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Review of the Rules and Practice for Civil Society Organisations (CSOs)  
Participation in Regional Seas Conventions and Action Plans

# **REVIEW OF THE RULES AND PRACTICE FOR CIVIL SOCIETY ORGANISATIONS (CSOs) PARTICIPATION IN REGIONAL SEAS CONVENTIONS AND ACTION PLANS**

**By**

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## 1. Introduction

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- 1.1. The [6<sup>th</sup> Global Meeting of the Regional Seas](#)<sup>2</sup> discussed the importance of civil society and its potential role within the framework of the Regional Seas Conventions and Action Plans (RSCAPs). There was consensus that Regional Seas Programmes and Civil Society Organisations (CSOs) could benefit greatly from enhanced awareness and mutual exchange.
- 1.2. In this regard, the UNEP Regional Seas Programme (RSP) engaged an expert to undertake a review of the rules of procedure governing the participation of CSOs in Regional Seas Conventions and Action Plans, and to address the following topics:
- 1.2.1. Identify some of the best practices and rules facilitating the co-operation between CSOs, Governments and Regional Seas Secretariats with the aim to increase the ability of Regional Seas to effectively involve CSOs in their work;
  - 1.2.2. Identify some of the most common and useful existing criteria on how to decide CSO's accreditation to Regional Seas Conventions; and
  - 1.2.3. Identify any new or particular areas in which CSO expertise or skills could enhance the work of Regional Seas.
- 1.3. The aim of the review was to identify possible improvements bearing in mind:
- 1.3.1. The financial and logistical limitations of Regional Seas secretariats;
  - 1.3.2. The public information deficit that may be filled with enhanced co-operation with CSOs; and
  - 1.3.3. The importance of outreach and support for national ownership.
- 1.4. For the purpose of this review, "Civil Society Organisation" is understood to mean any non-state organisation, including public interest advocacy NGOs and organisations that represent economic and technologic private sector interests.
- 1.5. Given that participation in Global Meetings of the Regional Seas is not limited to the Secretariats of UNEP Regional Seas Programmes but extends to other "Regional Seas" secretariats such as the Helsinki and OSPAR Commissions, the term "Regional Seas" is used in a broad sense. It includes all Regional Seas Programmes as listed and described on the [UNEP Regional Seas Programme website](#)<sup>3</sup>: 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. Hence lessons and recommendations are also drawn from some of the rules, experience and practices within other fora outside UNEP with a marine mandate, e.g. the UN International Maritime Organisation (IMO).

### Review Topics

### Review Aims

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<sup>2</sup> November 30<sup>th</sup> - December 2<sup>nd</sup> 2004, Istanbul, Turkey. Report available at:

<http://www.unep.ch/regionalseas/home/meetingreport.doc>

<sup>3</sup> <http://www.unep.org/regionalseas/Programmes/default.asp>

## 2. Methodology

- 2.1. The recommendations presented throughout this report and summarized in Section 6 resulted from:
  - 2.1.1. A review and comparison of the references to NGOs contained in all tables on “Partners and Projects” available on the UNEP Regional Seas Programme website, and where appropriate the rules concerning the participation of CSOs in a number of relevant intergovernmental bodies;
  - 2.1.2. Interviews with several stakeholders from CSOs (both from public advocacy NGOs and private sector organisations), Secretariat and former Secretariat staff, and a small sample of government delegates.
- 2.2. **This report contains 24 recommendations.** Each is outlined, explained and easily identifiable throughout the text in Sections, 3, 4 and 5. Section 6 contains the complete list of all recommendations.

## 3. Best practices and rules facilitating the co-operation between CSOs, Governments and Regional Seas Secretariats

Historic  
Context

- 3.1. The participation of Civil Society Organisations as observers has become the norm within nearly all inter-governmental meetings since the Rio Earth Summit of 1992. There is nonetheless substantial divergence in practice and rules amongst different bodies and regions. Even amongst Regional Seas Conventions and Action Plans the level of CSO participation varies considerably.
- 3.2. At the high end of the participation spectrum, there are quite a number of NGOs with observer status within the [North East Atlantic OSPAR Commission](#)<sup>4</sup>.
- 3.3. The [Caspian Sea Convention template](#) does not reference work with NGOs, but the website of that Convention (adopted in 2003) contains an appeal to NGOs to join a database “to help to improve communication with and between the Caspian environmental NGOs”.<sup>5</sup> In some cases it may be a deliberate choice to restrict the participation of NGOs because the programme’s building phase is hard enough in itself where countries lack prior experience of working together. In the case of the Black Sea Programme the choice has been made to rely exclusively on local [NGOs](#), perhaps as a means of empowering them.<sup>6</sup>

### Recommendation # 1

If increasing CSO participation is a priority, the Regional Seas Programme could prepare a **user-friendly template to help standardise reporting on co-operation with NGOs**. This would allow the Secretariats of Regional Seas Conventions and Action Plans to provide comparable information and allow for an objective comparison of results.

IMO and  
tradition of  
participation

- 3.4. Several interviewees, from both governmental and CSO backgrounds, noted that the tradition of participation of CSOs in a number of marine environmental fora finds its foundation in the rules and practices of the UN International Maritime Organization (IMO) (See Box 1).

<sup>4</sup> [http://www.unep.org/regionalseas/Publications/parts\\_data/part\\_nea.doc](http://www.unep.org/regionalseas/Publications/parts_data/part_nea.doc)

<sup>5</sup> <http://www.caspianenvironment.org/newsite/NGOReqForm.asp>

<sup>6</sup> See “The Black Sea NGO Network” <http://www.bseanetwork.org/>

- 3.5. Nearly all the countries that participate in Regional Seas Programmes are members of the IMO. So they are familiar with the fact that the rules that apply within that organisation have been sufficiently tested.

### ***Recommendation # 2***

Regional Seas Programmes could consider adopting for their meetings (i.e. meetings of Contracting Parties, intergovernmental and/or Council meetings) **rules and mechanisms** similar to those of the IMO **to increase the input of CSOs, including the circulation, presentation and discussion on the floor of documents, and make the right to speak more operational.**

### **Box 1 - Rules and Practices of the International Maritime Organisation (IMO).**

- a) The IMO (then IMCO) adopted Rules Governing Relationship with Non-Governmental International Organizations as early as 1961<sup>1</sup> whereby (Rule 1)

*“subject to approval by the [IMO] Assembly, the [IMO] Council may grant consultative status to any non-governmental international organization which is able to make a substantial contribution to the work of the IMO”.*

- b) Rule 6(b) confers to NGOs with IMO consultative status with the IMO

*“the right to submit written statements on items of the agenda of the Assembly [and all its subsidiary bodies] [...] provided that such submission does not impede the smooth functioning of the IMO or the organ involved” (emphasis added).*

- c) Rule 7, “Status at meetings of the International Maritime Organization” stipulates that

*“Such observer [from NGOs] shall have no voting rights but may, on the invitation of the Chairman and with the approval of the body concerned, speak on any item of the agenda of special interest to the NGO of which he is the representative”<sup>1</sup>.*

- d) In 1978, the Rules were complemented with Guidelines on the Grant of Consultative Status. As a result of those rules, a large number of CSOs have enjoyed within IMO a Consultative Status that gives them the right to submit official documents at all the meetings of the IMO and its subsidiary bodies and to take part in the proceedings including full participation in Working Groups unless decided otherwise by the Chair or the Bureau.

- e) Many interviewees noted that the Helsinki and OSPAR Commissions are already doing this 1, and that UNEP would benefit from adopting such a practice. Some of the interviewees emphasised in particular how in their view, and based on their experiences, it was mutually beneficial for both governments and CSOs to be able to submit and present documents that are entered into the records of the meetings – a common practice at the IMO, but not at UNEP.

1. Resolution A.31 (II) of 13 April 1961, amended on 20 November 1985.

2. Abstracts from Rules 6 and 7, Rules Governing Relationship with Non-Governmental International Organizations, IMO. Emphasis added.

Consultative  
Status  
VS  
Observer  
Status

- 3.6. From the various examples and interviews, the terminology *consultative status* used by IMO as opposed to the *observer status* used by other organisations encourages a qualitative difference in both the expectations of member states towards CSOs and the CSOs' own sense of responsibility. *"Maybe we are expected to be more result-oriented if we are told we are consulted than if we are told to observe"*, said one CSO interviewee.

### **Recommendation # 3**

In order to empower CSOs to participate more, and in order to emphasise the *"Natural Allies"* approach, Regional Seas Conventions and Action Plans may wish to give consideration to **labelling the status of CSOs as *consultative* and not merely *observer*.**

Rights of  
CSOs

- 3.7. In summary, within an intergovernmental organisation dealing with marine issues, observers from international CSOs should be given rights of the same nature and very similar in practice as those given to Observer States, the UN, its specialized agencies and the IAEA. In practice, although they are called *"observers"*, CSOs within some Multilateral Environment Agreements are entitled to submit papers that are properly recorded in the same way as the submissions of Contracting Parties, and discussed on a *"first come-first served"* basis (the number assigned to them by the Secretariat is in accordance with the date of delivery/issue).

Translation of  
Submissions

- 3.8. Furthermore, in some but not all cases, CSO submissions are translated by the Secretariat in all working languages of the particular meeting, thereby facilitating their consideration in the capitals before each meeting. Most NGO representatives at various meetings believe that unless the opportunities for input and intervention are widened, there is a risk that it will become increasingly difficult to secure their long-term participation. *"The funders of NGO projects want to see results from their investments; if the dividends resulting from participation in intergovernmental fora are not measurable, funders won't see the benefits of NGO participation"*.

Relevance and  
value of  
contributions

- 3.9. Allowing CSOs to participate actively in discussions, albeit recognising the precedence of Contracting Parties, can ensure that CSO contributions are made at a time in proceedings when their comments and insights may be most relevant and valuable to the work of the body as a whole. CSO representatives frequently bring expertise and experience of direct relevance which can simply be lost to the meeting if CSOs are allowed to intervene only after discussions between Parties have already effectively concluded.

### **Recommendation # 4**

Regional Seas Conventions and Action Plans that have not yet done so may consider **applying the *first come-first served* approach for the distribution, consideration and discussion of all submissions**, including those for CSOs.

- 3.10. Another proposal worth considering is that the Chair, his Deputy and/or a senior Secretariat staff could always meet with CSOs before a meeting begins, giving them the opportunity to make clear their objective and on which issues they would like to intervene. In this way the Chair can provide CSOs with appropriately timed opportunities to intervene. Such meetings could also serve as an occasion for the Chair and/or the Secretariat to provide feedback and where appropriate advice to CSOs, and could assist CSO representatives to make their interventions as efficient and valuable to the meeting as possible. This approach worked very effectively at the FAO Committee on Fisheries meeting in March of 2005, where a senior Secretariat staff arranged briefings with the NGOs both before and during the meetings.

### *Recommendation # 5*

Regional Seas Programmes and Action Plans could consider **establishing an informal Chair/Secretariat consultation with CSOs before each meeting begins.**

- 3.11. CSOs unanimously refer to the OSPAR and Helsinki Commissions rules and practice for NGOs as examples of best practices.
- 3.12. The Mediterranean Action Plan, the first UNEP Regional Seas Programme (its creation dates back to the adoption of the Barcelona Convention in 1976) provides another example of innovative participation mechanisms for CSOs (See Box 2). The [UNEP MAP](#) website lists over 60 CSOs (international, regional and national) as partners.<sup>7</sup>
- 3.13. Several interviewees suggest that it is important to view through a different prism “economic lobbies” (such as CEFIC for the chemical industry) whose role is described as “*attempting to reduce regulatory pressure as well as to bring their expertise which is indispensable to make sure that the measures that are adopted are not impossible to implement*” and “*public goods NGOs.*” There are “*two different kinds of public goods NGOs*”: those whose role is limited to expressing and advocating their policies and viewpoints on the one hand, and “*more complex ones that combine advocacy with direct involvement in the management and implementation of agreements and programmes.*”

*Different Roles  
for different  
CSOs*

### Box 2 – The Mediterranean Action Plan and participation mechanisms for CSOs.

- a) The latest version of the [Mediterranean Action Plan](#)<sup>1</sup> itself contains no less than ten references to NGOs – a sign that UNEP does not expect to fulfil its mandate without the active participation of CSOs. The opportunities for CSO input at the meetings of UNEP MAP, including the meetings of Contracting Parties to the Barcelona Convention, are governed by Rule 8.1B and Rule 8.2 the [Rules of Procedure for Meetings and Conferences of the Contracting Parties to the Convention and its related Protocols](#).<sup>2</sup>
- b) It should be noted that there is a need to amend Rule 8.1.B<sup>3</sup> by deleting the last two words “*against pollution*” to reflect the active role of NGOs in the implementation of the Barcelona Protocol on Biodiversity and related MAP activities.
- c) At the same time, Rule 8.2<sup>4</sup> should be amended to provide a mechanism for NGO submissions to be numbered and entered into the official records of any meeting (see Recommendation # 4, above).
- d) This could also serve to encourage other Regional Seas Programmes to harmonize their own Rules of Procedure along the same lines.
- e) One question is whether governments believe that having CSO submissions become part of the official record would be useful (for example, is there a value in having such documents posted on the Regional Seas Programmes and Action Plan websites as a result?).

1. [http://195.97.36.231/acrobatfiles/02BUR59\\_Inf4\\_eng.pdf](http://195.97.36.231/acrobatfiles/02BUR59_Inf4_eng.pdf)

2. [http://195.97.36.231/Acrobatfiles/MAPDocAcrobatfiles/Rules\\_of\\_Procedure\\_Eng.pdf](http://195.97.36.231/Acrobatfiles/MAPDocAcrobatfiles/Rules_of_Procedure_Eng.pdf)

3. Rule 8.1.B: *The Executive Director shall, with tacit consent of the Contracting Parties, invite to send representatives, to observe any public sitting of any meeting or conference, including the meetings of technical committees, any international non-governmental organization which has a direct concern in the protection of the Mediterranean Sea against pollution;*

4. Rule 8.2: *Such observers may, upon the invitation of the President and with the tacit consent of the meeting or the conference, participate without vote in the deliberations of the meeting or conference dealing with matters of direct concern to the organizations they represent.*

<sup>7</sup> <http://www.unepmap.gr/homeeng.asp>



### *Recommendation # 7*

The Regional Seas Programmes could consider **encouraging amending and harmonizing the Rules of Procedures to increase CSO input.**

3.14. One innovative mechanism for CSOs under UNEP MAP lies with the Mediterranean Commission on Sustainable Development. CSOs are full members of the Commission, on an equal footing with member States. Private sector and local authority NGOs sitting on the Commission are elected pursuant to their nomination by member States. In contrast, environmental NGOs may nominate themselves and are thereby given more autonomy. Five environmental NGOs sit on the Mediterranean Commission on Sustainable Development, representing a good mix of international, regional and national NGOs. Of course, allowing CSOs to cast their votes with equal weight to member States is possible only within advisory bodies such as this one.

### *Recommendation # 8*

The experience of UNEP MAP with the innovative mechanism for CSOs existing under the Mediterranean Commission on Sustainable Development could be shared, with a view to **considering whether its duplication in other advisory bodies is desirable in other Regional Seas Programmes.**

*OSPAR and Helcom CSO participation in HOD meetings*

3.15. The Helsinki Commission does allow NGOs at its meetings of Heads of Delegation, apparently to the satisfaction of all concerned. OSPAR Ministerial Meetings have been prepared by meetings of the Heads of Delegations. To involve CSOs, separate preliminary meetings with CSOs were tried for the preparation of the 1998 Ministerial Meeting. This proved to be unsatisfactory. So, for the 2003 OSPAR Ministerial Meeting and the 2003 Joint HELCOM/OSPAR Ministerial Meeting, it was agreed that CSOs could attend the second and third of the three Meetings of Heads of Delegations to prepare the Ministerial Meetings.

*Treatment of CSO submissions to OSPAR*

3.16. CSOs with observer status at OSPAR subsequently asked to be admitted to all Meetings of Heads of Delegations. OSPAR maintained the previous arrangements, but amended the OSPAR Rules of Procedure so that – on an on-going basis – all Heads of Delegations meetings papers and reports would be made available to CSOs, and that when it is decided by the Heads of Delegations that a vote by correspondence should take place, CSOs are informed in advance so that they be given a chance to make submissions or representations in advance of that vote.

3.17. The reality is that everyone understands that nothing can nor should prevent Heads of Delegations to meet behind closed doors when it is necessary. As a general rule, the best practice should nevertheless be to refer only truly sensitive matters to Heads of Delegations meeting, or to hold them when negotiations have been going on so long that the likelihood of success in an open meeting has been exhausted to get a breakthrough.

### *Recommendation # 9*

UNEP Regional Seas Programmes and Action Plans could **make available to CSOs papers and reports from Heads of Delegations and other closed door delegations meetings, as appropriate, including timely information on votes by correspondence where they take place.** The number of closed door delegations meetings should be kept to the minimum.

3.18. At the 59<sup>th</sup> Session of the UN General Assembly last year, the Deep Sea Conservation Coalition was allowed to speak nonetheless in November when the chair briefly suspended the formal session, opened an informal session to allow a representative



from this CSO Coalition to speak, and then re-opened the formal session. The Chair showed remarkable openness and flexibility, though had any member State objected it would not have been permitted.

### Box 3 - Fisheries & Biodiversity

- a) In line with the ecosystem approach and because many Regional Seas Conventions and Action Plans have adopted instruments for the conservation of marine biodiversity, they increasingly need to take fisheries interaction into account.
- b) CCAMLR's rules for NGO participation are an exception to the antiquated rules governing most Regional Fisheries Agreements (RFMOs) that prevent CSOs from participating. CSOs welcome Article XXIII.3 of CCAMLR whereby "*the Commission and the Scientific Committee shall seek to develop co-operative working relationships, as appropriate, with inter-governmental and non-governmental organisations which could contribute to their work*"<sup>2</sup> and Rules 30 to 34 from the Rules of Procedure for the Commission arising from that [Article](#)<sup>3</sup> and Rule 19 of the [Rules of Procedure for the Scientific Committee](#)<sup>4</sup>.
- c) But environmental NGOs express their frustration at not being able to contribute adequately to the work of other RFMOs as well as the FAO Committee on Fisheries (COFI).
- d) Environmental NGOs are thus urging Regional Seas Conventions and Action Plans (as part of their mandate to promote the conservation of marine biodiversity) to regard – based on the RSP experience -- the participation of NGOs in RFMOs as an asset.

1. See Text of the Convention at [http://www.ccamlr.org/pu/e/e\\_pubs/bd/pt1.pdf](http://www.ccamlr.org/pu/e/e_pubs/bd/pt1.pdf)
2. [http://www.ccamlr.org/pu/e/e\\_pubs/bd/pt3.pdf](http://www.ccamlr.org/pu/e/e_pubs/bd/pt3.pdf)
3. [http://www.ccamlr.org/pu/e/e\\_pubs/bd/pt4.pdf](http://www.ccamlr.org/pu/e/e_pubs/bd/pt4.pdf)

### Recommendation # 10

Regional Seas Conventions and Action Plans could agree to encourage, as part of their mandate to promote the conservation of marine biodiversity, **NGO participation within other relevant fora with an effect on their mandate.**

## 4. Criteria for Determining CSO Accreditation

- 4.1. One interviewee noted that there is more reluctance than 5 or 10 years ago towards CSO accreditation "*because the numbers [of CSOs] are increasing, thereby creating practical difficulties*". In the case of the Rhine Commission for example, because the small number of member States could be outnumbered by interested CSOs, new restrictions were added recently (limitation of the number of seats, with the CSOs having to determine who would be present in the room at any given time), in order to accommodate the participation of all interested CSOs in the work of the Rhine Commission's Ecological Working Group.
- 4.2. In order to solve this problem in the case of OSPAR a distinction was made between "general observers" and "specialist observers." The distinction was established because of the large number of observers who were thought to be interested (e.g. OSPAR now has 31 observer organisations as compared with 16 Contracting Parties).

The Rhine  
Commission  
Ecological  
Group

General  
Observers  
VS  
Specialist  
Observers

4.3. "Specialist observers" are allowed to attend only when "their" agenda item is being discussed, whilst "general observers" can remain throughout. However OSPAR never had to invoke this distinction since they adopted in 1990 the rules that allow CSO participation, but they keep it as a parachute in case one day there would not be enough chairs for all the NGOs wishing to attend a meeting.

National vs  
international  
CSOs

4.4. Acknowledging the limitations to space and the need to keep a balance in the numbers, some CSOs suggest that allowing CSO representatives to participate as observers on their national delegations can be a practical alternative. For international NGOs, this solution is not appropriate. Nor is it always appropriate for national NGOs, as the NGOs could be restricted to speak about their position. However, if a national delegation includes industry representatives, they should also consider including public interest environmental NGO representatives as well.

### **Recommendation # 11**

When space or other practical consideration require limiting the number of CSO delegates and/or CSO delegations, **where appropriate national delegations could consider including CSO representatives as observers within their own delegations.**

4.5. Some of the Regional Seas and Programmes (for example, UNEP MAP, the Black Sea Action Plan, the Wider Caribbean, etc) do accept observers from national as well as international organisations, whereas others strictly limit participation to organisations that are international in nature. Based on the interviews that we conducted, CSOs seem to be generally satisfied with existing arrangements for accrediting observers, although some have mentioned that they would prefer national CSOs to be able to attend as well. That said, of the NGOs interviewed, we spoke exclusively with those who sit on international NGO delegations. Had we spoken with CSO representatives from national organisations that do not belong to international federations or umbrella groups, the answers undoubtedly may have been different, with a strong desire to facilitate the participation of national organisations.

4.6. Environmental NGOs have been expressing for quite some time their regret that representatives of what they call the "clean and sustainable production private sector" are underrepresented in the majority of Regional Seas Conventions and Action Plans:

*"The private sector organisations that are present at meetings in several cases represent the lowest common denominator. Wwhen discussing diffuse sources of riverine and marine pollution, everyone should think of inviting those representatives of industry who have the practical solutions, or ecological farmers who have successfully substituted phosphates and pesticides."*

4.7. It is thought that emerging sustainable private sector organisations could be encouraged pro-actively to participate.

### **Recommendation # 12**

Regional Seas Programmes could seek **strategies to secure or improve the involvement of the emerging "green" industry sector in their proceedings.**

Support to  
Small NGOs

4.8. In order to encourage small NGOs to participate fully it would be helpful if a fund could be established to secure the participation of small NGOs that have a specific contribution to make on an issue at the policy development phase and/or the monitoring/implementation phase. Until now such funding is only available to some CSOs from developing countries and countries in transition, but financial contributions

to help other small CSOs to bear costs may be worthwhile to secure that Regional Seas Programmes are able to fulfil their mandates.

### *Recommendation # 13*

The Regional Seas Programmes could consider the **establishment of a fund that would secure the participation of small CSOs with an important contribution to make on a given item.**

#### *Fundraising*

4.9. Whereas Recommendation # 13 above is somewhat at odds with the need take into account the financial and logistical limitations of Regional Seas Secretariats, the Regional Seas Secretariats could obtain dividends from this type of partnership if in return it included the examination of arrangements to raise funds from the general public and foundations. Many NGOs are well equipped to undertake activities that combine public outreach and fundraising, but there is a fairly large constituency of potential donors who would not or cannot give money to NGOs, but would donate to such Programmes or via UN.<sup>8</sup>

### *Recommendation # 14*

The Regional Seas Conventions and Action Plans may consider the **development of public fundraising programmes to support its ocean conservation work, in partnership with NGOs.**

## **5. Specific or new areas in which CSO expertise or skills could enhance the work of Regional Seas**

5.1. In the course of our review, we have identified a number of specific and/or new areas in which CSO expertise and skills could be better utilised to enhance the work of the Regional Seas Conventions and Action Plans. These are divided into three clusters each addressing respectively:

#### *Clusters*

- the information deficit of public administrations,
- the information deficit of the general public vis-à-vis the Regional Seas Conventions and Action Plans, and
- the mutual understanding deficit that remains between inter-governmental and non-governmental organisations.

### **5.2. Increasing access to information of public administrations**

#### **Improved consultation with national NGOs in capitals**

Basis for Action: Comments from the majority of interviewees suggest that too often only NGOs that are part of an *inner circle* are encouraged to express their views before their country's delegation reviews its position in advance of any meeting.

<sup>8</sup> As with a number of existing UN agencies (i.e. UNICEF, World Food Programme, UNHCR, etc), Regional Seas Programmes may, via UNEP, tap into the available resources which can be raised from public fundraising activities, and to which NGOs can't have access either for political and/or cultural reasons.

### *Recommendation # 15*

Regional Seas national focal points could **distribute the agendas and meeting documents in advance to a wider spectrum of relevant NGOs, and call for comments and proposals.**

#### **Host national NGO workshops and displays**

Basis for Action: Host countries of intergovernmental meetings too often are taking insufficient advantage of the presence of international experts to engage with Civil Society Organisations, achieve cross-fertilization, and empower their local NGOs.

### *Recommendation # 16*

**Invite local NGOs to share their experiences, problems and successes** with Secretariat staff, country delegates and NGO observers, through workshops and displays as a key conference feature. In this way local NGOs can also learn from international experts present at these meetings and become acquainted with the opportunities branded by Regional Seas Programmes.

#### **Participation of local NGOs and academics in the meetings hosted in their city**

Basis for Action: The presence of an intergovernmental meeting in their country/city/neighbourhood can constitute a major educational/training opportunity for local NGOs and academics, particularly in remote areas. If civil society gains a better understanding of what its government delegates are doing in these meetings, the host country will be empowered by civil society to do more. At the same time, this can assist the national government's delegation and the Regional Sea Programme, to make sure that the meeting succeeds in addressing issues of local concern to people.

### *Recommendation # 17*

**Waiver restrictions in the rules of the Regional Seas Conventions and Action Plan that may impede local civil society participation at a meeting held within their city/surrounding**, and/or inclusion of local civil society representatives on the host country delegation. Precede whenever feasible by a workshop involving the local NGOs with NGOs that are familiar & experienced with the process/programme hosted in the country.

## *5.3. Increasing the general public's awareness of, and support for the Regional Seas Conventions and Action Plans.*

#### **Web sites and Web access.**

Basis for Action: A thorough listing of NGO online resources, would promote a better sense of ownership amongst CSOs, enhance information exchange and increase cooperation.

### *Recommendation # 18*

Regional Seas Conventions and Action Plans could **further develop an online NGO resources section in partnership with CSOs**, and Regional Seas Secretariats and governing bodies.

### Outreach and Communication Strategies

Basis for Action: Regional Seas Secretariats could increase capacity in linking intergovernmental meetings to 'real world stories' that are of interest to the media. So far, partnership agreements between Regional Seas Secretariats and NGOs for outreach should go beyond production and/or circulation of brochures, CD, videos and such to a joint, concerted, long-term strategy with measurable objectives.

#### *Recommendation # 19*

Regional Seas Secretariats could further develop **longer-term outreach strategies with NGO partners.**

### National training workshops in host countries

Basis for Action: As already noted, NGOs and governments can benefit from the presence of an international meeting to showcase their own perspectives. Regional Seas Secretariats and neighbouring countries attending a meeting can also showcase their own work in the same fashion, and seek support and understanding from local civil servants (regulators and implementers), and civil society locally.

#### *Recommendation # 20*

Regional Seas Secretariats should increase the number of **cost-effective National Training Workshops in host countries of their meetings.**

### Electronic Consultations and Stakeholders' Dialogues

Basic for Action: Broad open-ended consultations tend to be by nature more Public Relations exercises than a thorough exchange of views. Without discarding them altogether, it is worth noting that they have an outreach and educational value for ministers, parliamentarians and the wider public, but these innovative mechanisms must not be seen as a substitute for the more conventional interface between governments and CSOs in intergovernmental fora.

#### *Recommendation # 21*

Regional Seas Programmes should be aware of the inherent limitations of electronic-consultations and other forms of broad "stakeholders' dialogues" that have emerged in the last decade, and **consider them as a compliment to and not a substitute for the conventional interface with CSOs**

## *5.4. Increasing the mutual understanding between inter-governmental and non-governmental organisations*

### Time-limited and targeted Secondments

Basic for Action: Many interviewees from CSOs believed that staff exchanges could be mutually beneficial. The secondment of Regional Seas Programme Secretariat staff in NGO HQs or projects, and vice-versa, could increase mutual understanding as long as it is time-limited, transparent and the mission of those on secondment is well defined and measurable.

### *Recommendation # 22*

The Regional Seas Programmes could consider developing in partnership with NGOs a **programme of secondment, for mutual time-limited, targeted and transparent staff exchanges.**

#### **NGOs as lead-parties**

Basis for Action: With shrinking budgets and financial uncertainties, governments and government agencies are increasingly hesitant to take on major tasks on behalf of intergovernmental organisations or processes, such as acting as the *lead-country* on a particular issue. Taking the lead entails costs in staff and overhead, as well as the likelihood of hosting one or more meetings. CSOs may volunteer to be the lead-party on some important issues in the absence of any lead-country candidate.

### *Recommendation # 23*

Regional Seas Conventions and Action Plans may wish to consider **transparent criteria and rules that would facilitate CSOs or – if required – a balanced group of CSOs to be lead-parties on certain issues**, in the absence of lead-country candidates, in the interest of time and the need for Programme to fulfil their mandate in a timely and adequate fashion.

#### **Secretariat NGO focal point**

Basis for Action: Only a few Regional Seas Secretariats have staff specifically dedicated to the management of relations with CSOs. Such a position could be of value, particularly if the person holding the position had a good understanding of NGO culture, to secure the effective further development of the partnership with civil society.

### *Recommendation # 24*

Regional Seas Secretariats may wish to consider individually or collectively, in consultation with CSOs, appointing a **CSO focal point person where partnership with civil society organisations is crucial to the fulfilment of their mandate**, including if and as appropriate the consideration of transparent joint-funding with the NGOs.

## **6. Summary of Recommendations**

	<i>Page number</i>
<b><i>Recommendation # 1</i></b>	<b>4</b>
If increasing CSO participation is a priority, the Regional Seas Programme could prepare a <b>user-friendly template to help standardise reporting on co-operation with NGOs.</b> This would allow the Secretariats of Regional Seas Conventions and Action Plans to provide comparable information and allow for an objective comparison of results.	4
<b><i>Recommendation # 2</i></b>	<b>5</b>
Regional Seas Programmes could consider adopting for their meetings (i.e. meetings of Contracting Parties, intergovernmental and/or Council meetings) <b>rules and mechanisms similar to those of the IMO to increase the input of CSOs, including the circulation, presentation and discussion on the floor of documents, and make the right to speak more operational.</b>	5



- Recommendation # 3** **6**
- In order to empower CSOs to participate more, and in order to emphasise the “*Natural Allies*” approach, Regional Seas Conventions and Action Plans may wish to give consideration to **labelling the status of CSOs as consultative and not merely observer.** 6
- Recommendation # 4** **6**
- Regional Seas Conventions and Action Plans that have not yet done so may consider **applying the first come-first served approach for the distribution, consideration and discussion of all submissions**, including those for CSOs. 6
- Recommendation # 5** **7**
- Regional Seas Programmes and Action Plans could consider **establishing an informal Chair/Secretariat consultation with CSOs before each meeting begins.** 7
- Recommendation # 7** **8**
- The Regional Seas Programmes could consider **encouraging amending and harmonizing the Rules of Procedures to increase CSO input.** 8
- Recommendation # 8** **8**
- The experience of UNEP MAP with the innovative mechanism for CSOs existing under the Mediterranean Commission on Sustainable Development could be shared, with a view to **considering whether its duplication in other advisory bodies is desirable in other Regional Seas Programmes.** 8
- Recommendation # 9** **8**
- UNEP Regional Seas Programmes and Action Plans could **make available to CSOs papers and reports from Heads of Delegations and other closed-door delegations meetings, as appropriate, including timely information on votes by correspondence where they take place.** The number of closed-door delegations meetings should be kept to the minimum. 8
- Recommendation # 10** **9**
- Regional Seas Conventions and Action Plans could agree to encourage, as part of their mandate to promote the conservation of marine biodiversity, **NGO participation within other relevant fora with an effect on their mandate.** 9
- Recommendation # 11** **10**
- When space or other practical consideration require limiting the number of CSO delegates and/or CSO delegations, **where appropriate national delegations could consider including CSO representatives as observers within their own delegations.** 10
- Recommendation # 12** **10**
- Regional Seas Programmes could seek **strategies to secure or improve the involvement of the emerging “green” industry sector in their proceedings.** 10
- Recommendation # 13** **11**
- The Regional Seas Programmes could consider the **establishment of a fund that would secure the participation of small CSOs with an important contribution to make on a given item.** 11
- Recommendation # 14** **11**

- The Regional Seas Conventions and Action Plans may consider the **development of public fundraising programmes to support its ocean conservation work, in partnership with NGOs.** 11
- Recommendation # 15** 12
- Regional Seas national focal points could **distribute the agendas and meeting documents in advance to a wider spectrum of relevant NGOs, and call for comments and proposals.** 12
- Recommendation # 16** 12
- Invite local NGOs to share their experiences, problems and successes** with Secretariat staff, country delegates and NGO observers, through workshops and displays as a key conference feature. In this way local NGOs can also learn from international experts present at these meetings and become acquainted with the opportunities branded by Regional Seas Programmes. 12
- Recommendation # 17** 12
- Waiver restrictions in the rules of the Regional Seas Conventions and Action Plan that may impede local civil society participation at a meeting held within their city/surrounding**, and/or inclusion of local civil society representatives on the host country delegation. Precede whenever feasible by a workshop involving the local NGOs with NGOs that are familiar & experienced with the process/programme hosted in the country. 12
- Recommendation # 18** 12
- Regional Seas Conventions and Action Plans could **further develop an online NGO resources section in partnership with CSOs**, and Regional Seas Secretariats and governing bodies. 12
- Recommendation # 19** 13
- Regional Seas Secretariats could further develop **longer-term outreach strategies with NGO partners.** 13
- Recommendation # 20** 13
- Regional Seas Secretariats should increase the number of **cost-effective National Training Workshops in host countries of their meetings.** 13
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## **7. Acknowledgements**

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