analysis among a wide range of stakeholders. The GBF was founded in 1993 by IUCN, WRI, UNEP, and ACTS and includes a number of other institutions as its convenors. It aims to expand the range of stakeholders involved in biodiversity issues, and acts as an instrument for exchanging, refining and improving arguments, for informing governments and for promoting innovation.' Objectives include:

- to assist policy making and implementation at all levels;
- to promote complementarity among the sectoral processes relevant to biodiversity;
- to facilitate partnerships within and/or between sectors of society; and
- to raise awareness and promote the effective participation of stakeholders in relevant processes.

International POPs Elimination Network (www.ipen.org)
IPEN is comprised of public interest NGOs who support a common platform for the global elimination of POPs. The Participating Organizations (POs) of IPEN are those NGOs which have endorsed the POPs Elimination Platform and/or the Stockholm Declaration. Because the network is primarily engaged in facilitating information exchange and in supporting activities of its constituents, and because the purpose of the network does not include developing network-wide-policy statements, strategies, or action plans, a formal decision-making process for the network can be simple, flexible, and largely administrative in nature.

Pesticide Action Network (www.pan-international.org)
PAN is a network of over 600 participating NGOs, institutions, and individuals in over 90 countries working to replace the use of hazardous pesticides with ecologically sound alternatives. Its projects and campaigns are coordinated by five autonomous Regional Centers.

RIOD – International NGO Network on Desertification
A network of regional NGO focal points working on desertification issues. Focal point contacts are as follows:

AFRICA
ENDA-Tiera Monde, Senegal, energy2@enda.sn
UWTPM, Uganda, uwtpm@infocom.co.ug
ZERO, Zimbabwe, zero@internet.co.zw
CONGAC, Cameroon, congac@camnet.cm
NEST, Nigeria, nestnig@nest.org.ng

ASIA
YFA, India yfa@hd1.vsnl.net.in
CENESTA, Iran, cathyrazavi@iname.com
OTS, Uzbekistan, ots@physic.uzsci.net

AUSTRALIA FOE, sbaker@tyndale.apana.org.au

EUROPE
Both Ends, Netherlands, et@bothends.org

LATIN AMERICA
Proterra, Peru, andaluz@terra.com.pe
Fundación del Sur, Argentina, jlmerega@fsur.wamani.apc.org
CODEFF, Chile, biodiversidad@codeff.cl

NORTH AMERICA
SCS, Canada, jocelyneneron@hotmail.com

Species Survival Network (www.speciessurvivalnetwork.org)
An international coalition of over seventy NGOs committed to the promotion, enhancement, and strict enforcement of CITES. Activities include scientific and legal research, education and advocacy. SSN supplements the implementation efforts of other organisations such as TRAFFIC (www.traffic.org). TRAFFIC is the joint wildlife trade monitoring programme of WWF and IUCN. It monitors and investigates wildlife trade and provides information to CITES and other stakeholders, and is another useful source for CITES-related information.

Exercise (4c)

Different networks are organised for different purposes, and have different structures. How would you characterise the MEA-related networks listed above? Some characteristics are listed below, as a starting point:

Purposes

lobbying, implementation, policy development, co-ordinating role, information sharing, public awareness, research…

Structures

grassroots, national, regional, global, centralised or diffused management, formal or informal membership, externally funded…

Summary

- Networking with other NGOs and stakeholders offers a range of benefits, including:
- Sharing information and resources;
- Developing shared policy positions;
- Gaining new perspectives;
- Establishing credibility and leverage with official processes;
- Capacity building;
- Networking can also have disadvantages, particularly around the amount of time and effort they can require to be effective;
- Multi-stakeholder networks are a growing trend. The degree of difference between stakeholders can shape the nature of the network – whether for information, logistical support or developing common policy platforms;
- Effective networking takes time, and is best started well in advance of MEA meetings. This is particularly the case if you plan to develop common policy positions – not something that can be done well the weekend before the meeting starts;
- In establishing or operating a network or coalition, it is important to ensure a sense of mutuality, clearly define expectations, rights and responsibilities, and agree accountabilities and responsibilities;

- Take time to reflect on the objectives and structure of your networks. The appropriate level of definition will depend on your objectives for the network, the range of stakeholders involved, the level of consensus needs, and the accountabilities involved;
- A number of international, issue-based NGO networks are relevant to the MEAs discussed in this manual. Depending on your objectives, they are well worth tapping into.

Further Information and Resources

Annex 1: NGO contact points in UN Agencies and Programmes

Annex 2: Contact points in european Unions DG Environments

Bigg, T., & Dodds, F. (1997). The UN Commission on Sustainable Development. In F. Dodds (Ed.), *The Way Forward: Beyond Agenda 21* (pp. 15-36). London: Earthscan.

Brenton, T. (1994). *The Greening of Machiavelli. The Evolution of International Environmental Politics*. London: Earthscan.

Finger, M. (1995). Politics of the UNCED Process. In W. Sachs (Ed.), *Global Ecology. A New Arena of Political Conflict*. Halifax: Fernwood Publishing.

Fox, J., & Brown L.D. (1998). Accountability within Transnational Coalitions. In Fox & Brown (Eds.), *The Struggle for Accountability: the World Bank, NGOs, and Grassroots Movements*. Cambridge, MA:MIT Press.

Grubb, M., Koch, M., Munson, A., Sullivan, F., & Thomson, K. (1993). *The 'Earth Summit' Agreements: A Guide and Assessment. An Analysis of the Rio '92 UN Conference on Environment and Development*. London: Earthscan.

Mancuso Brehm, V. (2001). *Promoting Effective North-South NGO Partnerships: A Comparative Study of 10 European NGOs*. Oxford: INTRAC.

Waddell, S. (2003). *The Climate Action Network: Civil Society Tackling Global Negotiations*. Global Action Network. Available at http://www.gan-net/pdfs/can.pdf

MODULE V

USING THE INTERNET

In this module:

Learn techniques for internet-based research, networking, and communications.

- Networking and communicating via the internet
- Using the internet for information relating to MEAs
- Where to start: websites on MEAs

Using the internet to network and communicate

The internet is an essential tool for global NGO networks. It provides for fast communication and transfer of information, and allows geographically distant networks to simply stay in touch.

Using the internet effectively to network requires some planning and effort, but once systems are developed they are relatively easy to maintain. At the most basic level, you might consider:

- a website
- an e-mail listserv

If you want to get a --bit more sophisticated, there are options for:

- a members-only workspace or 'extranet' for sharing files, project updates etc.
- chat-rooms – useful in periods of active discussion
- on-line conferencing – most effective when run for a fixed time, working to a pre-announced agenda

The Limits to Technology

Of course, the internet is not a 'global' tool – there may well be members of your network who cannot access the net, or can do so only intermittently. This doesn't mean their contribution is less relevant. Make the effort to include them in your communications – either by phone, fax or post. Look for funding to get your members onto the internet (but recognise there are still likely to be problems with power outages and slow connections speeds) Design your communications with difficult access conditions in mind. Simpler designs and smaller file sizes can make a world of difference.

Tools for networking and communication

This section introduces different tools that you can use as part of your networking and communications.

Websites

These days, a website is a relatively essential communications tool. For NGOs working on Multilateral Environmental Agreements, a website can help to get your message across to others. It provides a central place to profile your activities and perspectives, and can act as a 'library' for your policy papers, newsletters and so forth.

Designing an effective website: some considerations for NGOs

If you decide to create a website for your organisation or network, there are some important design questions to consider:

Content: Who is the target audience, and what kind of information should they be able to find on your site?

Visibility: How will people find your site? Select and register a suitable domain name (web address), one that people will be able to remember or even guess. Make sure to include the address in any materials you distribute. Register the site on internet search engines.

Access: Will visitors to your site have fast or slow internet connections? Sites with high-tech features can be more attractive but can also be much slower to download.

Style: The visual style of a website is essential to effective communication. What kind of 'look' is appropriate to your message and attractive to your audience? Consider the mix of graphics and text, and the level of detail that you include, particularly on the front (home) page.

Navigation: How will you lay out the content? Can people easily find what they're looking for? Try to ensure people can reach a particular page within three clicks of the home page. Depending on the size of the site, consider including a site map and a search engine.

Maintenance: Who will maintain and update your website? Content should be regularly reviewed and refreshed to maintain the site's relevance. What level of technical skill do you have? Design the site accordingly so that maintenance doesn't become a nightmare.

NB: The process of building and maintaining a website is too extensive to cover in any great detail in this manual. A good starting point for further resources on designing NGO websites is www.techsoup.org.

E-mail lists and discussion groups

Whilst a website is a great source of information, it is a passive tool because it requires people to visit the site. E-mail is a more direct, active form of communication.

Subscribing to e-mail lists and discussion groups is a great way to stay informed about the issues you're interested in. Creating your own lists can help you to communicate your message and build networks. These lists are often called listservs. Listserv is actually a small computer program that automatically redistributes messages to a list of e-mail addresses. Other similar programmes include majordomo and lyris. While it's possible to create a mailing list using the e-mail software on your own computer, the benefit of using a listserv is that messages are automatically sent to all the subscribers.

Subscribing to a listserv is usually done by sending an e-mail, or signing up on a website (see, for example, www.iisd.ca/email/subscribe.htm). It's a good a idea to save any sign-up details that you receive, particularly as you may want to unsubscribe from the list at a future date.

As a listserv member, you are able to send messages to a wide group without needing to know individuals' e-mail addresses. Similarly, you can keep up to date with developments in a certain area of interest without needing to actively seek out information.

If you wish to set up your own e-mail list, there are a few points to think about:

- What is the purpose of the list? For example, to communicate with your members or with a wider network; to discuss a particular project or issue, or to send out announcements.
- Who can subscribe to the list? Is subscription restricted or open? Do potential subscribers need to apply to the moderator?
- Who will manage the list's operation? Technically minded people may like to manage their listserv from their own computer. Others will want to take advantage of a service, such as groups.yahoo.com. Here you can create your own e-mail discussion group, and utilise other tools such as internet based archiving and calendar facilities. Note that the Yahoogroups service is free, but attaches adverts to the bottom of members' e-mail messages to the group. Other services charge a fee, but are advert-free.
- Who will manage the list's content? There are two aspects to content management. The first is moderating the messages that are posted to the list (see box below), and the second is ensuring the list remains active and useful. This second aspect requires listserv moderators to act as facilitators – prompting discussion and keeping it on track. Some groups may be very active, sending multiple messages every day. Others may be more intermittent. Consider what's appropriate to the kind of group you want to communicate with.

For more information on using e-mail lists and discussion groups for advocacy, networking and information, see www.democracygroups.org/mailinglisthowto.html and www.netaction.org

What type of mailing list?

Mailing lists can be moderated, unmoderated, or limited to 'one-way' announcements.

Unmoderated lists: subscribers' messages are sent directly to the group. This is good for small groups, particularly those who wish to discuss a particular issue or project.

Moderated lists: send messages first to a moderator, who screens content to ensure relevance and prevent overload from too many messages. This is useful for larger groups, and can help to keep discussions on track. It can, however, be quite a bit of work for the moderator and can slow discussions down if the moderator is unable to clear their e-mail regularly.

One-way lists: allow for announcements to be sent out from the list owner, but do not provide for discussion or responses from subscribers. This is useful for lists that go to large numbers of people, and for items such as newsletters and announcements.

On-line chat and conferences

On-line chat allows for real time discussion over the internet. For the geographically scattered NGOs who work on MEAs, chat is a useful tool for keeping in touch. Instant messengers such as internet quick chat (ICQ) allow you to have an electronic conversation with colleagues who are on-line. Chat sites (or rooms) are web-based, and allow you to talk with people who are currently logged into that site.

On-line conferencing is a more structured application of chat, and a usefulway to generate a focused discussion within a limited period of time. It can be particularly useful in the lead up to meetings and text negotiations, and can help with defining issues and agreeing positions. On-line conferencing is becoming increasingly sophisticated, with the ability to share presentations and papers, manage projects, and hold voice- or video-based interactive sessions. A number of commercial services offer conferencing facilities, so shop around for the service that best suits your needs.

Quick tips

Less is more. Keep messages simple and immediate.

If you're going to run an internet site or e-mail list, keep it current. Sites and mailing lists that aren't regularly updated soon become boring!

E-mail messages should be brief and to the point. Make sure you include your contact details (usually at the bottom of the message).

Keep file sizes small, especially if they are being sent to places with slow internet connection speeds.

Case Study – Using the Internet to Mobilize

The Multilateral Agreement on Investment (MAI) is a particularly clear example of how NGOs can use the internet to mobilize and coordinate their activities.

The OECD began negotiating a treaty on international investment flows in 1995. In 1997, a draft text was leaked to a Washington-based watchdog organization. The text was immediately circulated via e-mail amongst NGOs, who were disturbed at its content and the closed process by which it had been developed. Legal experts prepared a plain-language version and analysis of the text, and distributed it amongst their networks. The result was an internet campaign that mobilized more than 600 NGOs in 70 countries. The MAI negotiations concluded unsuccessfully, in large part because of the negative public attention received as a result of the internet campaign.

For more commentary, see: Katja Tieleman, *The Failure* of the *Multilateral Agreement on Investment (MAI)* and the *Absence of a Global Public Policy Network, Firenze:* European University Institute and Harvard University.

Internet search techniques

The internet can be a great tool for researching a particular MEA. Search engines such as Google (www.google.com) and AltaVista (www.altavista.com) offer a quick way of finding information, from a range of official and unofficial sources.

But relying on the internet can lead to two problems:

- Too much information!
- Not all of it is credible

Applying some simple search techniques can help you find appropriate information faster:

- Formulate the research question and its scope
- Identify the important concepts within the question
- Identify search terms to describe those concepts
- Consider synonyms and variations of those terms
- Prepare your search logic

The more specific you can make your search terms, the more likely you are to get a useful result. Try using 'Boolean operators' (see page 71) to refine your search even further. Alternatively, choose the 'advanced search' option. This allows you to describe how you want to limit your search without needing to understand the Boolean operators at work.

Quick Reference Chart: Boolean Operators	
AND	Finds documents containing all of the specified words or phrases. Biodiversity AND wetlands finds documents with both the word biodiversity and the word wetlands.
OR	Finds documents containing at least one of the specified words or phrases. Biodiversity OR wetlands finds documents containing either biodiversity or wetlands. The found documents could contain both items, but not necessarily.
NOT	Excludes documents containing the specified word or phrase. Biodiversity NOT wetlands finds documents with biodiversity but not containing wetlands.
"exact phrase"	Finds the exact phrase contained within the quote marks. "Aarhus Convention" will find pages with that exact phrase.
domain:domain-name	Finds pages within the specified domain. Use domain:uk to find pages from the United Kingdom, or use domain:org to find pages from non-profit sites.
host:hostname	Finds pages on a specific computer. The search host: www.unep.org would find pages on the computer called unep.org.
link:URLtext	Finds pages with a link to a page with the specified URL text. Use link: www.unep.org to find all pages linking to unep.org.
title:text	Finds pages that contain the specified word or phrase in the page title (which appears in the title bar of most browsers). The search title: biodiversity would find pages with biodiversity in the title.
url:text	Finds pages with a specific word or phrase in the URL. Use url: climate to find all pages on all servers that have the word climate anywhere in the host name, path, or filename.

Figure 5.1: Advanced Search Operators (adapted from AltaVista)

Sourcing Credible Information from the Internet

Caution!

Quantity is not a substitute for quality. Not all information on the internet is going to be accurate or credible. Always review material sourced from the internet carefully before using it.

Given the range of information and views publicised on the internet, it is important to establish the credibility of websites. Looking at these elements may help:

Web address

- What kind of domain is it? Website addresses follow a set of protocols that make it simple to understand what kind of website you're looking at. The last part of the address (e.g. the '.org' in 'www.un.org') is called the 'top-level domain'. There are a limited number of these domains (see below), which fall into two main categories – generic domains describing the type of host organization, and country code domains.

  Note that the second-level domains can also be useful in learning about a site, particularly for those that end in country code top-level domains. For example, the domain name www.cedea.org.ar tells us that this address is for an organization in Argentina. Generic domains at the second-level can vary from those listed above. In particular, many countries use '.govt' for government, and '.ac' for academic.

Examples of Country and Code domains			
com	commercial	ca	Canada
edu	educational	mx	Mexico
gov	(US) government agencies	ru	Russia
net	network	uk	United Kingdom
org	organization	zm	Zambia

- Does it sit within a country (e.g., .uk) or is it international?
- Addresses with a ~ or person's name may be personal sites, rather than representing organizations.

Authorship

- Who wrote the site?
- Is there an 'about us' section?
- Does it give a sense of the author's/organization's credentials and experience?

Reliable information

- Does the site show when it was last updated?
- Are sources referenced or linked to?
- Do the facts appear accurate? (compare with other sources)
- Is there any obvious bias or interest being advanced through the website?
- Who is the target audience? (look at the style of writing, and the way the pages are organized)
- What do others think of the site and the author? Search for reviews, references and links to the site/author on other websites. www.alexa.com gives traffic information, ownership details and user reviews – it's not absolutely accurate, but can be useful.

Affiliations

- Does the website give indications of partners, funders, networks, etc.?
- What other websites does this site link to?

Ensuring credibility applies equally if you are designing a website for your own NGO. Some simple design elements contribute to credibility, so make sure you include:

- **Contact information.** E-mail address, office address, phone and fax numbers.
- **Photos.** These also contribute to the 'real world' identity of your NGO.
- **Expert articles**. Demonstrate your knowledge and expertise by including relevant papers (or links to them).
- **Media coverage**. Keep an archive of any media coverage you generate.
- **Links to affiliated organizations**. People visiting your website may not be familiar with your organization, so links to affiliated organizations can help them to place you in context.

Exercise 5a

Dozens of tutorials on effective internet search techniques are available on the internet! Simply search 'internet search techniques tutorial'. For starters, you may like to try:

http://www.brightplanet.com/deepcontent/tutorials/search/index.asp

To hone your critical analysis skills, try:

http://www.lib.berkeley.edu/TeachingLib/Guides/Internet/Evaluate.html

Where to start: websites on MEAs

The internet has transformed international negotiations – making it possible to keep up to date with meetings as they happen. But with so many meetings, and so much information on the web, where should you start?

Here is a list of key websites, grouped under the following themes:

- Official websites
- Reporting
- NGO websites (including associations of business and workers)

Official websites
United Nations (www.un.org) Official website for the United Nations. Includes a section on Civil Society-UN relations.
Non-Governmental Liaison Service (www.un-ngls.org) Official website for the United Nations agency responsible for strengthening UN-NGO dialogue and cooperation.
United Nations Environment Programme (www.unep.org) Official Website for the United Nations Environment Programme. Includes resources for civil society participation.
Basel Convention (www.basel.int) Official website for the Basel Convention on the control of Transboundary Movements of Hazardous Wastes and their Disposal. Includes details of the partnership program with NGOs.
CITES (www.cites.org) Official website for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
Aarhus Convention (www.unece.org/env/pp/) Official website for the UN Economic Commission for Europe, the body responsible for the Aarhus Convention (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters).
United Nations Framework Convention on Climate Change (www.unfccc.int) Official website for the convention. Includes lists of all participating NGOs.
United Nations Convention on Biological Diversity (http://www.biodiv.org) Official website for the Secretariat of the Convention on Biological Diversity – (CBD).
UNDP Montreal Protocol Unit (www.undp.org/montrealprotocol/) UNDP's Montreal Protocol Unit works with public and private partners in developing countries to assist them in meeting the targets of the Montreal Protocol on Substances that Deplete the Ozone Layer.

OzonAction Programme (www.unep.fr/en/branches/ozonaction.htm)
Official Website of UNEP's Division of Technology, Industry, and Economics. The programme seeks to strengthen the capacity of governments and industry in developing countries to meet the Montreal Protocol.

United Nations Convention to Combat Desertification (www.unccd.int)
Official website for the convention. Includes resources for NGOs.

United Nations Division for Oceans Affairs and the Law of the Sea (www.un.org/Depts/los/)
Official website for the administration of the Law of the Sea.

Stockholm Convention on Persistent Organic Pollutants (www.pops.int)
Official website for the convention.

The Rotterdam Convention on Prior Informed Consent (www.pic.int)
Official website for the convention.

Vienna Convention and the Montreal Protocol (www.unep.org/ozone)
Website of the Ozone Secretariat.

Convention on the Conservation of Migratory Species of Wild Animals (www.cms.int)
Official website for the convention (also known as the Bonn Convention).

The Ramsar Convention on Wetlands (www.ramsar.org)
Official website for the convention.

Reporting websites

Linkages and Earth Negotiations Bulletin (www.iisd.org)
Provides the latest news and information from international environmental and sustainable development negotiations.

NGO websites

Stakeholder Forum for Our Common Future (www.stakeholderforum.org)
The primary objective of the Stakeholder Forum is to promote sustainable development through facilitating the involvement of major groups and stakeholders in the policy work of the United Nations and other intergovernmental institutions.

Arab Network for Environment and Development (www.aoye.org/Raed/raed.html)
The objective of the organization is to coordinate between regional community organizations in the exchange of skills, experiences and information.

Both Ends (www.bothends.org)
The main role of Both ENDS is to be a go-between to support the work of environmental organizations, primarily in the developing countries and the Central and Eastern European countries.

Consumers International (www.consumersinternational.org)
Consumers International supports, links, and represents consumer groups and agencies all over the world. It strives to promote a fairer society through defending the rights of all consumers, including poor, marginalized, and disadvantaged people.

Environmental Liaison Centre International (www.elci.org)
The mission of ELCI is to make information a useful tool to improve the environment measurably.

Friends of the Earth International (www.foei.org)
FoEI works to create networks of environmental, consumer, and human-rights organizations worldwide.

Greenpeace International (www.greenpeace.org)
The mission of Greenpeace is to ensure that our planet can sustain and nurture life in all its diversity. The website also provides links to the sites of over forty national Greenpeace offices.

International Chamber of Commerce (www.iccwbo.org)
The largest and most representative business organization in the world.

International Confederation of Free Trade Unions (www.icftu.org)
Works to promote trade union organizing and recruitment. ICFTU has 231 affiliated organizations in 140 countries and ten territories representing 158 million working people in 2003.

Regional Environmental Center for Central and Eastern Europe (www.rec.org)
Assist in solving the environmental problems in Central and Eastern Europe through the promotion of co-operation among NGOs, governments, businesses, and other environmental stakeholders, and to promote the free exchange of information and public participation in environmental decision making.

Society for International Development (www.sidint.org)
SID is a global network of individuals and institutions concerned with participatory, pluralistic, and sustainable development.

Third World Network (www.twnside.org.sg)
A network of organizations and individuals involved in issues relating to development, the Third World and North-South issues.

Women's Environment and Development Organisation (www.wedo.org)
WEDO is an international advocacy organization that seeks to increase the power of women worldwide as policy makers in governance and in policy-making institutions, forums, and processes, at all levels, to achieve economic and social justice, a peaceful and healthy planet, and human rights for all.

World Business Council for Sustainable Development (www.wbcsd.org)
The WBCSD's work focuses on defining and elaborating the business case for sustainable development.

The World Conservation Union (www.iucn.org)
It is unique in that it is also recognized as an intergovernmental organization within the UN system. Its members from some 140 countries include 77 States, 114 government agencies, and 800-plus NGOs. Its Mission is to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable.

World Wide Fund for Nature (www.panda.org)
WWF's Mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.

Summary

The Internet is an invaluable tool for:

- networking with other NGOs and stakeholders
- communicating your message
- researching MEAs, and keeping up with the latest developments

To be most effective:

- Sign up to relevant e-mail listservers, and regularly visit key websites
- Keep information on your own website up to date

Remember that not all your colleagues will have access to the internet, or their connection may be intermittent and slow. Try to:

- Keep file sizes small
- Ensure critical messages are also communicated by fax, phone or post

When using the internet to research MEAs, remember to critically evaluate the resources that you find.

MODULE VI

ATTENDING MEA MEETINGS

In this module:

Learn how to use your time at MEA meetings as effectively as possible.

- Why attend an MEA meeting
- How meetings operate: meet the actors and learn the jargon
- Preparing for MEA meetings
- Successful lobbying techniques

Why attend an MEA meeting?

So you've decided to go to a Multilateral Environmental Negotiation. One of the things you need to ask yourself is **why** you want to go? This may seem a silly question but people go to international meetings for a variety of reasons. All of them may be valid, but require different approaches. If you are going to maximize your impact, then taking a moment to think this through can save you an enormous amount of time and frustration.

So **why** could you be going to a Multilateral Environmental Negotiation? The broad reasons could be group as such:

- To influence the text that will be negotiated;
- To build and cultivate alliances for future work;
- To show case studies of successes that your organization has achieved;
- To learn about how intergovernmental negotiations work;
- To raise funds for your work.

This workbook deals primarily with the lobbying aspect (that is, influencing the text), but will aim to cover the other areas as and when it seems appropriate. The module walks you through the different stages of preparing for and attending an intergovernmental meeting.

Important Tip

Influencing negotiations requires a real focus on government negotiators. Too often NGOs and other stakeholder groups spend too much time talking to each other. A good rule of thumb is to try and spend no more than 20% of your time with other NGOs.

Before the meeting

Meetings are generally very hectic. Being effective requires you to be as prepared as possible in advance.

It is very important going into the meeting to **prioritize your policy aims**. Think about the following questions:

- Are your policy aims feasible? It is important to understand the range of possibilities that might come out of a negotiation and ensure that you are not asking for the impossible.
- Are you moving beyond the possible range of outcomes to put down markers for future campaigns? Then you can aim further.
- What are your top four or five issues? Concentrate on these.
- What do you want to achieve? It is often worth aiming for a higher target than you expect to get – because in negotiations often compromise happens and so push the boat out further. It is a bit like running a political election campaign.
- Create a table similar to the one below. This enables you to keep abreast of developments. But remember that just because a country is in the positive column for your view they may not stay there or they may not want to be active on the issue.

Government	For	Against	Not yet declared	Still to be contacted

If the meeting is being held in a UN Center then plan if possible to come in the previous week and do a few coffee bar meetings with people from the Missions and the secretariat. This will help you to find out the latest and also to lobby informally before the sessions start and get manic. If you have had time to come in 4 or 5 months before as well, you can often get an idea of how things are starting to come together – possibly more so than just having meetings with your own governments as you get a feel for both developing and developed countries views.

Let's assume you have agreed your position with the coalition of NGOs or stakeholders (see Module Four) and now you are going to lobby at the meeting. Those months of preparation will now pay off – many of your colleagues have not done this kind of preparation.

Exercise 6A

Discuss with colleagues: What objectives might you have for attending an MEA meeting? How would you set out to achieve them?

Funding to attend

If you wish to attend an MEA meeting, it is important to start trying to gain funds early[1]. There are a number of sources to explore for funding. These include:

- Your own government who if you are on delegation, may in some cases help with funding;
- Developed country NGOs you are a partner with;
- Developed countries that are active in your country e.g., Denmark, France, Netherlands, Norway, Sweden, UK, USA;
- Regional Governments, e.g. Flanders and the Basque Government do support NGOs from Latin America;
- UN Agencies and Programmes such as UNDP and UNEP;
- The UN Non Governmental Liaison Service will sometimes operate with the COP or a network of NGOs a travel funding scheme; and
- Your fellow NGOs – if you pool resources then the person can represent a coalition of NGOs.

1 See module 10 for more general information on fundraising.

A CHECKLIST: WHAT TO BRING WITH YOU

- Laptop with wireless connection to the internet – and the right conversion plug to recharge;
- Memory stick;
- Mobile telephone – better to get one or just a SIM card in the country you come to as it will be cheaper to run;
- If you are in a main UN Centre (e.g. New York, Geneva, Nairobi, or Rome) then take with you the telephone and addresses of the Missions of the key countries;
- Business cards – if you hire a mobile put the details on the back of the card, people are unlikely to telephone you if the number is not local;
- Photo booklet of key negotiators – check Earth Negotiations Bulletin web site (www.iisd.ca) for photos – download and use to find delegates;
- Digital camera to take photos of key delegates;
- Timetable of the event – your meetings as well as the negotiations;
- Your publications;
- A summary document of your key points that you want governments to agree to.

Meet the actors

Bureaus

All Conventions have Bureaus to oversee the running of the meetings. The Bureaus usually can be made up of five or ten members, one or two from each of the different regional blocks[2]. The chair or president of the Bureau will rotate between the different blocks between meetings of the COPs. The Bureau members will share chairing the sessions of the negotiations and probably the ad hoc meetings as well. It is very important to create a relationship with these people particularly the one from your region.

Secretariat

The Secretariat is the permanent body that supports the work of the convention between meetings and does the logistical and secretariat work for the event and during it. The Secretariat will have a role that includes:

- Preparing the background papers
- Producing or updating a website for the meeting

2 The five regional blocks are Western Europe and Others, Eastern Europe (former Soviet block), Africa, Asia, and Latin America and the Caribbean

- Analysing the national reports
- Producing promotional material for the meeting
- Producing negotiating text arising from the discussions
- Making available all official documents
- Servicing the negotiations
- Controlling the booking of rooms
- Accrediting delegates and stakeholders

It is always useful to know the key people in the secretariat:

The NGO or Stakeholder relations person: This person is the immediate contact for NGOs and stakeholders and deals with accreditation issues, side events, dialogues or round tables if such things are happening. The person must walk a fine line between encouraging NGO inputs and upholding UN procedures: don't assume they are there to enhance the access of NGOs or stakeholders.

The Executive Director of the Convention: This person is well worth knowing; they have an enormous ability to help move a convention forward or to hold it back. A good relationship with this person can pay enormous dividends if problems arise during the meeting (such as loss of NGO speaking rights).

The "fixer": Not every Convention has one of these, but a good one will. The role of this person is to micro manage the event. They will know what the negotiating positions of all the key countries are – this means what they are prepared to give as well as what they say they are going to give. Many Coalitions miss the role of the fixer and don't have someone keeping an eye on them. Behind the scenes this person can play a critical role either positively or negatively to your position.

The person in charge of the text section you are interested in: It is likely that the secretariat will have assigned different people to write the initial text when governments make their initial statements, or to be in charge of collecting amendments and how they will be presented back to the governments. It is good to find out who this person is and to buy them a coffee early on. They are at the center of your negotiations and can often give you insights that you will not otherwise see. Chose your moment and your secretariat member – they are busy during the negotiations but often need coffee or in the evening some wine or beer!

Media-Earth Negotiations Bulletin

This is not part of the secretariat but vital to us all. The ENB was set up in 1991 for the Earth Summit in Rio, and has gone on to cover all negotiations. Run by Kimo Goree it has developed a methodology of compacting a day's negotiation into two or four pages. As ENB reporters are sitting in all the meetings, either tag one of them at the end of the day to see what you might have missed or pick it up the report first thing the next day. Reports are also available on the ENB website: http://www.iisd.ca

Eco, Outreach, Taking Issue

Often there will be an NGO or stakeholder publication that will come out daily – this is a good place to promote your views as well. (see Media Module Eight).

Fossil of the day

The Fossil-of-the-day Award is given to countries that block progress at the United Nations Climate Change Negotations (see www.fossil-of-the-day.org).

UN Agencies and Programmes

There will be a number of UN Agencies and Programmes at the meeting. They will be looking for text that will be supporting their work beyond the meeting. If there is a synergy then it is worth working with them as they will have easier access to people on an ongoing basis than you will.

UNEP or MEAs COP Observers

A number of organizations have observer status at the UNEP and MEAs COP. In different fora, this includes the Holy See, IUCN, The Red Crescent and Red Cross, the European Union, African Union, the PLO, Sovereign Military Order of Malta, the IUCN ad the World Bank.

Let's go over the Five Regional Blocks:

African States

For election to UN bodies the African Union acts as a regional grouping and has fifty-three members: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo (Dem. Rep.), Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, the Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco Mozambique, Namibia, Niger, Nigeria, Rwanda, São Tomé & Príncipe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, the Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe. The web site for the African Union is www.africa-union.org/

Asian States

For election to UN bodies the Asian block consists of forty-three countries Afghanistan, Bahrain, Bangladesh, Bhutan, Brunei, Cambodia, China, Fiji, India, Indonesia, Iran, Iraq, Japan, Jordan, Kazakhstan, Korea, North, Korea, South, Kuwait, Kyrgyzstan, Laos, Lebanon, Malaysia, Maldives, Marshall Island, Micronesia, Mongolia, Myanmar, Nepal, Oman, Pakistan, Palau, Papua New Guinea, Philippines, Qatar, Saudi Arabia, Singapore, Solomon Islands, Sri Lanka, Syria, Tajikistan, Thailand, Turkmenistan, United Arab Emirates.

Eastern European States

For election to UN bodies the Eastern European group consists of twenty countries. One of the discussions in the UN is whether this block makes sense now a number of the countries are in the European Union. It consists of: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Georgia, Hungary, Latvia, Lithuania, Poland, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, The Former Republic of Yugoslavia and Republic of Macedonia, Ukraine.

Latin American and Caribbean States

For election to UN bodies the Latin American and Caribbean States group consists of thirty-three states: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay and Venezuela.

WEOG

Western European and others Groups – this has 30 members and represents Europe, Canada, the US and most of the other former Western allies. It also now includes Israel. Countries are: Andorra, Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Holy See, Iceland, Ireland, Israel, Italy, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Portugal, San Marino, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States.

The negotiating Blocks tend to be

European Union

The EU has just grown from 15 countries to 25 and recently to 27 and how this will change the EU is as yet unknown. One of the criticisms of the EU during the WSSD was that they spent a lot of time coordinating and not enough time in the corridors pushing their views – something that you couldn't accuse the United States of who brought a large delegation and used it very effectively.

At present the European Union operates on a six month presidency from January until the end of June and July to the end of December. The role and duties of the EU presidency involve the:

- Management and enhancement of cooperation between the members of the European Council, the Council of Ministers and the Committee of permanent representatives;
- Representation of the Council of the European Union in other EU institutions and organs (especially the European Parliament and the European commission; and,
- Representation of the EU in international organizations, meeting and fora and its relations with developing countries.

It is very important to know the European Presidency team and who is leading on which subject. In the negotiations it will nearly always be the Presidency who is talking.

The Europeans will start their preparation for a negotiation around six months before and it may be that certain countries act as a lead in certain issues and it is very useful to know who they are so you can talk to them early enough.

The European Commission staff also plays a critical role particularly if the Commission has competence in an area. Developing a good relationship with them and visiting them in Brussels before the meeting is a very good idea. Often at the meetings or before the Commission or Presidency will organize a briefing for NGOs.

European member States are Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, The Netherlands, Poland, Portugal, Romania, Slovenia, Spain, Sweden, United Kingdom. Candidate Countries: Croatia, Macedonia and Turkey.

Group of 77 and China

The Group of 77 (G77) was established on June 15th 1964 by 77 developing countries, all signatories of the Joint Declaration of the 77 Countries issued at the end of the first session of the UN Conference on Trade and Development (UNCTAD) in Geneva. The Chair of the G77 rotates through the UN Regions of Africa, Asia, West Asia, and Latin America and the Caribbean. The position is held for a year, but recently G77 has been developing its own Troika involving the previous chair, the present chair, and the next chair.

The membership of G77 now includes 135 members, it has retained its name. The membership is: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palau, Palestine, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, and Zimbabwe.

The G77 has a formidable task in coordinating and representing such enormous diverse interests; people have been forecasting its end for many years. Within the G77 there are regional groups as well as interest groupings.

China sometimes associates itself with the Group of 77 and sometimes doesn't. Within the G77 there are very important regional players in addition to China – these are India, Pakistan, Nigeria, South Africa, Egypt, Brazil, Venezuela, Iran and Saudi Arabia. For more information, see http://www.g77.org.

Other blocks

AOSIS

Alliance of Small Island States consists of 43 members and observers and plays a critical role particularly in the climate change negotiations as they represent many of the most vulnerable states. Antigua and Barbuda, Bahamas, Barbados, Belize, Cape Verde, Comoros, Cook Islands, Cuba, Cyprus, Dominica, Fiji, Federated States of Micronesia, Grenada, Guinea-Bissau, Guyana, Haiti, Jamaica, Kiribati, Maldives, Malta, Marshall Islands, Mauritius, Nauru, Niue, Palau, Papua New Guinea, Samoa, Singapore, Seychelles, Sao Tome and Principe, Solomon Islands, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Tonga, Trinidad and Tobago, Tuvalu, Vanuatu. Observers include American Samoa, the Netherlands Antilles and US Virgin Islands. AOSIS's first chairman was Ambassador Robert Van Lierop of Vanuatu (1991-1994), followed by Ambassador Annette des Iles of Trinidad and Tobago (1994-1997), Ambassador Tuiloma Neroni Slade of Samoa (1997-2002), Ambassador Jagdish Koonjul of Mauritius (2002-2005), Ambassador Enele Sopoaga of Tuvalu (acting chairman 2005-2006) and the present chairman Ambassador Julian R. Hunte of Saint Lucia (elected 10 March 2006). For more information, see http://www.sidsnet.org/aosis

JUSCANZ

The non-EU industrialized countries meet as a group to discuss various issues. These are (J-US-C-A-NZ): Japan, the US, Canada, Australia, New Zealand. It now includes Iceland, Mexico, Norway, Switzerland, and the Republic of South Korea may also attend the meetings. This block does not often work as formal negotiating group – more as an ad hoc group.

Least Developed Countries (LDCs):

The LDCs are defined as countries with: (1) low per capita income, (2) human resource weakness, and (3) economic vulnerability. They include: Afghanistan, Angola, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Maldives, Mali, Mauritania, Mozambique, Myanmar, Nepal, Niger, Rwanda, Samoa, Sao Tome and Principe, Senegal, Sierra Leone, Solomon Islands, Somalia, Sudan, Timor-Leste, Togo, Tuvalu, Uganda, United Republic of Tanzania, Vanuatu, Yemen, and Zambia. For more information, see www.un.org/special-rep/ohrlls/ldc/default.htm

How the meeting will operate

Although each MEA will have its own individual approach there are some general rules that should apply, particularly around the daily schedule:

8 a.m.	Individual Government delegations will usually meet internally to prepare their own country lobbying position and to review the previous day.
9 a.m.	Governments will usually attend meetings of the relevant groupings they are members of, e.g., G77 or European Union. NGOs and other stakeholders will also usually hold their consultations to prepare for the day.
10 a.m. to 1 p.m.	Meeting sessions.
1 p.m. to 3 p.m.	Lunch time – side events, an opportunity to spend time with government officials. Sometimes, if the venue is difficult to access, NGOs may hold their own consultations over lunch (try to avoid this if possible).
3 p.m. to 6 p.m.	Meeting sessions (additional sessions will be added when they are needed, often into the night or even through the night).
6 p.m. to 8 p.m.	Side Events can also be held at this time.

Sessions

It is important to understand that different types of sessions will take place within any one meeting – from formal plenaries to informal working groups. The level of NGO access will differ across these different types of meetings:

Committee of the Whole (COW): the formal sessions of a UNEP or MEA COP meeting, these are governed by rules of procedure and are simultaneously translated in all of the six UN languages.

Contact groups: are set up to resolve a particular issue of disagreement. The members of the group are drawn from the governments who disagree, although they are open to others to attend. Sometimes called the Vienna process or "Vienna setting" where much of the informal negotiations goes on.

Friends of the Chair/President: the meeting can use the Friends of the Chair approach – this is where the Chair invites a few of the prominent negotiators to form a group called Friends of the Chair/President to help informally in developing consensus on an issue or a set of issues.

Informals: are a subsidiary body of the working groups and are set up when there is a set of critical issues that needs to be addressed.

Working Groups: are subsidiary bodies of the COW. At any one time, usually no more than two will be meeting. Joint Working Groups come together when there are cross cutting issues the two working groups can be brought together to deal with them.

Rules of procedure and NGO speaking slots

To speak at the UNEP and MEA COPs the process is that a government that wants to speak will put its country placard up. Stakeholders will usually have a seat and be able to put theirs up too. The secretary to the Chair will keep note and countries will usually be called in order of their placards going up.

Note that opportunities for NGOs to speak are more limited. Speaking slots for NGOs within meetings will vary from meeting to meeting – subject to a host of factors**. The only meetings where NGOs have rights to speak are those where the rules of the convention or meeting specifically say they can.** An example of this would be the Convention on Biological Diversity (see Annex 2).

Usually procedures are kept informal so that the Chair can give and take away depending on the mood of the meeting or the sensitivity of the subject.

If you are on government delegation

The practice of including NGOs on government delegations is one of the byproducts of the Rio Conference in 1992. Before that NGOs were excluded from informal meetings. The UK Government was the first government to put NGOs and other stakeholders on delegation; many others have done so since. The role that NGOs on delegation can play

What *not* to do (at a meeting)

Some NGOs have at times forgotten where they are and done things that not only impacted on them but also on their NGO colleagues. So a few things not to do at the meeting:

- Do not go up to a government when they are speaking
- Do not sit in a government seat – unless you are on that government's delegation
- Do not interrupt the meeting
- Do not target a government in your intervention
- Do not wear inappropriate clothes
- Do not deviate from your message when you are speaking as a representative of the caucus

is different from other NGO roles. The insider and outsider role an NGO can play (see Module Two) is very important – outside lobbying, inside moulding!

Why go on a delegation?

- You will have access to the brief of your country;
- You may be able to sit in on delegation meetings within blocks;
- You may be able to sit in on delegation meetings between blocks;
- You will be able to push for the NGO or stakeholder position during the appropriate meetings of the delegation;
- You can be asked to act as the intermediary between the NGOs and the government;
- You will be aware of where there is possible movement in a negotiation and may be asked to draft text for your delegation to put forward;
- You will be able to cultivate relationships with the delegation for future work.

The downside of being on a delegation:

- If you do join a government delegation you will lose some independence. Some governments will require NGOs on a delegation to sign an official document saying they will not divulge what they have heard in delegation meetings;
- You will have limited time available for being with other NGOs if you are an active member of the delegation;
- You may be seen as the doorkeeper for NGOs with the delegation;

- You may be viewed as having 'switched sides' and joined the government team more than what is expected;
- You may not be allowed to speak publicly on a position – if you find this something that you can not agree to do not join a delegation or resign when it becomes difficult for you. Some delegations allow their NGOs to speak but they just have to first ask the Head of delegations permission.

Getting your message across

English: It is very important that you have an understanding of English as sessions below working groups can often only be in English. It is also likely that NGO meetings will be in English. If you find English difficult, it may limit your ability to impact delegates who are not in your language group. If this is the case, then link together with someone who does speak English and do lobbying together.

Your publications: Many groups produce publications on their positions and the work they are doing. There will be tables full of such documents at the meeting. It is fair to say that the best produced will be picked up and looked at – but probably back in capital after the meeting. Groups should try and produce material at least in Spanish and French as well as English. The extra effort of doing this pays a lot of dividends with the countries that speak those languages.

Written Statements: If your coalition has agreed a statement then try and keep it short, to the point – never more than two sides – and well presented. It is useful to use bold font or some other way to highlight key issues of concern.

Oral Statements: If you are allowed to make an intervention then it will probably be representing a coalition of NGOs. Check with the secretary to the session how many copies she will require to distribute to the governments and interpreters. You should keep your statement brief. A rule of thumb is to try and keep to two minutes – if you do then it is likely that there will be more opportunities to make statements as the meeting progresses. Note that it is unusual for governments to take up an idea that NGOS have put forward if they were not already taking it up themselves, although it does happen occasionally. Too often NGOs will spend a disproportionate time agreeing the wording in a common oral statement when they would be better to spend the time in the corridors talking with government delegates on the agreed position.

Previous agreed text: Ensure that you have copies of all the previously agreed text this might be from other for a as well as the one you are active in.

Keep it simple: When proposing change keep the text simple and if it builds off old agreed language footnote where from.

Rules of Procedures: Make sure you know them, keep copies with you in case you need them. The rules of procedure such as motions, points of order and also include the agenda, the date and location of the meetings, the role of observers in the MEA, participation, and the election of the Bureau to run the meetings.

Some useful techniques that can be used

As already noted, influencing negotiations requires a real focus on government negotiators. Here are some approaches you can use:

Coffee bar: In every conference there is the equivalent of the Vienna Coffee bar in New York. This is where you will bring the government delegate you are hoping to influence. When you do, remember to not start immediately on text changes but rather get to know them. Most government delegates care as much about the issue as you do but are limited on what they can and cannot do by the government line. This may have come from other Ministries such as trade or finance – it is important to know where any blockage is. If it is with another Ministry then you can always get colleagues back in capital to put pressure on from there.

Dinners: Organizing dinners with key governments can be a useful way of influencing meetings. There are a number of reasons that dinners can be used and it depends on the stage of the negotiations. If it is at the first stage then organizing dinners for a number of key governments can ensure that you play a critical role in framing the initial positions. This only works at the very beginning. Once negotiations have started then dinners can be used for airing differences between governments in a very informal way where the NGO or stakeholder is playing a facilitating role rather than a campaigning role.

Floor Managers: If you are in a coalition, then it is useful to have floor managers in the negotiations. These people maintain a watching brief on sessions, and can keep you informed as to where the negotiations are, who is saying what, and who is informally talking to each other (if the floor manager has the photo booklet of the negotiators then they can identify this easily).

Informal meetings: It is not only governments that can call informal meetings – not used much by NGOs or stakeholders but if you have built a good relationship with a number of governments then they may appreciate you facilitating space for informal discussion – either on an issue you are pushing which allows the chance to explain it better or on an issue of difference where the space can be used to try and get movement.

Photo booklet: Mentioned as something you should bring with you. Once there with a digital camera you should try and get photos of the other key delegates so that everyone can focus on who to talk to.

Receptions: There will be receptions organized by different countries try and ensure you get an invitation and use the relaxed atmosphere carefully to lobby the governments you need to.

Side Events: Most meetings now have space for organizing side events. The Secretariat will have a system for requesting rooms to organize side events and now will probably charge for the use of the room and any other equipment that is needed. Side events can be used for a multitude of activities. These can be:

- To promote the work you are doing
- To highlight an issue that is in the negotiations
- To highlight an issue that **should** be in the negotiations
- To draw attention to linkages between processes
- To organize training for people in aspects of the implementation of the Convention

Support for small states: Often NGOs and stakeholders have acted as advisors to small states that do not have the financial capacity to bring in large delegations or the expertise in a particular issue. For the negotiations for the Climate Convention, the NGO FIELD (Foundation for International Environmental Law and Development) acted as the advisors to AOSIS – at times being the actual negotiating team.

Talking with your own government daily: Daily, it is very important to touch base with members of your government's delegation. This is to ensure either they are keeping on track with the stated position they have or if there is a chance to change their minds allow your input. As you are able to put pressure back home they are probably most willing to hear you, whatever block they are in.

Targeted countries: It is important to have someone assigned to each of the key countries, i.e. all the G8, the chairs of G77, the Troika of the European Union (present Presidency, past presidency and future presidency), the non-aligned countries eg, Norway, New Zealand, Japan, Korea, China, and all bureau countries. This isn't to say others shouldn't lobby these countries, but one person should try to develop close and continual contact with the country so that they can build up a real picture of what they are saying and doing.

Learn the language I: the world of brackets

As the negotiations progress, the text becomes cluttered with brackets. These represent what has not yet been agreed. If you are involved with the negotiations it is very important to understand that there are many different types of brackets. They are not, however, presented differently in order to help anyone to understand what is happening! The different types include the following:

- **Alternative brackets** comprise alternative text for the same issue and may revolve around a substantive disagreement, but tend to be similar wording for the same issue.
- **Contentious brackets** are there because of fundamental disagreement over a particular section.

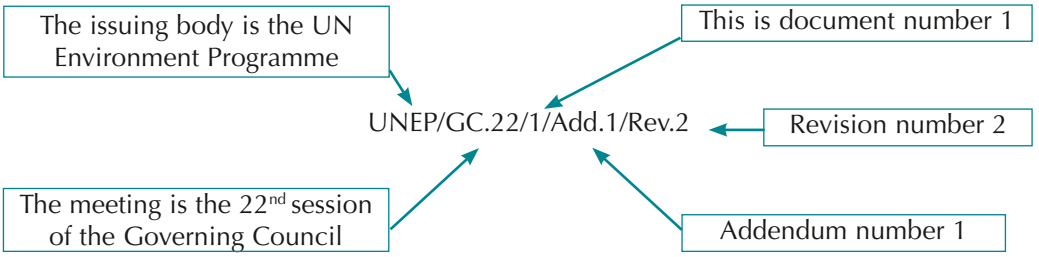
- **Suspicious brackets** are used when one group thinks the other is up to something with a section or a phrase and therefore the brackets are put in until it becomes clearer.
- **Tactical or trading brackets** may be put in by one country to enable them to trade with another bracket in another section or in another area. It is important to understand what might be traded in order to unlock these brackets.
- **Uncertain brackets** are put where no one was quite sure what the proposed text meant or why the brackets were placed there in the first place.
- **Waiting brackets** are inserted when governments are waiting for instructions from the capital on what to do.
- **Weary brackets** are usually included when negotiations go on into the early morning and when people get too tired to negotiate effectively.

Understanding the use of brackets is critical during a negotiation. Many stakeholder groups have not appreciated this in their preparations for a meeting or as the negotiating text goes through different revisions. Some guidance here might include:

- Who put the bracket in?
- When you know who put it forward, ask why.
- The 'why' may not be clear to other delegations and you can play an important role in highlighting the 'why' in your lobbying.
- Depending upon the answer to 'why', there may be different actions. These might include:
    - If it was because they are waiting for instructions from the capital, then phone your colleagues in the capital and get them to raise the issue with relevant civil servants or ministers. This only works if you are completely on top of the negotiations and can act immediately.
    - If it involves trading brackets with somewhere else in the text, then you need to be able to work with the stakeholders who are trying to lobby on that section.
    - If it is because of exhaustion brackets, then make some text suggestions. This can be a very opportunistic time as officials are tired and looking for a way through the darkness – or even to go home for the night!
    - If there are suspicious brackets, then it is important to work out why and try to help build trust.

Learn the language II: document symbols

The UN produces a *lot* of documents and so has developed a way of easily (!) identifying them. The symbols can at first seem like a foreign language. But with a bit of practice, they become a useful shorthand for understanding what kind of document is being talked about. For example:



Documents also have titles (in this case: 'Annotated Provisional Agenda and Organization of Work), but they are often referred to by their number.

The general rule is that the first symbol reflects the main body issuing the document:

A/-	General Assembly
S/-	Security Council
E/-	ECOSOC
ST/-	Secretariat

Subsidiary bodies have their own symbols:

UNEP/-	UN Environment Programme
FCCC/-	Framework Convention on Climate Change

MEA-specific symbols include:

FCCC/SBI	Framework Convention on Climate Change, Subsidiary Body for Implementation
FCCC/SBSTA	Framework Convention on Climate Change, Subsidiary Body for Scientific and Technical Advice
UNEP/CBD/COP/	Conference of the Parties to the Convention on Biodiversity
UNEP/CHW.7/	Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (seventh meeting)
UNEP/POPS/COP.1/	Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (first meeting)

Secondary and tertiary components indicate subsidiary bodies:

-/AC…/	ad hoc committee
-/C…/	standing, permanent or main committee
-/CN…/	Commission
-/CONF…/	Conference
-/GC…/	Governing Council
-/PC…/	preparatory committee
-/SC…/	Subcommittee
-/Sub…/	sub commission
-/WG…/	working group

There are also additional letters that reflect the nature of a document:

-/INF/	information series
-/L…	limited distribution, generally of draft documents
-/NGO/	statements by NGOs
-/PET/	petitions
-/PV…	verbatim records of meetings
-/R…	restricted distribution
-/RES/	resolutions
-/SR…	summary of meetings
-/TP…	technical papers
-/WP…	working papers

The final letters indicate the number sequence 1,2,3 etc or a modification of the document:

-/Add…	addendum
-/Amend…	amendment to the document
-/Corr…	corrigendum (i.e., an error to be corrected or reorganization of the text)
-/Rev…	revision (supersedes a previously issued document)

'Non-papers' will also be distributed informally during sessions to facilitate negotiations. These usually contain proposed text amendments from government negotiators.

Exercise 6B

'Translate' these document titles. Who issued them? What kind of document are they? (Answers are at the end of the module)

(1) FCCC/SBSTA/2005/INF.2

(2) UNEP/POPS/COP.1/3

(3) UNEP/CBD/COP/7/21

Summary

Being effective at an MEA meeting requires:

- **Being well-prepared:**
  - What policy priorities are you taking to the meeting?
  - Do you have the necessary documentation, equipment and information?
- **Understanding how intergovernmental meetings work:**
  - Who are the different actors, and what are their positions?
  - How is the meeting organised, what opportunities are there for NGO input?
  - Learning the language of intergovernmental negotiations.
- **Effective lobbying:**
  - Finding opportunities to talk to government delegates.
  - Sharing resources and information with other NGOs.

Answers to exercise 6B:

(1) Framework Convention on Climate Change/Subsidiary Body for Scientific and Technical Advice/2005/Information note number two (title: 'Information on greenhouse gas emissions from international aviation and maritime transport. Note by the secretariat', published 5 April 2005).

(2) United Nations Environment Programme/Stockholm Convention on Persistent Organic Pollutants/Conference of the Parties, first meeting/ document three (title: 'DDT register and possible format for reporting by Parties that use DDT. Note by the secretariat', published 6 January 2005).

(3) United Nations Environment Programme/Convention on Biological Diversity/Conference of the Parties/Seventh meeting/document 21 (title: 'Report of the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity', published 13 April 2004).

Annex 2: Rules of Procedure

Background Reading:

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Susskind, L. (1994). *Environmental Diplomacy.* New York: Oxford University Press.

United Nations (2004a). *Basic Facts about the UN*. New York: United Nations

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UN Non-Government Liaison Service (2003a). *Guide to the UN System for NGOs*. New York and Geneva: United Nations.

UN Non-Government Liaison Service (2003b). *Intergovernmental Negotiations and Decision Making at the UN: A Guide.* New York and Geneva: United Nations.

UN Non-Government Liaison Service and UNIFEM (1996). *Putting Gender on the Agenda – A Guide to Participating in UN World Conferences.* UNIFEM and NGLS: New York.

UNEP (2007). *Glossary of Terms for Negotiators of Multilateral Environmental Agreements*, UNEP: Nairobi

UNEP (2007). *Guide for Negotiators of Multilateral Environmental Agreements*, UNEP: Nairobi

UNEP/University of Joensuu/Canada (2006). *MEAs Negotiators Handbook*, University of Joensuu, UNEP Couse Series 3, Joensuu: Finland

Relevant Web sites

All convention web-sites (see modules one and five).

www.earthsummit2002.org

MODULE VII

GAINING ACCESS TO MEA NEGOTIATIONS AND SECRETARIATS

In this module:

- Learn how to gain access to MEA negotiations and secretariats
- Obtaining accreditation
- Obtaining official documents
- NGO documents and verbal presentations

Gaining access to MEA negotiations and secretariats

The issue of gaining civil society access to the global environmental arena can be seen at times as a rather mechanical (and to some non-state actors even a tedious or unimportant) aspect of participation. However, the reality is that exercising the right to actually participate is a vital first step for stakeholders wanting to work on MEAs. Without access there can be no participation.

Civil society organisations can decide to work with just one MEA (or even one component of an MEA). They can also participate at just one MEA meeting, or can seek more wide-ranging access throughout the course and changes that MEAs go through.

Accreditation and other kinds of steps to achieve access to multilateral environmental agreements' processes follow definite sets of rules and procedures set by relevant bodies within the United Nations. They are also subject to evolving resolutions, reflecting changes to the role of non-state actors with regard to international institutions.

The following sections provide a general background as to the broad rules to obtain participation rights in international environment-related meetings. As stated in other sections, these are general policies directly relevant to the better-known MEAs. These same types of policies can be applicable to other sorts of similar instruments not highlighted here (such as other international agreements or even in regional environmental agreements). However, it is important to research the specific provisions of each MEA as required.

Obtaining accreditation

Obtaining accreditation is the first step needed for civil society participation in the multilateral arena. Accreditation is the recognized process that permits civil society groups to take part, attend, or gain opportunities to interact vis-à-vis official UN events.

Official recognition can allow for several different actions and arrangements in respect of UN meetings and other such events. It can allow for entry into the physical spaces where events are taking place (either headquarters or other places when events occur outside head offices). It can permit civil society groups to obtain official documentation or to

involve themselves in more specific ways, such as presenting written and/or oral presentations.

Accreditation can also be crucial for obtaining access to delegations. Once they are accredited, civil society organizations and individuals can share some of the physical spaces where delegations interact. Sharing meeting rooms (formal interactions) and hallways (informal interactions) are key ways to come face-to-face with government delegations and let non-governmental information and points-of-view be known to officials from different countries and blocks.

In general, it is agreed that accreditation is of two types:

- ongoing accreditation (also known as consultative status); and
- temporary accreditation (also known as conference accreditation).

Ongoing (or consultative status)

This is the accreditation process that non-state actors follow in order to exercise a continuing attendance and an enduring relation with the United Nations and its relevant bodies (including MEAs and their respective secretariats). Ongoing status allows civil society groups to broadly contribute to events and other proceedings of UN work without having to seek accreditation each and every time they want to play a part in multilateral issues.

Ongoing status can be obtained for:

- **Economic and Social Council (ECOSOC).** In order to obtain this sort of accreditation civil society groups must establish their functioning dedication to social and economic issues as they relate to the UN Council's mandate. Obtaining ECOSOC accreditation involves presenting relevant documentation and an application obtainable from the UN's Department of Economic and Social Affairs. Completed information is then submitted to a committee made-up of member states, which meets every other year. ECOSOC consultative status is of three types: ***general, special or roster***. Each of these types of status portrays different levels of organizational interest in ECOSOC's activities, and comes with different participation modes or privileges. For ECOSOC, information and the steps to follow in order to obtain application forms as well as other information on accreditation are hosted on: www.un.org/esa/coordination/ngo.
- **Agencies or programmes.** Different UN agencies, programmes, departments, funds, offices and organizations allow for accreditation to non-governmental groups working in subjects related to the different bodies. These accreditations reflect the different rapport and "culture" that each of the UN bodies has with regard to non-state actors. Some agencies and programmes accredit civil society members as enduring associates. Other agencies engage and accredit non-state actors only for their periodical meetings. Each, therefore, has different formal or non-formal rules and procedures for accreditation.

Information on accreditation and relations with civil society can be found on the websites of the respective agencies or programmes. For example:

- The **United Nations Conference on Trade and Development (UNCTAD)** identifies its on-going accreditation as *observer status*. Civil society organizations seeking this standing are required to submit answers to a specially prepared questionnaire. Based on the evaluation of this information, non-governmental groups can be granted observer category. This entitles them to automatically receive official notifications inviting them to participate in and contribute to the debate and discussions of expert meetings, sessions of the Commissions of the UNCTAD Trade and Development Board, as well as UNCTAD's quadrennial sessions. More details can be found in the web page www.unctad.org.

- The **Food and Agriculture Organization of the United Nations (FAO)** has over 200 partner organizations accredited. Accreditation is granted to organizations if they meet in some key criteria:

    - Congruence with FAO's mandate
    - Mutual interests and objectives
    - Transparency
    - Accountability

  The following section on FAO's web page makes available detailed information on this concept and on process www.fao.org/tc/NGO/index_en.asp.

- The **UN's Department of Public Information** has an accreditation process for non-governmental organizations that wish to benefit from its information sharing and UN liaison activities. NGOs that wish to apply must:

    - Support and respect the principles of the Charter of the UN and have a clear mission statement that is consistent with those principles;
    - Be recognized nationally or internationally;
    - Operate solely on a non-for-profit basis and have tax-exempt status,
    - Have commitment and means to conduct effective information programmes;
    - Have an established record of continuity of work for a minimum of three years as well as a satisfactory record; and,
    - Provide proof of their legal status (through an audited annual financial statement as well as statutes and by-laws).

  Applications can be made by submitting an official letter of request to be associated with DPI and by providing a brief description of the organization and at least six samples of recent information materials. Further information is found on: www.un.org/dpi/ngosection/brochure.htm.

Accreditation to the United Nations Environment Programme

Particularly relevant for work with MEAs is engaging in a relationship with UNEP. Civil society organizations are engaged across all levels of UNEP's work programme, from policy development to implementation, globally and regionally.

Non-governmental organizations can apply for consultative status with UNEP's principal decision-making body, the Governing Council/Global Ministerial Environment Forum (GC/GMEF). Formally, organizations with consultative status can provide written inputs and statements for the Governing Council's working documents. Of course, other benefits of engaging with UNEP on a formal manner are also part of the consultative status, such as interaction with UNEP and Governing Council during its sessions, sitting as an observer in Council meetings; as well as circulating written statements on the matters included in the GC's agenda.

Organizations interested in obtaining consultative status with UNEP should provide the following documentation:

(a) Proof of international work;
(b) Confirmation of interest in the environmental field;
(c) Proof of non-profit status.

The material should be submitted to civil.society@unep.org. The civil society branch reviews it and requests additional material if needed. When all the criteria are met, the Secretariat for Governing Bodies (SGB) grants and notifies the organization. Additional information is available at: www.unep.org/civil_society/index.asp

Temporary (or conference accreditation)

This type of official recognition is provisional and granted on a case-by-case basis for specific events. That is, major summits, conferences, special sessions or conferences of parties open a window to apply for momentary official recognition to participate in that particular event. The process to apply is more simplified than for permanent accreditation but the presentation of relevant documents to the pertinent Secretariat must still take place well in advance of the actual event. Rules also vary from event to event, reflecting the different conditions in place. Generally, however, criteria for accreditation fall into two broad areas:

- relevance to the event; and
- legal status.

The list of examples of temporary or conference accreditation is quite extensive and variable. As a rule, the following events are those that sanction participation on an event-by-event basis:

- **Multilateral Environmental Agreements Meetings**. For each different MEA, the particular secretariat will make arrangements for civil society participation in each of its meetings. Information on accreditation to these events will be provided by each secretariat and can be found in their web pages or (at times).
- **Multilateral Development Banks and World Trade Organization.** Global and regional development banks as well as the World Trade Organization (WTO) will endorse participation by non-state actors for their periodic meetings, ministerial conferences, and so on. These organizations will implement an accreditation procedure for that particular event some time in advance of the event.

Consultation vs. Participation

Article 71 of the Charter of the United Nations establishes an important distinction between NGOs and other non-members such as specialised agencies of the UN and states who are not members of the Economic and Social Council. Whereas agencies and other states may participate without voting rights in ECOSOC's deliberations (Articles 69 and 70), NGOs may only be consulted.

A review of provisions for NGO accreditation in 1998 (A/53/170) retained this distinction, however welcomed the active participation of NGOs in UN Conferences. While stopping short of allowing NGOs a negotiating role, this is a strong concession that the nature of Conferences has evolved differently and more openly than the regular proceedings of the UN.

Accreditation issues

Although accreditation processes might seem straightforward at first glance, some requirements can be problematic, especially for smaller or more remote NGOs.

For example some concerns for non-State actors are:

Language: For many accreditation processes only certain languages are accepted (for instance, ECOSOC or UN/DPI accreditation requires that applications and supporting documents be submitted only in the UN Secretariat's working languages, i.e. English or French). Organizations that do not function in these languages can see some of the accreditation processes hindered or delayed.

Costs: Smaller and not well-funded organizations might have problems absorbing costs associated with accreditation processes if they are too complex and price-consuming (for example, costs of translation, dispatching, and/or preparation of financial or other statements required that are not readily available to the organization can imply incurring into high expenditures for some organizations).

Time: Accreditation processes (particularly for temporary accreditation) can often take place in a brief timeframe. It can be difficult for organizations who are far away or who have limited resources to manage the presentation of required documents within this short window of opportunity.

Word of Advice

Obtaining accreditation can be a barrier to participation, to the extent that some smaller organizations settle on not participating in UN or MEA related events when they cannot obtain this.

In such cases, it is worthwhile exploring whether the organization has affiliations to larger "umbrella" organizations that are accredited to a particular event or with on-going official recognition. If this is the case, individuals can be accredited as members of the "umbrella" group.

Obtaining official documents

Accreditation, of course, is the very first step. Without accreditation of some sort, obviously there is no way that an organization can take part in official proceedings. Nevertheless, simply ensuring access to a meeting is not the only preparation that needs to take place. Official documents in paper form are the groundwork for the event. Obtaining those, preferably with enough time to be able to study them and react to them, is a key element for efficient and knowledgeable input.

Official documents are an invaluable asset for obtaining background information and developing strategies for non-governmental actors. They not only include information on negotiating positions but also information on the advancement on implementation of multilateral accords. Official papers comprise an innumerable source of formats, from governmental statements to country reports to text already negotiated.

Obtaining these documents (preferably ahead of time) can be achieved either by being placed on relevant mailing lists (electronic mailing lists are being used more and more by Secretariats and other relevant bodies of the U.N.) or by downloading directly from Internet. Internet posting has made document access a more swift and democratic endeavour.

Gaining opportunities to present texts and verbal statements by non-governmental stakeholders

To some civil society actors simply being present at a meeting, conference, summit, or international event is part of their goal. Many non-governmental stakeholders also want to be "heard." For this, there are several formats and opportunities to present text and/or verbal statements.

Text and verbal statements can be presented by non-governmental actors in unofficial discussions, round tables, or other such events of the hundreds that occur at UN meetings. Written position papers, research reports or any such statements can be presented in unofficial formats just by leaving them on documentation tables' set-up just for this purpose (see Module Six for advice on presentation of such papers).

Non-governmental actors can also make verbal statements and present text within official meetings. Here, as in most other areas of civil society participation, there are rules and procedures to follow. Secretariats of events manage the opportunities to speak at formal or open meetings. Therefore, this matter should be co-ordinated with them.

Some general guidelines on speaking at international events are as follows. In general:

- It is preferred that formal or informal coalitions speak as a group in order to allow for a more efficient manner of presentation and to better use the scarce time allotted for speaking at events.
- Time restrictions exist for all speakers, and certainly for non-governmental speakers; it is paramount to keep within these limits.
- In order to use time efficiently, simple and to-the-point language should be utilized. This does not mean that input should be inconsequential, just that it should be expressed forcefully in order to get the message intended across.

Summary

There are some simple rules to follow regarding accreditation and access. First, understanding that these processes, although varied from event to event, from division to division of the UN, do follow some sort of rules of procedure. Understanding those rules is an important element of successful participation. Second, timeliness is of the essence. Submitting information required on time, for example for accreditation or requests to speak, will enable NGOs to participate in the many forms that are nowadays possible within the UN system.

Further Information and Resources

Background reading:

NGLS (2003). *Guide to the UN System for NGOs*. New York and Geneva: United Nations.

NGLS (2003). *Intergovernmental Negotiations and Decision Making at the UN: A Guide*. New York and Geneva: United Nations.

Relevant web sites:

Numerous websites can and should be used for accreditation and other participation process, as well as to obtain information and documentation for MEA processes. These are MEAs web pages, agencies' websites, as well as sites that are more general. Some of the more general or institutional resources web pages containing information on this are as follows:

- www.fao.org
- www.un.org/depts/dhlresguide
- www.un.org/desa
- www.un.org/dpi
- www.unep.org/civil_society/index.asp
- www.unsystem.org/ngls
- www.wto.org
- www.unctad.org

MODULE VIII

COMMUNICATING TO NEWS MEDIA

In this module:

Learn how to effectively work to gain media coverage of your issues by mainstream news media. Understand logistics and strategies for:

- Approaching and communicating with journalists
- Communicating through and with local and national media
- Accessing international media at MEA meetings
- Organizing press conferences
- Setting broader communications strategies

Why work with Media at UN or MEA negotiations?

The primary objectives of NGO media activities in MEA processes are to increase public awareness of:

- The issues – and how these affect nations, economies and individuals
- The positions of NGOs
- The activities of NGOs in the field

Gaining media coverage by major news organizations can help NGOs to:

- Increase pressure on political leaders to support effective policies at home
- Influence the positions of governments during negotiations
- Build active public constituencies that support continued action within countries and regions

Who the Media are?

The press corps that reports on intergovernmental conferences and from each of the major UN venues represents a tremendous potential communications resource. In New York:

- There are more than 200 correspondents regularly covering the UN
- They report for over 100 major newspapers, magazines, news agencies, television networks and radio stations
- These serve virtually every country and geographical region

These correspondents are often supplemented by local journalists, freelancers and academics, and issue specialists who are assigned to cover stories at major international negotiations. The numbers are similar in Geneva and Vienna – and to a lesser degree in Nairobi.

How to contact them?

In New York, the UN journalists' offices are primarily clustered on three floors, in a section of the UN Secretariat and Conference Buildings. This press area is technically restricted to those with UN press credentials, and, as with all things these days, security checks are stricter.

Nevertheless, journalists themselves are usually fairly relaxed about NGOs visiting their section – provided that those visitors are respectful and discrete. This means, for example, that an individual can usually place media advisories or press releases in the reporters' post-boxes (in New York, on the fourth floor), or go to a scheduled interview with a particular reporter. However, roaming the press offices is not advised and posting notices of any type on the walls is definitely not appreciated.

Gaining media coverage at the UN *is* possible, and it can be extremely beneficial – but it is not easy.

Gaining media coverage for environmental issues at the UN *is* possible, and it can be extremely beneficial – but it is not easy. A fast look at the media post-boxes will reveal that each reporter receives 40 or 50 items per day – press releases, advisories, newsletters and background documents. Most of these are competing for the same very-limited print or broadcast space.

Attempting to reach journalists at the UN should be done with an understanding that most reporters are not specialists in your field. They therefore require a clear explanation of your issues. However, their time is extremely limited. Remember, these are the same journalists who are reporting on issues such as war, peace, drought, refugees and famine. Usually, your issue will at best occupy a one- or two- day 'diversion' from their regular work.

So explanations must be clear, concise and complete. The most important rule is to make sure that your statement identifies issues that are newsworthy and presents them in a clear, focused way.

What to give the press?

Background materials that can be distributed to journalists at, or outside of, a press conference range from a 1-page media advisory to a multi-page, multi–color, multimedia press kit. Regardless of their size or complexity, certain basic requirements for press materials remain the same. These are several of the standard formats for gaining the media's attention.

Make sure that your statement identifies issues that are news-worthy, and presents them in a clear, focused way.

Media Advisories

Announce your event on one page, or less, and in only a few words that explain what it is, who is involved and when it is taking place. Identify who is sponsoring the event. Let the press know if credentials are required (at the UN they are; outside press must apply for accreditation from the Department of Public Information, in advance).

Press Releases

An effective press release will present a clear, focused description of an event or action. Try to frame your issue in a style and context that news organizations and their audience will understand. A journalist's requirements are very specific. A press release should be:

- **Complete:** It should inform *what* the activity is, *when* and *where* it is taking place, *who* is involved, and *why* it is significant. It should include some provocative quotes.
- **Clearly written and comprehensible:** It should explain information in a direct style, much like a news article. It should not sound like an academic dissertation or a political treatise. It should also not use much scientific, political or technical jargon. Sentences should be declarative – relatively short and clear. Verbs should be active, not passive. The presence of more than one semicolon in a document is a sign of serious danger.
- **Concise:** Two pages should be the most for a press release, written in a readable font (12 or 11 point Times is standard). The page should be well spaced, without too many fancy graphics. If it needs to have graphs or charts, put them on a background document. The press release should clearly state the sponsoring organization or organizations. It is also very important that you provide the name of a contact person, office telephone number, mobile phone number, and email address.
- **Current**: Describe what is actually taking place in the field, in the political negotiations, and in the various national capitols. Don't be afraid to state which governments are supporting your position, and which are opposing it. Predict how the success – or failure – of the negotiations will play out in practice, and affect the environment and people's lives.
- **Correct**: It should be based on accurate, relevant facts. There is no better way to earn the trust of reporters as a reputable source than to show you are knowledgeable and able to cite verifiable statistics, quotes and experts. And there is no better way to lose credibility than to include erroneous or exaggerated information.

Where to present it?

Press Conferences

The most comprehensive way to convey a message to the press is at a full news conference. These allow for a broad framing of an issue, statements by expert speakers, and direct questions by journalists. Yet it is often difficult to attract reporters (especially New York reporters) to most NGO press conferences regarding the UN.

Over the past decades, NGOs active on a variety of issues at the UN have realized that by organizing press conferences and media activities in coalition, they can be far more effective at gaining the press's attention than by trying to compete with each other or approach journalists on their own. Press conferences that present speakers from a Northern and Southern NGO, an environment and a social or development organization, a major NGO and a local one have been able to reach a broader potential journalistic audience.

If these press conferences can be held at one of the venues close to the UN press corps offices, they have a far greater chance of succeeding. There are two such venues in New York: the official UN Press Conference Room and the lounge of the UN Correspondents Association (UNCA). Each of these requires special permission and, if audio-visual equipment or provision of food and beverages is involved, payment of a fee is required. Events at both venues are best organized with a coalition of NGOs and the assistance of an experienced media coordinator.

If the negotiations or Conference is taking place at a venue away from the permanent U.N. offices, NGOs should try to obtain use of the 'official' Press Center used for press conferences by governments and U.N. agencies. If this is not available or possible, NGOs should try to obtain a venue that is symbolically significant or visually colorful, but still is accessible to journalists covering the official meetings.

Press Kits, or Media Packages

If there is sufficient time and publishing resources, NGOs can produce and distribute a complete media package or press kit. These press kits can be distributed at, and prior to, a press conference conducted during an MEA meeting. Press kits add to the quantity of information communicated, and, if well put together, can add to the quality and resulting interest. Many of the items in the press kit can also serve additional functions: placed on your website, sent to your members, distributed to universities, or used for fundraising.

Any of the following can be elements of a media package:

- The press release (and perhaps a previous release on a relevant subject)
- Charts or diagrams showing relevant statistics
- Edited quotes from background documents or NGO statements
- Biographies of the leading NGOs and press conference speakers
- Copies of previous news articles

- Photos of lead individuals or of scenes illustrating the problem or possible strategies for resolving it
- A chronology explaining the substance and politics of the issue
- Contact information for your coalition organizations and other relevant organizations, offices, resources and websites

Whom to send it to?

Once you've produced effective media materials, you need to send them to as many of those journalists as possible who might be interested in your issue area.

Numerous databases and directories are available that catalogue all news organizations in a geographic region, and for each specialized area, all of their current journalists. The fee for these directories can often be expensive – although it is often the only way to obtain comprehensive data, particularly in major media centers where there are many news organizations and reporters frequently shift jobs.

Sometimes, professional journalists associations will provide a list of their members – though they are often likely to consider those private information.

Even if you cannot afford these references to news organizations, there are methods for communicating with and tracking journalists that can still help you reach a large percentage of those who might cover your issue.

- **News calendars** – Each of the major international news services (AP, UPI, Reuters, AFP) produces a daily calendar of high-level speeches, government meetings, official announcements and press conferences. Locate the closest office of at least one of those agencies, and fax them the scheduling information from your Media Advisory.
- **The major news organizations** – Check the addresses, phones and e-mails of the leading newspapers, magazines, television and radio networks in your region. Read recent publications and websites to determine the journalists who would be assigned to your issue.
- **A call list** – Utilizing the above resources, start to assemble your organization's 'call list' of the most influential news organizations, or those most likely to cover your story. Use a database format to set up a document that includes the addresses, phones and e-mails of the journalists and their news organizations, and allows you track what materials you've faxed, phoned or posted to each.

You should try not annoy any journalist or news organization with repeated calls – but you should assure that each has been advised, and reminded, of the schedule for your event before it takes place.

Exercise 8A

During the workshop, you will see a video of selected press conferences, backgrounders and news reports. Discuss: What were some of your own positive or negative experiences with media?

Selecting the message

Either before you arrive, or after you have returned home, having completed the specific tasks of drafting and advocacy at an MEA meeting, it might be useful taking some time to focus on the broader tasks of NGO media coordination – writing coherent messages that can attract the public, and planning ongoing media campaigns that effectively utilize the press.

Many advertising techniques that work for selling candidates or products *can*, in fact, also work for 'selling' the campaigns or messages of NGOs. The primary difference is that the strategy of an NGO campaign must not only invent colorful ways to communicate that people will remember, but must also contain useful information that constructively helps people understand the world and empowers them to act. The challenge always is to include both style *and* substance. An effective corporate media coordinator only has to have the former. An effective NGO has to achieve both.

It can be worthwhile to consult with communications professionals on how to draw up such campaigns and messages. Ask a local university communications department to provide advice as part of an advanced internship. Inquire whether a public relations company will donate any of its services. Or talk to a funder about hiring a media consultant or placing a full- or part-time communications director on staff.

Responding to criticism

Among the primary responsibilities of NGO media coordination is preparing and issuing responses to outside criticism, questions and attacks. Such challenges can range from well-meaning corrections of fact, to philosophical disagreements over policy or tactics, to all -out attacks on your organization's actions, goals and motivations.

Ironically, the more successful an NGO's communications efforts are, and the higher it raises its public profile, the more likely it is that it will become the focus of honest – and not-so-honest – questioning about the issues and the organization itself.

Suggestions on how to deal with such situations can and have filled many books – from textbooks on reading lists for Public Relations 101, to working casebooks on the desks of the chief executives of national governments and multinational corporations. Learning about public relations techniques can be useful – not only to suggest strategies

that might help NGOs, but also to illustrate the types of tactics that might be used against them.

To vastly over-simplify the possible strategies for a response when being challenged, NGOs should try to:

- Carefully check and re-check all facts before your initial or rebuttal statements are sent out.
- Strategically analyze your statements and try to anticipate any potential lines of attack against you. Then prepare a response to each potential vulnerability.
- If you are attacked, stay calm, and focus on the issue. See if you have anticipated the attack – and utilize your response.
- Address any factual mistakes – if you've made an error, acknowledge it quickly and gracefully.
- Communicate with friends and allies in the NGO, governmental, academic and media communities immediately, to request advice and build support. Check with former representatives of your organization, and with previous statements, to maintain consistency in the content and tone of your communications.
- Be aware of any economic or political motivation of those attacking, and prepare to point those out to journalists. But try to address them calmly and confidently, not in an overtly hostile or vindictive way.
- Utilize your response to re state your position. Shift the conversation back to your strengths. Don't be overly focused on the criticism – it should not be a diversion.

Remember that solid information, a creative presentation, and a relaxed sense of humor can be the most effective means of defense.

Providing day-to-day materials to news organizations

In addition to the materials sent to media in preparation for a major Press Conference or at an intergovernmental negotiation, there are several other modes of information NGOs can utilize to communicate through newspapers, magazines, television and radio.

Such forms of regular 'content' provided by NGOs to news media can include:

- Letters to the editor – responding to a previous news story, or addressing a specific event or issue.
- Opinion articles – usually signed by your organization's director or chair.
- Information or educational material – for articles that might be included in a regular Youth, Science or Culture section.
- Announcements – of scheduled events that could be of interest to the public.
- Paid advertisements – that explain your positions and advocate actions by governments, businesses or individuals.

It's worthwhile to send out regular information to news organizations. Don't be too discouraged if you continue to send out press releases, statements or backgrounders to journalists who don't ever seem to cover your issues or report on your activities. The results from these press communications are cumulative. As they see more of your materials and positions, as they realize that your group has substantive expertise on specific issues, news organizations should start to afford you more respect. At some point, they may start to call you when they need information, or a quote or comment for a news story.

The key to achieving such respect, however, is credibility. It is, obviously, important that NGOs take positions that are clear, strong and colorful. But it is equally important that those positions can be supported by citing facts, documents and statistics *that are accurate*. If you want journalists to report on your issues and give emphasis to your position, you have to have gained their confidence. Remember, their own professional reputation is on the line every time they file a report.

What's the priority? Answer: It's the issue

- There are several mutually reinforcing functions that NGO media activity can help achieve: provide factual information that the public wouldn't ordinarily obtain.
- Help 'frame' or interpret the facts so that journalists and their audiences can see how those should lead them to support or oppose specific policies or actions.
- Build broad based public and political support for positive environmental, social or economic policies.
- Encourage individuals to effect action in their own daily lives.
- Publicize your own organization or its leaders so that they gain the stature to influence future policy debates.

Each of these goals is important, but arguably the least important is the last – promoting one's own organization. Ironically though, this is also the media function towards which many NGOs expend much of their energy. NGOs should not become obsessed with gaining citations, called 'mentions', or quotes by their staffers in news stories. It is much more valuable to quietly influence the tone and content of an entire news article than it is to have the name of one NGO appear at the end of the story.

Focusing only on self-promotion can cause journalists to suspect your seriousness, and interfere with achieving even that. The job of persuading a news media and the public that your issue is serious and your position is valid is by far the most critical challenge. In the end, effectively focusing on the substance of the issue will gain an organization more respect, and with it, an increased ability to influence those who can support your issue – and your organization.

Working in coalitions

Especially at major conferences and summits, the plethora of NGO voices – all competing for media attention – often have the effect of cancelling each other out. NGOs can be far more effective when presenting their issues to the press as a coalition. The more that leading NGOs can work together on strategies for reaching media, on activities such as press conferences, and on their actual positions, the more likely they are to achieve a maximum level of media coverage at meetings.

Media Coordinators and consultants

Making use of an overall media coordinator who is experienced working with international NGOs can significantly strengthen the organization of media activities and improve results for coalitions active at an intergovernmental negotiation. Such a coordinator can be a current media staff person working for one of the NGOs in the coalition, or an independent media consultant. A media coordinator can advise NGOs on how to promote their positions on policy issues, organize media events, and publicize national and global activities.

An effective Media Coordinator or media consultant:

- Should be comfortable and have experience working with NGOs and coalitions.
- Should be ready to work closely with NGOs at a conference and at its preparatory meetings.
- Should be sufficiently competent on the substance of the issue that he or she can be fluent and effective in talking to the press.
- Should be sufficiently knowledgeable about the conference or governmental process so as to add to – and not detract from – NGOs' ability to navigate the system.
- Should be able to cooperate with the conference secretariat and with the UN Department of Public Information (DPI) to obtain optimal access for NGOs to official media facilities and to the UN press corps.

Actions and Outputs

Working together, NGO coalitions and their media coordinator can:

- Organize news conferences and background briefings by NGO experts on active MEA issues and their political status, while the negotiations are taking place.
- Help produce press releases and media kits covering all relevant issues, utilizing materials from, and promoting a broad range of the active international, national and local NGOs.

- Arrange interviews of NGO experts in specific issue areas and representing all geographical regions.
- Provide relevant websites, calendars and media advisories.
- Suggest story ideas to journalists and seek cooperation with individual news organizations on coordinating special events.
- Help plan and produce video news releases [VNRs] or background footage (b-rolls).
- Continue to work on an ongoing basis to develop ideas for media strategies and public campaigns.

Exercise 8B - 8G

Follow-up Activity

After talking about the primary skills for reaching media during the workshop, the best way to learn those skills is to practice using them. The following activities can prepare press materials and help build skills that can be used at, or after, the official MEA meeting.

8B Prepare a Press Release

- Form a Media Working Group with other workshop participants and NGOs who volunteer to promote the issues at this conference.
- Each of you suggest an aspect of an issue you'd like to promote.
- Select the most significant issue to promote together.
- Discuss and formulate a specific media strategy for this meeting.
- Working in a subgroup, draft a press release, utilizing quotes from key NGOs.
- Gain the approval of any NGOs quoted or cited in the press release.
- Copy, distribute, and promote the press release to journalists.

8C Try to arrange interviews for issue experts and representatives of your NGO coalition

- With international journalists present at the MEA meeting.
- With national and local journalists either by phone, or after you return home.

8D Conduct practice sessions

- How to conduct a phone call to interest journalists in a story?
- How to respond in an interview?
- How to speak at a press conference?

Try to anticipate journalists' questions at a press conference – particularly challenging questions – and practice answering them effectively.

8E Form an ongoing Media Strategy Working Group

- For any NGOs working on your issue.
- For all interested organizations in your geographic region.

8F Track local and national media coverage on your issue

8G Compile national databases or ('call lists') of relevant journalists and news organizations to contact on various issues

Summary

Communicating NGO messages through the world's major news organizations can be a critically effective tool in increasing public awareness and mobilizing action by governments to approve and implement environmental and sustainable development policies. Journalists and NGOs often perform naturally complementary functions: one wants to broadcast new and interesting information, and the other has new and information it wants to have broadcasted. The challenge for NGOs is to reach out to those journalists in a way that both gains their attention and is substantively useful. Selecting effective media strategies and formulating useful documents can play a tremendously significant role in attracting the type of media coverage that can bring an NGO's issue to the forefront in an extremely saturated political environment.

Further Information and Resources

Annex1: NGO contact points in UN Agencies

Reference Books

Larry Tye (2002). *The Father of Spin: Edward L. Bernays and the Birth of Public Relations* - Owl Books, 320 pages, ISBN: 0805067892

Dejan Vercic (2003). *The Global Public Relations Handbook: Theory, Research, and Practice,* Lawrence Erlbaum Associates, 576 pages, ISBN: 0805839232

Larissa A. Grunig, James E. Grunig, David M. Dozier (2002). *Excellent Public Relations and Effective Organizations: A Study of Communication Management,* Lawrence Erlbaum Associates, 350 pages, ISBN: 0805818189

Anne Gregory (2003). *Public Relations in Practice*, Kogan Page publisher, 210 pages, ISBN: 0749433817

Media Websites

Planet Ark: Daily environmental news articles from Reuters at www.planetark.org/searchhome.cfm

Planet's Voice: www.planets-voice.org/

World Environmental Journalists An international listserv for journalists covering green issues, based in Sri Lanka. Will post press releases on NGO issues at www.environmentaljournalists.lk

The Environment News Network: A media network for online environmental news and information at www.enn.com

MODULE IX

IMPLEMENTATION, MONITORING AND COMPLIANCE OF MEAs

In this module:

- Learn what happens once MEAs are agreed and ratified
- Implementation and enforcement efforts
- Some definitions: compliance and enforcement
- Examples of civil society roles in implementation and enforcement

From adoption to implementation and enforcement: the path of MEAs

As was described in Module One, there is no doubt that the last few years have witnessed a proliferation of multilateral treaties that deal with environmental issues. On the other hand, however, there is a general coincidence that this proliferation in instruments has not been adequately reflected in the application of the norms agreed upon internationally. Many sectors in the international community have expressed concern about this and concur that there is a need for a strong impulse in order to move towards better implementation and enforcement of these instruments.

Governments and regional organizations have taken on a series of international commitments by signing and ratifying MEAs. Yet, purely adopting an MEA is not sufficient. Efforts need to be made to apply these norms and to employ practices that catalyse environmental improvements. Currently there is a call to effectively implement, apply, and enforce the international environmental governance instruments that countries have negotiated and adopted in the last few years.

Civil society has a strong role to play in this matter at all levels: locally, nationally, regionally and internationally. This Module provides basic information for MEAs compliance and enforcement steps. In addition, this section offers information on practices and cases where civil society has aided with very diverse strategies in implementation processes.

Implementation and enforcement

Once a country becomes a party to a multilateral environmental agreement, it should commence implementation and enforcement efforts. These are of two broad types:

- **Substantive**: moving toward employing specific measures that improve the particular environmental issue committed to in a particular MEA; and,
- **Procedural**: meeting with the procedures established by the MEA, such as, for example, reporting on the status of national implementation.

Often, the implementation of MEAs indicates that nations must approve relevant national laws and policies as well as adapt or adopt national institutions and standards. It is in this arena that implementation and compliance factors come into play.

Note that **this module focuses on the actions and strategies that NGOs can take**, rather than implementation or compliance by States per se.

For guidance on national implementation and enforcement, refer to UNEP's Manual on Compliance with and Enforcement of Multilateral Environmental Agreements. The document thoroughly discusses a series of means, measures, and courses of action that nations can adopt to streamline compliance with and enforcement of MEAs. A major purpose of the Manual is also to make available facts, methods, and experiences to be used for compliance and enforcement plans (available free of charge at www.unep.org/DEC/docs/UNEP_Manual.pdf).

Some definitions: compliance and enforcement

According to the UNEP Guidelines on Compliance with and Enforcement of Multilateral Environmental Agreements, compliance and enforcement are defined in this fashion:

- "**Compliance**" means the state of conformity with obligations, imposed by a State, its competent authorities, and agencies on the regulated community, whether directly or through conditions and requirements in permits, licences and authorizations, in implementing multilateral environmental agreements; and,
- "**Enforcement**" means the range of procedures and actions employed by a State, its competent authorities, and agencies to ensure that organizations or persons, potentially failing to comply with environmental laws or regulations implementing multilateral environmental agreements, can be brought or returned into compliance and/or punished through civil, administrative, or criminal action.

In general, then, *compliance* is brought into play in the international framework while *enforcement* is a concept to be used in national perspectives.

Roles of non-governmental actors in implementation and compliance with MEAs

As seen in different sections of this Manual, the role of non-state actors in the international arena has been fortified in recent times, in particular after the watershed event that was the United Nations Conference on Environment and Development (UNCED) of 1992. Yet, in the end, whilst MEAs are international commitments, they are operative mainly at the national level.

Civil society should and does have roles to play at the national levels with relation to MEAs. These roles vary from country to country, from situation to situation. Nevertheless, there are tasks and responsibilities by stakeholders that can be agreed upon or used as relevant examples.

In fact, all the tactics and strategies already mentioned in other sections are applicable at the national levels. Some examples of activities that civil society groups use around the globe regarding national implementation issues and MEAs include:

- Developing national campaigns to promote adoption of a certain multilateral accord;
- Providing research to relevant state actors on the MEA and its implementation;
- Providing information to relevant state actors on the MEA and its implementation;
- Training relevant stakeholders and decision-makers in implementation and enforcement practices;
- Taking part in expert groups related to multilateral environmental accords;
- Participating in consultations for the establishment of national implementation plans or strategies;
- Using international agreements a country is party to as leverage for domestic application of norms;
- Providing informed opinions regarding implementation of MEAs at the national level, articulating domestic limitations and priorities.

Furthermore, many civil society groups act as facilitators in the implementation and compliance field, working with parliaments and the judiciary (as well as other branches of governments), providing training to decision-makers in content and form of multilateral environmental issues, and facilitating implementation processes.

> The key word is engagement … non-state actors have a myriad of possible opportunities, instances, and strategies for encouraging implementation of and compliance with MEAs.

In fact, some of the specific UNEP Guidelines for implementation of MEAs specifically deal with the role of non-state actors (for example, Guideline number 27). As is typical with regard to non-governmental engagement in the global environmental field, the opportunities and strategies are countless. When strategizing at the national level, these need to be adopted not only to each

particular MEA but also to each particular national situation. Yet, it can be concluded that the key word is engagement, implying that non-state actors have a myriad of possible opportunities, examples, and strategies for encouraging implementation of and compliance with MEAs.

UNEP Guidelines On Compliance With And Enforcement Of Multilateral Environmental Agreements

Section E - National implementation - Guideline 28

Major stakeholders: Major stakeholders including private sector, non-governmental organizations, etc., can be consulted when developing national implementation plans, in the definition of environmental priorities, disseminating information and specialized knowledge and monitoring. Cooperation of the major stakeholders might be needed for enhancing capacity for compliance through information, training and technical assistance.

Steps in MEAs implementation processes: compliance

Although countries, regional blocks, and the international community have productively negotiated and generated mechanisms, such as MEAs, that confront international environmental issues, their successful instrumentation, and application is still a slow process matter. Countries do have to cogently apply a series of steps; many at the domestic level, in order to ensure that MEAs are complied with by establishing a set of rules and to further ensure that these rules are enforced where relevant. Compliance with MEAs is achieved through the establishment of norms, laws, permits, licenses, authorizations, and national plans imposed for implementing multilateral environmental agreements. Following are some instances of mechanisms to be developed in order to implement MEAs and the possible roles of different stakeholders in each one of them.

National Action Plans or National Strategies

UNEP Guideline 14(b): National implementation plans could be required in a multilateral environmental agreement, which could potentially include environmental effects monitoring and evaluation in order to determine whether a multilateral environmental agreement is resulting in environmental improvement;

One early step that can be taken for MEA implementation is the development of national action or strategy plans. The national implementation plans or strategies can:

- take stock of the issue at the national arenas, involving all relevant sectors of the state and stakeholders;
- express how a state will meet its MEA-related requirements;
- recognize which are the gaps present in national policies or domestic situations that can forestall the application of multilateral treaties; and
- generate consciousness; engender collaboration and exchange between different relevant areas of the State dealing with a subject, and to bring in stakeholders' opinions, knowledge, and diagnostics in early stages of plan's development.

WHAT ARE THE POSSIBLE STAKEHOLDER ROLES IN DEVELOPING NATIONAL STRATEGIES? TAKING PART IN OR LEADING NATIONAL PLANS.

A very first step for all national strategies and plans is to identify and involve stakeholders.

Furthermore, there are many examples of national strategies where civil society groups have taken a leading role in developing them. An assessment of the GEF-funded enabling activities for the implementation of the Convention on Biodiversity found several best practices whose key was stakeholders' lead. For example, for Egypt, the success of establishing the national biodiversity strategy and action plan was, according to the assessment, due to civil society involvement:

"Where the academic community is strong, the selection of universities as lead in local consultations had several advantages. This is the experience of Egypt, where universities are regarded as centres of knowledge, have very high credibility, and the word of a university President is 'heard.' If the lead to such consultations is given to politically powerful local leaders, there is the potential disadvantage that when they issue invitations, people would come because they were 'obliged.' With universities inviting, people came voluntarily."

Source: Establishment of guidelines for the Second National Reports, including indicators and incentive measures: An interim assessment of biodiversity enabling activities: national biodiversity strategies and action plans: a study for the Global Environment Facility, UNEP/CBD/SBSTTA/5/INF/9, 13 December 1999.

Reporting, monitoring, and verification

In order to comply with MEAs it is not enough to just abide by the set requirements. States must also report, monitor, and verify these conditions. These so-called compliance information systems include the generation of databases with relevant information as well national reporting to COPs. MEA secretariats gather this information and play an active role in generating and standardizing reporting methodology and format, as well as advancing (with other agencies) the support of report funding for developing countries.

A significant element in reporting, monitoring, and verification activities is that it allows stakeholders, governmental administrations, and the international community to gauge what have been the accomplishments in MEA application and how to steer this further. Is not only an instance to give an account but also an opportunity to take stock of situations and identify gaps and deficiencies.

By generating and managing these reports, all those involved also tangentially fulfil other mandates. Not only do the statements, data gathering and verification exercises explicitly accomplish reporting requisites, they also can and are used as a means for access to information by the most diverse stakeholders.

UNEP GUIDELINE 14 (C)

Reporting, monitoring and verification: multilateral environmental agreements can include provisions for reporting, monitoring and verification of the information obtained on compliance. These provisions can help promote compliance by, inter alia, potentially increasing public awareness. Care should be taken to ensure that data collection and reporting requirements are not too onerous and are coordinated with those of other multilateral environmental agreements. Multilateral environmental agreements can include the following requirements:

- Reporting (. . .);
- Monitoring (. . .); and,
- Verification (. . .).

What Are The Possible Stakeholder Roles In Reporting, Monitoring, And Verification Proceedings? Developing Parallel Reports Or Inputting Into National Reports

Civil society groups can play many parts in reporting and verification activities related to MEAs. Certainly, they can provide expert advice and information on the many and complex aspects involved in these activities. Although some countries only use official data for national reporting, many nations also include stakeholder-generated information (for example, from academics, from the private sector and so on).

Furthermore, when civil society groups do not agree with situations as presented in official reports, they can (and do) present alternative reports in formal or semi-formal circumstances. These alternative reports can provide additional or divergent data than that presented in official statements.

Some MEAs have imbedded mechanisms for specific stakeholder participation in reporting procedures. For example:

- The Aarhus Convention requests that national reporting be conducted through a "transparent and consultative process involving the public." The national reports themselves have to detail how the public was consulted and how the outcome of the public consultation was taken into account for preparing the statements. Further information on this is available at www.unece.org/env/pp/documents/mop1/ece.mp.pp.2.add.9.e.pdf
- For CITES, information and data from non – governmental organizations can also be accepted as part of the reporting processes. Further information on this is available at www.cites.org

Implementing laws, regulations and national policies

Although the international domain in multilateral agreements is of course of utmost importance, it must be clear that implementation and enforcement is a domestic issue in most cases. It is at the national level that much activity needs to still be carried out to improve compliance with and enforcement of international environmental accords.

A key step is the normative framework that must be in place nationally to meet with international environmental commitments. The development and adoption of germane and comprehensive rules as well as robust institutions is a juncture that many countries face with difficulty.

On the other hand, it has been pointed out repeatedly that, in a great deal of cases, MEAs are the sole source of domestic norms. That is, rules regarding a particular environmental issue do not exist and are only adopted as a result of a country being party to an MEA, in a sort of benign "trickling down" effect of the global norm to the national sphere.

UNEP Guideline 20:
Law and regulatory framework. According to their respective national legal frameworks, States should enact laws and regulations to enable implementation of multilateral environmental agreements where such measures are necessary for compliance. Laws and regulations should be regularly reviewed in the context of the relevant international obligations and the national situations.

What are the possible stakeholder roles in implementing norms and policies? Providing training and capacity building for the development of domestic norms

The need for capacity building is high, particularly in developing countries, in the areas of developing rules, enabling legislation, and policies related to environmental international accords. There are numerous examples of projects where academics and research-oriented non-governmental organizations provide training for decision-makers in this theme. For example, the Chilean Centro de Derecho Ambiental of the University of Chile together with FIELD of the UK have completed a project for creating institutional capacity in norms and policies related to biosafety issues with special considerations to the international commitments Chile has taken on recently in this subject.

Civil society groups of all types engage in campaigns and information dissemination to apply pressure on countries to adopt and implement MEAs. Information dissemination is one of the ways that non-state actors try to sway public opinion to press the case for implementation of MEAs by decision-makers.

Stakeholders around the world hold countless numbers of events (seminars, workshops, etc.) where the different technical and policy aspects of MEA enforcement are debated. These events are also a way to move forward the debate, increase public awareness regarding norms and institutions, and to some extent steer domestic implementation processes.

Soft law and normative frameworks at the national level

As seen in Module One, soft law is also a driver in domestic policy-setting and legal framework implementation regarding various sustainable development issues and related matters. Principle 10 of the Rio Declaration (see box), for example, has permeated into national norms in most, if not all, regions of the world[1].

Rio Declaration On Environment And Development Principle 10

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Exercise 9a

Identify norms that have been incorporated into national legislation due to a particular country's adoption of an international environmental agreement.

Steps in MEAs' implementation processes: enforcement

Adopting the right norms and policies for MEA application is a first step for the application of an international agreement. Although adoption of norms is of course a necessary and imperative stage in the implementation process, in and of itself is insufficient for the thorough application of an international agreement. This is so given that domestic policy should also be oriented to enforcement of these norms.

1 For analysis of Principle 10's incorporation into relevant national legislation, with particular focus on its regional and global implications, see Carl Bruch, ed., The New "Public" – the Globalization of Public Participation (Washington, DC: Environmental Law Institute, 2002). Available at www.eli.org. Also see www.accessinitiative.org

What are the possible stakeholder roles inMEA enforcement? Right to stand appealing to MEAs

The right to stand in national courts and to argue a case based on MEAs is a rising course of action for many civil society groups. This is what is meant when "leverage" of multilateral agreements in domestic legal systems is invoked. Stakeholders (as part of interest groups or as concerned organizations) play an active role and invoke MEAs in enforcement proceedings. Some cases are as follows:

- An Indian NGO brought – and won – a public interest case to determine that the export of 'shahtoosh' (wool from the underbelly of the endangered Tibetan antelope) from Jammu and Kashmir is indeed a violation of India's CITES laws, and required that State to amend its laws accordingly.
- Groups in Brazil have accessed courts to challenge the safety of Genetically Modified Organisms, following principles in Article 23 of the Cartagena Protocol on Biosafety. This section of the Protocol (called Public awareness and Participation) indicates that the Parties shall: (a) *"Promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms in relation to the conservation and sustainable use of biological diversity, taking also into account risks to human health. . ."*. These groups, through this action, have achieved moratoria in the use of GMOs until their safety is considered. They have also used legal actions to pressure for more public participation in the national policy-making debate on the production of GMOs.

What are the possible stakeholder roles in MEA enforcement? Research and training provided by civil society

MEA enforcement requires a range of mechanisms, many of them new and innovative. Civil society groups (among them academics and research-oriented non-governmental organizations) play a fundamental role in carrying out original policy-oriented research in MEA enforcement.

Moreover, civil society groups also work at making these new enforcement measures operational. This is vital for many nations where laws resulting from multilateral agreements are pioneering in the normative configuration of a country. Countless universities and professional groups around the world assume the task of training in these areas. For example, the organization Centro de Estudios Ambientales (CEDEA) of Argentina carried out training together with the Unión de Empleados de la Justicia of that country (union of justice department workers) for the enforcement of new norms in that national legal system. The training for workers and judges in the justice branch aimed at enforcing new norms, many of them arising out of international commitments with MEAs.

There are innumerable instances where a norm that has been adopted by a country to meet with an MEA is not imposed at the national level. The enforcement of national instruments, and by correlation the international agreement that a national law in theory applies, is done by combating violations to the norms. This is basically what is meant by enforcement in this respect.

Dispute settlement mechanisms

Although it might be an unwanted by-product, conflict is accepted, but always avoided, as a given in the enforcement arena. Putting dispute settlement mechanisms into operation can help to deal preventatively with this issue, and ensure a better implementation process for MEAs. Dispute settlement machineries that effectively attempt to settle disputes do so through an array of elements (mediation, conciliation, panels, etc.).

UNEP Guideline 7:
Dispute settlement provisions in principle, provisions for settlement of disputes complement the provisions aimed at compliance with an agreement. The appropriate form of dispute settlement mechanism can depend upon the specific provisions contained in a multilateral environmental agreement and the nature of the dispute. A range of procedures could be considered, including good offices, mediation, conciliation, fact-finding commissions, dispute resolution panels, arbitration and other possible judicial arrangements which might be reached between concerned parties to the dispute..

What are the possible roles of stakeholders in MEA dispute resolution mechanisms? Amicus briefs and grievances

Here also civil society groups have been playing roles that are more visible over time. Growingly, dispute resolution bodies allow for intercessions by different stakeholders in disputes being settled. These take the forms of amicus briefs. That is, submissions by what are perceived as "friends of the court" (amicus curiae). Some mechanisms also recognize grievances presented by stakeholders.

Case Study: Use of MEAs Dispute Resolution Mechanism in the Danube Delta Case

The Government of Ukraine, with a German-based company, plans to dig a deep navigational canal through the Ukrainian section of the Danube Delta. The Ukraine's delta is part of a Bilateral Biosphere Reserve. This planned canalisation would have, according to several assessments, profound negative environmental impacts beyond the Ukrainian borders, affecting other countries in Europe, the Mediterranean basin, and Africa.

A Ukrainian environmental law firm (Ecopravo-Lviv-EPL) objected to this intervention and (invoking the many agreements that Ukraine has signed) challenged the canalisation. The firm has filed legal complaints with a number of international bodies that are responsible for administering international law affecting the Danube Delta Bilateral Biosphere Reserve. Among these are dispute resolution procedures.

Below is a brief list of bodies where EPL has filed formal complaints thus far. Besides these, the firm has also presented the case before UNESCO and the Ramsar Convention.

- Presented before the Compliance Committee of the Aarhus Convention (on access to information, public participation in decision-making and access to justice in environmental matters);
- Presented before the Implementation Committee of the Espoo Convention (on EIA in a transboundary context);
- Presented a Letter of Emergency Notification filed with the Secretariat on the Convention on the Conservation of Migratory Species (CMS);
- Filed an Emergency Complaint to the Permanent Secretariat of the International Commission for the Protection of the Danube River; and
- Presented a Letter of Notification with the Secretariat of the African-Eurasian Waterbird Agreement (AEWA).

Relevant web-sites

Besides the already mentioned MEA Secretariats and official links, there are large numbers of organizations dealing with MEAs that include information on the application, compliance, monitoring and scientific aspects of MEAs on their web sites. Some of them are included in this box.

- CGIAR Consultative Group on International Agricultural Research www.cgiar.org
- CI Conservation International www.conservation.org
- DIVERSITAS International program of biodiversity science www.diversitas-international.org
- GEF Global Environment Facility www.gefweb.org
- IUCN International Union for the Conservation of Nature & Natural Resources (World Conservation Union) www.iucn.org
- MEA Millennium Ecosystem Assessment www.millenniumassessment.org
- SEI Stockholm Environment Institute www.sei.se

Sources: Wilson Institute and others

Summary

- After a State becomes party to an MEA, it is obligated to fulfil formal and substantive aspects of the agreement at the domestic level and before the international community.
- Civil society groups exercise a series of rights and carry out activities related to the application of the MEAs.
- Stakeholders have roles in the implementation of local instruments as well as in the global grounds where there is interaction with MEA compliance and enforcement.
- Monitoring of application is also an activity for civil society groups, often using the MEA itself as international leverage for national policy.

Further Information and Resources

Annex 4: UNEP's Guidelines on Compliance with and Enforcement of Multilatera Environmental Agreements

References in this Module

Taneja, B. (2002). *Implementation of Multilateral Environmental Agreements* by India – Legislative Harmonisation: Meeting the Requirements of the CBD and other multi-lateral environmental agreements. Available at www.field.org.uk/files/india.pdf.

IDS (January 2003). *Public Participation and the Cartagena Protocol on Biosafety: A review for DFID and GEF Part I: The main report*, Brighton, U.K University of Sussex, January 2003.

Gálvez, A. (2002) 'Mexico'. In Christoph Bail, Robert Falkner and Helen Marquard, Eds., *The Cartagena Protocol on Biosafety: Reconciling Trade in Biotechnology with Environment and Development?* London: RIIA/Earthscan.

Greenpeace México, Harsant, M. and E. Kalafatelis (2001). *La respuesta ciudadana a la contaminación del maíz transgénico*. Presented at the International Seminar on the Impacts of Free Trade, Pesticides and Transgenics in the Agriculture of Latin America, Chapingo, Mexico, 1-2 August 2002.

MODULE X

OBTAINING FUNDING FOR MEA-RELATED PROJECTS

In this module:

Learn how best to approach funders to support MEA-related projects.

- Understanding timelines and at times priorities for funders Vs NGO priorities
- Creating relationships with funders
- Submitting funding proposals
- Specific potential funders

Sourcing funds for MEA-related projects

Working on MEAs can be an expensive undertaking for NGOs. This module provides an idea of where to try for funding, along with general advice on how to make an effective application. It is not a definitive book on fundraising, more a teaser on the subject. It will look in particular at how to approach funders and give some practical advice on where to find more information.

Understanding timelines and conditions (priorities) for funders

Different funding agencies work to different timelines. Often, there are several stages to the application process. For example the UK Department for International Development uses a concept paper stage (see box below). This enables them to quickly review the organization, its competence and if the project is of interest. A lot of other funders are moving to introduce similar processes.

The funding process can be slow, so you need to plan well in advance. Using the DfID example again, it can take up to ten months (or more) to obtain funds:

Early June:	Concept notes have to be submitted to DfID (you can submit as many as you like but they have to be at least four weeks apart). You will receive a reply with a reference number within 2 days.
June/July:	Within four weeks, the applicant will have a decision on whether DfiD would like to see a full proposal. Getting through to the full proposal stage does not mean you are going to get funds. Probably around one in three is eventually funded.
31 July:	All full proposals are due.
July – Jan:	DfID may then come back asking for more information.
Early Feb:	The relevant committee in DfID will meet.

Mid Feb:	Applicants will be given a decision.
1 April:	Funds will be released.

Other funders are quicker and have staff who have discretion under a certain level to make relatively quick decisions. A good rule of thumb for a US Foundation would be under $100,000 level grant could be made by the Fund Officer.

Concept Notes and Full Proposals

A concept note typically will be around two or three pages covering:

- information on the organization,
- information on the project, and
- a preliminary logical framework for the project.

We have enclosed an example by Stakeholder Forum for you to look at.

The full proposal often will be ten pages long with a format that includes:

Section I:	Basic Data Sheet/Summary
Section II:	Project Rationale
Section III:	Project Approach
Section IV:	Project Management and Implementation
Section V:	Project Monitoring, Learning and Dissemination
Section VI:	Risks
Section V:	Project Budget
Section VI:	A full logical framework

Some tips on fundraising

Here is a checklist to help ensure that you maximise your chances of success with funding applications:

- Are you eligible to apply? For example, does the funder require you to be a charity, registered in the US, or other criteria that may make it unlikely that they would fund you?
- Have you identified the right timelines to apply?
- Who is the person that will review your project application? Have you spoken to them?
- Does your project meet some or all of the priorities set down by the funder? Are these priorities clearly reflected in the application?
- Do you need to identify project partners? If yes, have you approached them?
- Are you able to meet the financial management requirements?
- Pay close attention to the specific requests or requirements set forth by a potential funder. Failure to comply with specific lengths, language, or elements can result in automatic rejection of the proposal on technical grounds.
- Is this the right funder or funders' line? Sometimes your project might fit into two or more places within a funders'. If you are unsure, it is best to telephone and find out which one is most appropriate.
- Does the funder provide funding up-front, or after you produce receipts? If the second, can your financial situation cope with this? It is not unusual for governments to take up to six months to pay – up to a year in extreme cases.
- Are matching funds required? Does in kind voluntary contribution count? Or do you need to source additional funding?
- Have you calculated your budget in the right currency?

Creating relationships with funders

It used to be much more common for Foundations and other funders to publish the names of the relevant funding officers on the web or in their Annual Reports. There has been a move over recent years to change this, in order to make the application process more neutral.

This has both positive and negative repercussions. The positive is it makes the process seem fairer. The negative, particularly for new people trying to get funding, is that applicants don't have a good Foundation Officer to help them through the design phase and gain valuable experience in the application process.

We suggest that you actively seek out relevant officers to guide your application. Research the Foundation on the web. If it has named your area as something they will fund, and you think you meet their criteria, the next job is to find the right person. If you do not know the name of the relevant person then:

- Search the Foundation's own web site.
- In the US the environmental Foundations have formed the Environmental Grant association. Search their web site (http://www.ega.org/) for more information on the Foundation you are interested in and see if there are named people associated with the area you are seeking.
- If you still haven't got the right information then do an internet search (google) on the topic area and the Foundation.
- When you have the name of the person do another search looking for their email.
- It is also worth searching what they have done before so you have an idea what their profile is. If they have published (such as Michael Edwards at Ford Foundation) read what they say. It will help later in putting together your application.
- If you are coming to the country where the funder is based, email and ask to meet to discuss your work.
- If you can't do that, ask if you can have a chat on the telephone. This is a good way of finding out if they might be interested. It saves time and also offers a chance for their input.
- If you can engage officers in helping to design the project, they will then help you to take it further through the system in the Foundation or Government.
- Try to build a personal relationship with the funder. Are they married? What do they do in their spare time? Do they have any projects they are really proud of funding?
- Keep a record of what you learn so that everyone in your organization can benefit from some knowledge management.

Meeting with funders at UN meetings

If you are attending UN meetings then this is a great chance to meet a number of potential funders. It is worth bringing a number of concept notes with you to these meetings, but don't just sit down with the funders and bring out the notes. Again, try to get to know them as people first.

If you can, drop them an email before hand saying you want to meet and discuss your programme of work, including a few bullet points on what those conversations might cover. If you don't know the right person then go to the previous meeting of the UN body and seek out the list of participants. This will give you names and then search the web for telephone numbers and email addresses.

Potential Funders

A number of potential funders exist, depending on what you are trying to find funds for and the policy of your NGO (for example some NGOs do not accept funds from the private sector). One of the most important things that you can do is set aside a week and research possible funders in depth. This will help you determine who is most likely to support your application, before you send anything to one or another funder.

In broad categories, potential funders include:

- National governments
- Regional and local governments
- UN agencies and other intergovernmental bodies
- The UN Foundation
- The European Union
- Foundations
- Lotteries
- Companies
- Other NGOs

National Governments

The major governmental donor community is in the north but not exclusively. If you are from a developing country, your government many have funds available or be able to help with in kind contributions at times.

There are many government departments from which you might find funding. Departments or Ministries that are worth looking at include:

- Development
- Environment

- Foreign Affairs
- Trade and Industry

Some of these will have clear published guidelines for applying for funds and can easily be developed into a matrix. For others it is a matter of research and their requirements may change from year to year.

Exercise 10a

At the end of this module is a UK Department for International Development Concept Note structure. Also find an example already completed to give you an idea of how to do this. On the enclosed disk you will find the structure ready to use. As an exercise, fill in the Concept Note on the topic of "Creating a National Network to Build Capacity on Lobbying for MEAs."

Regional and Local Government

Over the past few years, regional government and large local governments have emerged as funders. Examples include the Basque, Catalonian, Quebec and Flanders regions, and the Cities of London and Montreal. In fact, Belgium no longer has a national Minister for environmental issues – it is rotated among the regional governments. These are not major funders but are well worth approaching for travel and small projects.

UN Agencies and other intergovernmental bodies

Many different UN Agencies and intergovernmental bodies give grants and support projects. Some that might support work in the area of MEAs include:

- GEF
- Development Banks
- European Union
- FAO
- UNDP
- UNEP
- UN Institute for Training and Research
- UN Regional Commissions
- World Health Organization
- World Bank

Details of the NGO contact persons for the various UN Agencies are listed in Appendix One.

In addition to the UN itself there is the **UN Foundation** set up by the enormously generous donation of Ted Turner. To access the UN Foundation's funds you need to partner with one of the UN agencies. This can be both a rewarding and a confusing experience. The process of agreeing and submitting an application can be prolonged, and understanding UN agency processes can be difficult. The process is also rewarding because the project should be a partnership with the UN Agency and the chance to access their enormous knowledge and experience can not be underlined enough.

The Foundation meets four times a year, and it can take quite some time for applications to be determined and funds released via the UN agency. The reasons are to ensure proper safeguards within the UN agency and with the dispersal of the funds. If you are interested in developing a proposal and putting it through the UN Foundation then allow nine months to a year for it to go through and – if successful – for funds to be dispersed.

European Union

Although the European Union is a labyrinth, there are only a small number of possible places for funding around MEAs. These are:

- DG Environment
- DG Development

Foundations

Many of the well known foundations are from the United States. For example, the Ford, Rockefeller and Soros Foundations are major institutions and have offices around the world. There are also international foundations from other countries such as German, Dutch, Norwegian, and Swedish Foundations. Many of these countries now have Foundation Centres which allow you access to a comprehensive database of relevant foundations (note that some of these Centres charge for this service). Large foundations may have regional offices which you can contact. Below is a list of Foundations you might like to consider:

Carnegie Foundation www.carnegiefoundation.org	**Soros Foundation** www.soros.org
Ford Foundation 320 East 43rd Street New York, New York 10017 Tel: 212-573-5000 Fax: 212-490-7168 www.fordfound.org	**Rockefeller Brothers** 437 Madison Avenue, 37th Floor New York, New York 10022-7001 Tel: 212-812-4200 Fax: 212-812-4299 www.rbf.org

Global Wallace Foundation 1990 M Street, N.W., Suite 250 Washington, District of Columbia 20036 Tel: 202-452-1530 Fax: 202-452-0922 www.wgf.org	**Rockefeller Foundation** 437 Madison Avenue, 37th Floor New York, New York 10022-7001 Tel: 212-812-4252 Fax: 212-812-4299 www.rffund.org
Heinrich Boll Foundation W. Alton Jones Foundation, Inc. 232 East High Street Charlottesville, Virginia 22902-5178 Tel: 804-295-2134 Fax: 804-295-1648 www.wajones.org	**Tinker Foundation** 55 East 59th Street New York, New York 10022 Tel: 212-421-6858 Fax: 212-223-3326 www.fdncenter.org/grantmaker/tinker
Mott Foundation 1200 Mott Foundation Building 503 South Saginaw Street Flint, Michigan 48502-1851 Tel: 810-238-5651 Fax: 810-766-1753 www.mott.org	**Foundation Center United States** The Foundation Center 79 Fifth Avenue/16th Street New York, NY 10003-3076 Tel: (212) 620-4230 *or* (800) 424-9836 Fax: (212) 807-3677 www.fdncenter.org
MacArthur's Foundation 140 S. Dearborn Street, Chicago, IL 60603-5285 USA Tel: (312) 726-8000 Fax: (312) 920-6285 www.macfound.org	**The European Foundation Centre** European Foundation Centre 51 rue de la Concorde 1050 Brussels Belgium tel.: +32.2.512.8938 fax: +32.2.512.3265 www.efc.be
Pew Foundation One Commerce Square 2005 Market Street, Suite 1700 Philadelphia, Pennsylvania 19103-7077 Tel: 215-575-4740 Fax: 215-575-4888 www.pewtrusts.com	

Lotteries

A number of countries operate lotteries with some funds going to charitable work.

Companies

A large number of companies offer funding. Some of them may benefit from your campaigning and some will most likely be against your position. See if you can identify companies that would support your position. For example, renewable energy companies may be prepared to help fund NGOs campaigning on climate change, as tough CO2 targets would be in their interest.

You might source funding from a number of places in a company, including:

- Their foundation
- The external affairs department
- The marketing department

Like with other funders, find out the names of the key people and telephone and chat with them about what possibilities exist.

Other NGOs

Many of the development NGOs such as Oxfam, Action Aid, Norwegian Churches, and Christian Aid, have small or medium sized grants that they will give out in addition to funding partners. The NGOs listed here don't tend to be involved with MEAs, but it is worth approaching them if you can make the case for your work being a development priority.

Summary

Funding sources for MEA-related projects exist nationally and internationally, through governments, foundations, businesses and even other NGOs. In general, applying for funding requires timeliness and a good understanding of the funders' interests and decision-making processes. If at all possible, try to build a relationship with the funding officer – they can be helpful in guiding you through the application process.

Further Information and Resources

Annex 1: NGO contact points in UN Agencies

Annex 2: Contact points in the European Union's DG Environment

Annex 5: Illustrative formats used for funding applications

ANNEXES

Annex 1: NGO contact points in UN Agencies and Programmes

UNOG - NGO LIAISON OFFICE IN GENEVA

Mr. Ricardo ESPINOSA
Room 153 - Palais des Nations
1211 Geneva 10
Tel: (41-22) 917 2127
Fax: (41-22) 917-0583
E-mail: ungeneva.ngoliaison@unog.ch
Website: www.unog.ch/ESS_Mission_services/ngo/liaison.htm

UNOV - NGO LIAISON OFFICE AT VIENNA

Mr. Nyron SEQUEIRA
Room E1416
Vienna International Centre
1400 Vienna
Austria
Tel: (43-1) 26060-4499
Fax: (43-1) 26060-5929
E-mail: protocol@unvienna.org
Website: www.unvinnea.org/unov/index.html

NGLS - NON-GOVERNMENTAL LIAISON SERVICE

Mr. Tony HILL
Coordinator
CH-1211, Palais des Nations
Geneva 10, Switzerland
Tel: (22) 917-2076
Fax: (22) 917-0432
E-mail: ngls@unctad.org

Ms. Elisa PETER
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United Nations
New York, NY 10017
Tel: (212) 963-3125
Fax: (212) 963-8712
E-mail: ngls@un.org
Website: www.un-ngls.org

DPI - DEPARTMENT OF PUBLIC INFORMATION

Mr, Paul HOEFFEL
Chief, NGO Section
Department of Public Information
Room S-1070L
United Nations, New York, N.Y. 10017
Tel: (212) 963-6842
Fax: (212) 963-6914/2819

DPI/NGO Resource Center:
Room L-1B-31
United Nations, New York, N.Y. 10017
Tel: (212) 963-7233
Fax: (212) 963-2819
E-mail: dpingo@un.org
Website: www.un.org/dpi/ngosection/index.asp

ADVANCEMENT OF WOMEN

Ms. Tsu-Wei CHANG
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Room DC2-1204
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Fax: (212) 963 3463
E-mail: csw49@un.org

AFRICA

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Fax: (212)963 3892
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HUMAN RIGHTS

Office of the UN High Commissioner for Human Rights, New York Office
Room S-2914, United Nations
New York, NY 10017
Tel: (212) 963-5930
Fax: (212) 963-4097
Website: www.unhchr.ch

INDIGENOUS POPULATIONS

Ms. Elsa STAMATOPOULOU
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Room DC2-1772, United Nations
New York, NY 10017
Tel: (212) 963-2775
Fax: (212) 963-5102
Website: www.un.org/esa/socdev

PALESTINIAN RIGHTS
Mr. Worlfgang GRIEGER
Division for Palestinian Rights
NGO Liaison Office, Department of Political Affairs (DPA), United Nations
Room S-3362F, New York, NY 10017
Tel: (212) 963-1800
Fax: (212) 963-4199
E-mail: grieger@un.org
Website: www.un.org/Depts/dpa/ngo

SOCIAL DEVELOPMENT -
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Website: www.un.org/esa/socdev

PUBLIC INQUIRIES
Public Inquiries Unit
Room GA-058, United Nations
New York, NY 10017
E-mail: inquiries@un.org

DISARMAMENT
Mr. Gary DEROSA
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Annex 3: Rules of Procedure for Meetings of the Conference of the Parties to the Convention on Biological Diversity (see Annex to Decision I/1 and Decision V/20)

OBSERVERS

Rule 6

1. The Secretariat shall notify the United Nations, its specialized agencies and the International

Atomic Energy Agency as well as any State not Party to the Convention of meetings of the Conference of the Parties so that they may be represented as observers.

2. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any meeting unless at least one third of the Parties present at the meeting object.

Rule 7

1. The Secretariat shall notify any body or agency, whether governmental or non-governmental, qualified in fields relating to the conservation and sustainable use of biological diversity, which has informed the Secretariat of its wish to be represented, of meetings of the Conference of the Parties so that they may be represented as observers unless at least one third of the Parties present at the meeting object.

2. Such observers may, upon invitation of the President, participate without the right to vote in the proceedings of any meeting in matters of direct concern to the body or agency they represent unless at least one third of the Parties present at the meeting object.

Annex 4: UNEP's Guidelines on Compliance with and Enforcement of MEAs

1. In its decision 21/27, dated 9 February 2001, the Governing Council of the United Nations Environment Programme (UNEP), recalling the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme and the Malmö Ministerial Declaration, requested the Executive Director "to continue the preparation of the draft guidelines on compliance with multilateral environmental agreements and on the capacity-strengthening, effective national environmental enforcement, in support of the ongoing developments of compliance regimes within the framework of international agreements and in consultation with Governments and relevant international organizations."

2. Pursuant to that decision, draft guidelines were prepared for submission to the UNEP Governing Council special session for review and adoption. They were adopted in decision SS.VII/4.

3. The guidelines are advisory. They provide approaches for enhancing compliance with multilateral environmental agreements and strengthening the enforcement of laws implementing those agreements. It is recognized that parties to the agreements are best situated to choose and determine useful approaches in the context of specific obligations contained in the agreements. Although the guidelines may inform and affect how parties implement their obligations under the agreements, they are non-binding and do not in any manner alter these obligations.

4. The guidelines are presented in two chapters: the first chapter deals with enhancing compliance with multilateral environmental agreements and the second chapter deals with national enforcement, and international cooperation in combating violations, of laws implementing multilateral environmental agreements.

I. GUIDELINES FOR ENHANCING COMPLIANCE WITH MULTILATERAL ENVIRONMENTAL AGREEMENTS

Introduction

5. Strengthening of compliance with multilateral environmental agreements has been identified as a key issue. These guidelines provide approaches to enhance compliance, recognizing that each agreement has been negotiated in a unique way and enjoys its own independent legal status. The guidelines acknowledge that compliance mechanisms and procedures should take account of the particular characteristics of the agreement in question.

A. Purpose

6. The purpose of these guidelines is to assist Governments and secretariats of multilateral environmental agreements, relevant international, regional and subregional organizations, non-governmental organizations, private sector and all other relevant stakeholders in enhancing and supporting compliance with multilateral environmental agreements.

B. Scope

7. These guidelines are relevant to present and future multilateral environmental agreements, covering a broad range of environmental issues, including global environmental protection, management of hazardous substances and chemicals, prevention and control of pollution, desertification, management and conservation of natural resources, biodiversity, wildlife, and environmental safety and health, in particular human health.

8. The guidelines are intended to facilitate consideration of compliance issues at the design and negotiation stages and also after the entry into force of the multilateral environmental agreements, at conferences and meetings of the parties. The guidelines encourage effective approaches to compliance, outline strategies and measures to strengthen implementation of multilateral environmental agreements, through relevant laws and regulations, policies and other measures at the national level and guide subregional, regional and international cooperation in this regard.

C. Definitions

9. For the purpose of this chapter of these guidelines:

   (a) "Compliance" means the fulfilment by the contracting parties of their obligations under a multilateral environmental agreement and any amendments to the multilateral environmental agreement[1];

   (b) "Implementation" refers to, inter alia, all relevant laws, regulations, policies,

1 Acknowledging that the term compliance has distinct relevance within the respective fields covered by both chapters and is a term well known and understood by those involved in both fields, albeit with a different understanding, it was decided to use two different definitions for this term in these guidelines, one for each chapter.

and other measures and initiatives, that contracting parties adopt and/or take to meet their obligations under a multilateral environmental agreement and its amendments, if any.

D. Compliance considerations

1. Preparatory work for negotiations

10. To facilitate compliance with multilateral environmental agreements, preparatory work for negotiations may be assisted by the following actions:

(a) Regular exchange of information among States, including through the establishment of forums, on environmental issues that are the subject of negotiations and the ability of the States to address those issues;

(b) Consultations in between negotiating sessions on issues that could affect compliance among States;

(c) Workshops on compliance arranged by negotiating States or relevant multilateral environmental agreement secretariats that cover compliance provisions and experiences from other agreements with participation of Governments, non-governmental organizations, the private sector and relevant international, regional and subregional organizations;

(d) Coordination at the national level among ministries, relevant agencies and stakeholders, as appropriate for the development of national positions;

(e) Consideration of the need to avoid overlaps and encourage synergies with existing multilateral environmental agreements when considering any new legally binding instrument.

2. Effective participation in negotiations

11. To facilitate wide and effective participation by States in negotiations, the following actions may be considered:

(a) Assessment of whether the issue to be addressed is global, regional or subregional, keeping in mind that, where appropriate, States could collaborate in regional and subregional efforts to promote implementation of multilateral environmental agreements;

(b) Identification of countries for which addressing an environmental problem may be particularly relevant;

(c) Establishment of special funds and other appropriate mechanisms to facilitate participation in negotiations by delegates from countries requiring financial assistance;

(d) Where deemed appropriate by States, approaches to encourage participation in a multilateral environmental agreement, such as common but differentiated responsibilities, framework agreements (with the content of the initial agreement

to be further elaborated by specific commitments in protocols), and/or limiting the scope of a proposed multilateral environmental agreement to subject areas in which there is likelihood of agreement;

(e) Transparency and a participatory, open-ended process.

3. Assessment of domestic capabilities during negotiations

12. Participating States could, in order to support their efforts to negotiate a multilateral environmental agreement and determine whether they would be able to comply with its provisions, assess their domestic capabilities for implementing the agreement under negotiation.

4. Compliance considerations in multilateral environmental agreements

13. The competent body of a multilateral environmental agreement could, where authorized to do so, regularly review the overall implementation of obligations under the multilateral environmental agreement and examine specific difficulties of compliance and consider measures aimed at improving compliance.

14. States are best placed to choose the approaches that are useful and appropriate for enhancing compliance with multilateral environmental agreements. The following considerations may be kept in view:

(a) Clarity: To assist in the assessment and ascertainment of compliance, the obligations of parties to multilateral environmental agreements should be stated clearly;

(b) National implementation plans could be required in a multilateral environmental agreement, which could potentially include environmental effects monitoring and evaluation in order to determine whether a multilateral environmental agreement is resulting in environmental improvement;

(c) Reporting, monitoring and verification: multilateral environmental agreements can include provisions for reporting, monitoring and verification of the information obtained on compliance. These provisions can help promote compliance by, inter alia, potentially increasing public awareness. Care should be taken to ensure that data collection and reporting requirements are not too onerous and are coordinated with those of other multilateral environmental agreements. Multilateral environmental agreements can include the following requirements:

(i) Reporting: Parties may be required to make regular, timely reports on compliance, using an appropriate common format. Simple and brief formats could be designed to ensure consistency, efficiency and convenience in order to enable reporting on specific obligations. Multilateral environmental agreement secretariats can consolidate responses received to assist in the assessment of compliance. Reporting

on non-compliance can also be considered, and the parties can provide for timely review of such reports;

(ii) Monitoring: Monitoring involves the collection of data and in accordance with the provisions of a multilateral environmental agreement can be used to assess compliance with an agreement, identify compliance problems and indicate solutions. States that are negotiating provisions regarding monitoring in multilateral environmental agreements could consider the provisions in other multilateral environmental agreements related to monitoring;

(iii) Verification: This may involve verification of data and technical information in order to assist in ascertaining whether a party is in compliance and, in the event of non-compliance, the degree, type and frequency of non-compliance. The principal source of verification might be national reports. Consistent with the provisions in the multilateral environmental agreement and in accordance with any modalities that might be set by the conferences of the parties, technical verification could involve independent sources for corroborating national data and information.

(d) Non-compliance mechanisms: States can consider the inclusion of non-compliance provisions in a multilateral environmental agreement, with a view to assisting parties having compliance problems and addressing individual cases of non-compliance, taking into account the importance of tailoring compliance provisions and mechanisms to the agreement's specific obligations. The following considerations could be kept in view:

(i) The parties can consider the establishment of a body, such as a compliance committee, to address compliance issues. Members of such a body could be party representatives or party-nominated experts, with appropriate expertise on the relevant subject matter;

(ii) Non-compliance mechanisms could be used by the contracting parties to provide a vehicle to identify possible situations of non-compliance at an early stage and the causes of non-compliance, and to formulate appropriate responses including, addressing and/or correcting the state of non-compliance without delay. These responses can be adjusted to meet varying requirements of cases of non-compliance, and may include both facilitative and stronger measures as appropriate and consistent with applicable international law;

(iii) In order to promote, facilitate and secure compliance, non-compliance mechanisms can be non-adversarial and include procedural safeguards for those involved. In addition, non-compliance mechanisms can provide a means to clarify the content, to promote the application of the provisions of the agreement and thus lead significantly to the prevention of disputes;

(iv) The final determination of non-compliance of a party with respect to an agreement might be made through the conference of the parties of the relevant multilateral environmental agreement or another body under that agreement, if so mandated by the conference of the parties, consistent with the respective multilateral environmental agreement.

5. Review of effectiveness

15. The conference of the parties of a multilateral environmental agreement could regularly review the overall effectiveness of the agreement in meeting its objectives, and consider how the effectiveness of a multilateral environmental agreement might be improved.

6. Compliance mechanisms after a multilateral environmental agreement has come into effect

16. Compliance mechanisms or procedures could be introduced or enhanced after a multilateral environmental agreement has come into effect, provided such mechanisms or procedures have been authorised by the multilateral environmental agreement, subsequent amendment, or conference of the parties decision, as appropriate, and consistent with applicable international law.

7. Dispute settlement provisions

17. In principle, provisions for settlement of disputes complement the provisions aimed at compliance with an agreement. The appropriate form of dispute settlement mechanism can depend upon the specific provisions contained in a multilateral environmental agreement and the nature of the dispute. A range of procedures could be considered, including good offices, mediation, conciliation, fact-finding commissions, dispute resolution panels, arbitration and other possible judicial arrangements which might be reached between concerned parties to the dispute.

E. National implementation

1. National measures

18. Compliance assessment: Prior to ratification of a multilateral environmental agreement, a State should assess its preparedness to comply with the obligations of that agreement. If areas of potential non-compliance are identified, that State should take appropriate measures to address them before becoming a party to that agreement.

19. Compliance plan: If a State, once it becomes a party to a specific multilateral environmental agreement, subsequently identifies compliance problems, it may consider developing a compliance plan consistent with that agreements obligations and inform the concerned secretariat accordingly. The plan may address compliance with different types of obligations in the agreement and measures for ensuring compliance. The plan may include benchmarks, to the extent that this is consistent with the agreement that would facilitate monitoring compliance.

20. Law and regulatory framework: According to their respective national legal frameworks, States should enact laws and regulations to enable implementation of multilateral environmental agreements where such measures are necessary for compliance. Laws and regulations should be regularly reviewed in the context of the relevant international obligations and the national situations.

21. National implementation plans: the elaboration of national implementation plans referred to in paragraph 14 (b) for implementing multilateral environmental agreements can assist in integrating multilateral environmental agreement obligations into domestic planning, policies and programmes and related activities. Reliable data collection systems can assist in monitoring compliance.

22. Enforcement: States can prepare and establish enforcement frameworks and programmes and take measures to implement obligations in multilateral environmental agreements (chapter 2 contains guidelines for national environmental law enforcement, and international cooperation in combating violations of laws implementing multilateral environmental agreements).

23. Economic instruments: In conformity with their obligations under applicable international agreements, parties can consider use of economic instruments to facilitate efficient implementation of multilateral environmental agreements.

24. National focal points: Parties may identify national authorities as focal points on matters related to specific multilateral environmental agreements and inform the concerned secretariat accordingly.

25. National coordination: Coordination among departments and agencies at different levels of government, as appropriate, can be undertaken when preparing and implementing national plans and programmes for implementation of multilateral environmental agreements.

26. Efficacy of national institutions: The institutions concerned with implementation of multilateral environmental agreements can be established or strengthened appropriately in order to increase their capacity for enhancing compliance. This can be done by strengthening enabling laws and regulations, information and communication networks, technical skills and scientific facilities.

27. Major stakeholders: Major stakeholders including private sector, non-governmental organizations, etc., can be consulted when developing national implementation plans, in the definition of environmental priorities, disseminating information and specialized knowledge and monitoring. Cooperation of the major stakeholders might be needed for enhancing capacity for compliance through information, training and technical assistance.

28. Local communities: As appropriate, parties can promote dialogue with local communities about the implementation of environmental obligations in order to ensure compliance in conformity with the purpose of an agreement. This may help develop local capacity and assess the impact of measures under multilateral environmental agreements, including environmental effects on local communities.

29. Women and youth: The key role of women and youth and their organizations in sustainable development can be recognized in national plans and programmes for implementing multilateral environmental agreements.

30. Media: The national media including newspapers, journals, radio, television and the Internet as well as traditional channels of communication, could disseminate information about multilateral environmental agreements, the obligations in them, and measures that could be taken by organizations, associations and individuals. Information could be conveyed about the measures that other parties, particularly those in their respective regions, might have taken to implement multilateral environmental agreements.

31. Public awareness: To promote compliance, parties could support efforts to foster public awareness about the rights and obligations under each agreement and create awareness about the measures needed for their implementation, indicating the potential role of the public in the performance of a multilateral environmental agreement.

32. Access to administrative and judicial proceedings: Rights of access to administrative and judicial proceedings according to the respective national legal frameworks could support implementation and compliance with international obligations.

2. Capacity-building and technology transfer

33. The building and strengthening of capacities may be needed for developing countries that are parties to a multilateral environmental agreements, particularly the least developed countries, as well as parties with economies in transition to assist such countries in meeting their obligations under a multilateral environmental agreements. In this regard:

    (a) Financial and technical assistance can be provided for building and strengthening organizational and institutional capacities for managing the environment with a view to carrying forward the implementation of multilateral environmental agreements;

(b) Capacity-building and technology transfer should be consistent with the needs, strategies and priorities of the country concerned and can build upon similar activities already undertaken by national institutions or with support from multilateral or bilateral organizations;

(c) Participation of a wide range of stakeholders can be promoted, taking into consideration the need for developing institutional strengths and decision-making capabilities and upgrading the technical skills of parties for enhancing compliance and meeting their training and material requirements;

(d) Various funding sources could be mobilized to finance capacity-building activities aimed at enhancing compliance with multilateral environmental agreements, including funding that may be available from the Global Environment Facility, in accordance with the Global Environment Facility mandate, and multilateral development banks, special funds attached to multilateral environmental agreements or bilateral, intergovernmental or private funding;

(e) Where appropriate, capacity-building and technology transfer activities and initiatives could be undertaken at regional and subregional levels;

(f) Parties to multilateral environmental agreements could consider requesting their respective secretariats to coordinate their capacity-building and technology transfer initiatives or undertake joint activities where there are cross-cutting issues for cost-effectiveness and to avoid duplication of efforts.

F. International cooperation

34. There is a recognized need for a commitment by all countries to the global process of protecting and improving the environment. This may be furthered by the United Nations and other relevant international organizations, as well as through multilateral and bilateral initiatives for facilitating compliance. In this regard, steps can be taken for:

(a) Generating information for assessing the status of compliance with multilateral environmental agreements and defining ways and means through consultations for promotion and enhancement of compliance;

(b) Building and strengthening capacities of, and transferring technologies to, developing countries, particularly the least-developed countries, and countries with economies in transition;

(c) Sharing national, regional and subregional experiences in environmental management;

(d) Evaluating by conferences of the parties, in the context of their overall review of the effectiveness of their respective multilateral environmental agreement, the effectiveness of mechanisms constituted under such multilateral environmental agreements for the transfer of technology and financial resources;

(e) Assisting in formulating guidance materials which may include model multilateral environmental agreement implementing legislation for enhancing compliance;

(f) Developing regional or subregional environmental action plans or strategies to assist in the implementation of multilateral environmental agreements;

(g) Fostering awareness among non-parties about the rights, benefits and obligations of becoming a party to a multilateral environmental agreement and inviting non-parties as observers to meetings of decision-making bodies under multilateral environmental agreements to enhance their knowledge and understanding of the agreements;

(h) Enhancing cooperation among multilateral environmental agreement secretariats, if so requested by the parties to the respective multilateral environmental agreements.

II. GUIDELINES FOR NATIONAL ENFORCEMENT, AND INTERNATIONAL COOPERATION IN COMBATING VIOLATIONS, OF LAWS IMPLEMENTING MULTILATERAL ENVIRONMENTAL AGREEMENTS

Introduction

35. These guidelines recognize the need for national enforcement of laws to implement multilateral environmental agreements. Enforcement is essential to secure the benefits of these laws, protect the environment, public health and safety, deter violations, and encourage improved performance. These guidelines also recognize the need for international cooperation and coordination to facilitate and assist enforcement arising from the implementation of multilateral environmental agreements and help to establish an international level playing field.

A. Purpose

36. These guidelines outline actions, initiatives and measures for States to consider for strengthening national enforcement and international cooperation in combating violations of laws implementing multilateral environmental agreements. The guidelines can assist Governments, its competent authorities, enforcement agencies, secretariats of multilateral environmental agreements, where appropriate, and other relevant international and regional organizations in developing tools, mechanisms and techniques in this regard.

B. Scope

37. The guidelines address enforcement of national laws and regulations implementing multilateral environmental agreements in a broad context, under which States, consistent with their obligations under such agreements, develop laws and institutions that support effective enforcement and pursue actions that deter and respond to environmental law violations and crimes. Approaches include the promotion of appropriate and effective laws and regulations for responding appropriately to environmental law violations and crimes. These guidelines accord significance to the development of institutional capacities through cooperation and coordination among international organizations for increasing the effectiveness of enforcement.

C. Definitions

38. For the purpose of this chapter of these guidelines:

(a) "Compliance" means the state of conformity with obligations, imposed by a State, its competent authorities and agencies on the regulated community, whether directly or through conditions and requirements in permits, licences and authorizations, in implementing multilateral environmental agreements[2];

(c) "Environmental law violation" means the contravention of national environmental laws and regulations implementing multilateral environmental agreements;

(c) "Environmental crime" means the violations or breaches of national environmental laws and regulations that a State determines to be subject to criminal penalties under its national laws and regulations;

(d) "Enforcement" means the range of procedures and actions employed by a State, its competent authorities and agencies to ensure that organizations or persons, potentially failing to comply with environmental laws or regulations implementing multilateral environmental agreements, can be brought or returned into compliance and/or punished through civil, administrative or criminal action.

D. National enforcement

39. Each State is free to design the implementation and enforcement measures that are most appropriate to its own legal system and related social, cultural and economic circumstances. In this context, national enforcement of environmental and related laws for the purpose of these guidelines can be facilitated by the following considerations.

1. National laws and regulations

40. The laws and regulations should be:

(a) Clearly stated with well-defined objectives, giving fair notice to the appropriate community of requirements and relevant sanctions and enabling effective implementation of multilateral environmental agreements;

(b) Technically, economically and socially feasible to implement, monitor and enforce effectively and provide standards that are objectively quantifiable to ensure consistency, transparency and fairness in enforcement;

2 Acknowledging that the term compliance has distinct relevance within the respective fields covered by both chapters and is a term well known and understood by those involved in both fields, albeit with a different understanding, it was decided to use two different definitions for this term in these guidelines, one for each chapter.

(c) Comprehensive with appropriate and proportionate penalties for environmental law violations. These would encourage compliance by raising the cost of non-compliance above that of compliance. For environmental crime, additional deterrent effect can be obtained through sanctions such as imprisonment, fines, confiscation of equipment and other materials, disbarment from practice or trade and confiscation of the proceeds of environmental crime. Remedial costs should be imposed such as those for redressing environmental damage, loss of use of natural resources and harm from pollution and recovery of costs of remediation, restoration or mitigation.

2. Institutional framework

41. States should consider an institutional framework that promotes:

(a) Designation of responsibilities to agencies for:
  (i) Enforcement of laws and regulations;
  (ii) Monitoring and evaluation of implementation;
  (iii) Collection, reporting and analysis of data, including its qualitative and quantitative verification and provision of information about investigations;
  (iv) Awareness raising and publicity, in particular for the regulated community, and education for the general public;
  (v) Assistance to courts, tribunals and other related agencies, where appropriate, which may be supported by relevant information and data.

(b) Control of the import and export of substances and endangered species, including the tracking of shipments, inspection and other enforcement activities at border crossings, ports and other areas of known or suspected illegal activity;

(c) Clear authority for enforcement agencies and others involved in enforcement activities to:
  (i) Obtain information on relevant aspects of implementation;
  (ii) Have access to relevant facilities including ports and border crossings;
  (iii) Monitor and verify compliance with national laws and regulations;
  (iv) Order action to prevent and remedy environmental law violations;
  (v) Coordinate with other agencies;
  (vi) Impose sanctions including penalties for environmental law violations and non-compliance.

(d) Policies and procedures that ensure fair and consistent enforcement and imposition of penalties based on established criteria and sentencing guidelines that, for example, credibly reflect the relative severity of harm, history of non-compliance or environmental law violations, remedial costs and illegal profits;

(e) Criteria for enforcement priorities that may be based on harm caused or risk of harm to the environment, type or severity of environmental law violation or geographic area;

(f) Establishing or strengthening national environmental crime units to complement civil and administrative enforcement programmes;

(g) Use of economic instruments, including user fees, pollution fees and other measures promoting economically efficient compliance;

(h) Certification systems;

(i) Access of the public and civil society to administrative and judicial procedures to challenge acts and omissions by public authorities and corporate persons that contravene national environmental laws and regulations, including support for public access to justice with due regard to differences in legal systems and circumstances;

(j) Public access to environmental information held by Governments and relevant agencies in conformity with national and applicable international law concerning access, transparency and appropriate handling of confidential or protected information;

(k) Responsibilities and processes for participation of the appropriate community and non-governmental organizations in processes contributing to the protection of the environment;

(l) Informing legislative, executive and other public bodies of the environmental actions taken and results achieved;

(m) Use of the media to publicize environmental law violations and enforcement actions, while highlighting examples of positive environmental achievements;

(n) Periodic review of the adequacy of existing laws, regulations and policies in terms of fulfilment of their environmental objectives;

(o) Provision of courts which can impose appropriate penalties for violations of environmental laws and regulations, as well as other consequences.

3. National coordination

42. Coordination among relevant authorities and agencies can assist national enforcement, including:

(a) Coordination among various enforcement agencies, environmental authorities, tax, customs and other relevant officials at different levels of government, as well as linkages at the field level among cross-agency task forces and liaison points, which may include formal agreements such as memoranda of understanding and rules of procedure for communication, as well as formulation of guidelines;

(b) Coordination by government agencies with non-governmental organizations and the private sector.

(c) Coordination among the authorities responsible for promoting licensing systems to regulate and control the importation and exportation of illicit substances and hazardous materials, including regulated chemicals and wastes.

4. Training for enhancing enforcement capabilities

43. Training activities for enhancing enforcement capabilities can comprise of:

(a) Programmes to build awareness in enforcement agencies about their role and significance in enforcing environmental laws and regulations;

(b) Training for public prosecutors, magistrates, environmental enforcement personnel, customs officials and others pertaining to civil, criminal and administrative matters, including instruction in various forms of evidence, case development and prosecution, and guidance about imposition of appropriate penalties;

(c) Training for judges, magistrates and judicial auxilliaries regarding issues concerning the nature and enforcement of environmental laws and regulations, as well as environmental harm and costs posed by violations of such laws and regulations;

(d) Training that assists in creating common understanding among regulators, environmental enforcement personnel, prosecutors and judges, thereby enabling all components of the process to understand the role of each other;

(e) Training of environmental enforcement personnel including practical training on inspection techniques, advanced training in investigation techniques including surveillance, crime scene management and forensic analysis;

(f) Development of capabilities to coordinate action among agencies domestically and internationally, share data and strengthen capabilities to use information technology for promoting enforcement;

(g) Development of capabilities to design and use economic instruments effectively for enhancing compliance;

(h) Development of innovative means for securing, raising and maintaining human and financial resources to strengthen enforcement;

(i) Application of analytical intelligence techniques to grade and analyse data and provide information to assist in targeting resources on environmental criminals.

5. Public environmental awareness and education

44. Public environmental awareness and education can be increased by the following actions:

(a) Generating public awareness and environmental education, particularly among targeted groups, about relevant laws and regulations and about their rights, interests, duties and responsibilities, as well as about the social, environmental and economic consequences of non-compliance;

(b) Promoting responsible action in the community through the media by involving key public players, decision-makers and opinion-builders in such campaigns;

(c) Organizing campaigns for fostering environmental awareness among communities, non-governmental organizations, the private sector and industrial and trade associations,;

(d) Inclusion of awareness and environmental educational programmes in schools and other educational establishments as part of education;

(e) Organizing campaigns for fostering environmental awareness and environmental educational programmes for women and youth;

(f) Organizing campaigns for encouraging public involvement in monitoring of compliance.

E. International cooperation and coordination

45. Consistent with relevant provisions in multilateral environmental agreements, national enforcement of laws and regulations implementing multilateral environmental agreements could be supported through international cooperation and coordination that can be facilitated by, inter alia, UNEP. The following considerations could be kept in view.

1. Consistency in laws and regulations

46. States, within their national jurisdictions, can consider developing consistent definitions and actions such as penalties and court orders, with a view to promoting a common approach to environmental law violations and environmental crimes, and enhance international cooperation and coordination, for environmental crimes with transboundary aspects. This may be facilitated by:

(a) Environmental laws and regulations that provide appropriate deterrent measures, including penalties, environmental restitution and procedures for confiscation of equipment, goods and contraband, and for disposal of confiscated materials;

(b) Adoption of laws and regulations, implemented and applied in a manner that is consistent with the enacting state's international obligations, that make illegal the importation, trafficking or acquisition of goods, wastes and any other materials in violation of the environmental law and regulations;

(c) Appropriate authority to make environmental crime punishable by criminal sanctions that take into account the nature of the environmental law violation.

2. Cooperation in judicial proceedings

47. Cooperation between and amongst states in judicial proceedings may be facilitated by:

(a) Cooperation in judicial proceedings and procedures related to testimony, evidence and similar matters, including exchange of information, mutual legal assistance and other co-operative arrangements agreed between the concerned countries;

(b) Developing appropriate channels of communication with due respect for the various systems in place in different states, for timely exchange of information relevant to the detection of environmental law violations as well as pertaining to the judicial process.

3. Institutional framework

48. States can consider the strengthening of institutional frameworks and programmes to facilitate international cooperation and coordination in the following ways:

(a) Designation and establishment of channels of communication and information exchange among UNEP, the secretariats of multilateral environmental agreements, the World Customs Organization and relevant intergovernmental entities, research institutes and non-governmental organizations, and international law enforcement agencies such as the International Criminal Police Organization (Interpol) especially through its "Green Interpol" activities;

(b) Strengthening measures to facilitate information exchange, mutual legal assistance and joint investigations with other enforcement entities with the objective of strengthening and promoting greater consistency in laws and practices;

(c) Development of infrastructure needed to control borders and protect against illegal trade under multilateral environmental agreements, including tracking and information systems, customs codes and related arrangements, as well as measures that could help lead to identification of illegal shipments and prosecution of offenders;

(d) Development of technology and expertise to track suspect shipments, accompanied by information on specific production sources, the import and export of regulated chemicals and wastes, licensing systems, customs and enforcement data;

(e) Strengthening mechanisms to facilitate information exchange regarding verification of illegal shipments and coordinating procedures for storing, processing and returning or destroying confiscated illegal shipments, as well as development of confidential channels, subject to domestic laws, for communicating information regarding illegal shipments;

(f) Designation of appropriate national and international points of contact to be forwarded to the UNEP enforcement database;

(g) Facilitation of transborder communications between agencies, considering that States may designate responsibility on the same subject to different agencies, such as customs, police or wildlife officials;

(h) Establishment of regional and subregional programmes providing opportunities for sharing information and strengthening training for detecting and prosecuting environmental crimes;

(i) Allocation of adequate resources to support the effective enforcement and effective implementation of policies.

4. Capacity-building and strengthening

49. Developing countries, particularly the least developed countries, and countries with economies in transition, require the building and strengthening of capacities for enforcement. It is recognized that environmental enforcement may be affected by conditions of poverty and governance that need to be addressed through appropriate programmes. The following measures can be considered for building and strengthening capacities for enforcement:

    (a) Coordinated technical and financial assistance to formulate effective laws and regulations and to develop and maintain institutions, programmes and action plans for enforcement, monitoring and evaluation of national laws implementing multilateral environmental agreements;

    (b) Development of specific guidelines with reference to particular agreements for law enforcement officers to conduct operations, investigations and inspections, and procedures for reporting and processing information nationally and internationally;

    (c) Formulation of programmes for coordinating compliance and enforcement actions including compliance promotion, with other States;

    (d) Use of regional and sub-regional centres and workshops to provide opportunities for sharing information and experiences and for cost-effective and long-term training programmes;

    (e) Participation in international meetings, courses and training programmes, as well as in regional and global networks to facilitate sharing information and access to implementation and training materials.

Annex 5: Illustrative format used for funding applications

Project Name

Background and project rationale

Give the background to the project and why it is important.

Objectives

The aims or goals of the project

Outcomes

The results or consequences of the project

Eg sustainable development is advanced

Activities

Actions taken by the project

Eg workshop, conference, newsletter produced

Outputs

What will you produce eg newsletter, web site

Expected Outputs	Planned Activities List all activities to be undertaken towards stated outputs	2008			
		Q1	Q2	Q3	Q4

Monitoring and Evaluation

What plans do you have to monitor and review the implementation of the project and assess its impact?

How have you made arrangements to involve beneficiaries and other stakeholders in monitoring and evaluation?

What plans do you have to share the experience of this initiative for you and your partner(s), internally and externally, during the project and at its end?

What publications will you produce, communications and media will you use to promote the project?

Risks

What do you think are the main risks that could affect the project's success?

How likely are these to happen and how serious the consequence to the project if they occur?

What are you planning to do to minimise or mitigate potential risks?

Budget

Outline costs which might include:

Staff
Consultants
Office costs
Tel, fax
Postage
Web costs
Travel international
Travel local
Office hardware
Computer software
Audit fee
Banking and exchange costs
Management fee (particularly if it is a multi-organisation project)

Logical framework

Logical framework matrix (taken from UK DfID website)

Project summary	Measurable indicators	Means of verification	Important assumptions
Goal: Overall goal which this project will help to achieve	The evidence (quantitative / qualitative) which will be used to measure / judge the achievement of goal	Sources of information / data which will be used to assess the indicator(s)	(Goal to super goal) Main external factors necessary to sustain objectives in the long run
Purpose: Immediate impact on the project area or target group, that is, the change or benefit to be achieved by the project	The evidence (quantitative / qualitative) which will be used to measure / judge the achievement of the purpose	Sources of information / data which will be used to assess the indicator(s)	**(Purpose to goal)** Main external factors necessary if project purpose is to contribute to reaching project goal
Outputs: The specific, deliverable results expected from the project to attain the purpose	The evidence (quantitative / qualitative) which will be used to measure / judge the achievement of the outputs	Sources of information / data which will be used to assess the indicator(s)	**(Outputs to purpose)** Main external factors necessary for outputs to achieve project purpose
Activities: These are the tasks to be done to produce the outputs	**Inputs:** This is a summary of the project budget and other key inputs	Sources of information / data which will be used to assess the indicator(s)	**(Activity to output)** Main external factors necessary for activities to achieve project outputs

Staff

Key staff for the project should have a short CV here

Background Information on Organisation

Should give relevant historical background on the organisation or organisations

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