



Governing Council of the United Nations Environment Programme

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Global Civil Society Forum

Sixth session

Nairobi, Kenya, 19 and 20 February 2005

Report of the sixth Global Civil Society Forum

Introduction

1. The sixth Global Civil Society Forum was held at the headquarters of the United Nations Environment Programme (UNEP), Nairobi, on 19 and 20 February 2005.
2. The Forum was attended by participants from 99 civil society organizations. The full list of participants is contained in annex VII to the present report.

I. Opening of the meeting

3. The Forum was opened at 9.25 a.m. by Mr. Olivier Deleuze, Chief of the Major Groups and Stakeholders Branch of the Division of Policy Development and Law of UNEP. Forum participants stood for a minute's silence as a mark of respect for the victims of the Indian Ocean earthquake and tsunami that occurred on 26 December 2004.

A. Opening statements

4. Opening statements were made by Mr. Klaus Töpfer, Executive Director of UNEP, Ms. Norine Kennedy, Vice President, Environmental Affairs, United States Council for International Business, Mr. Davinder Lamba, Executive Director of the Mazingira Institute, Ms. Jacqueline Mpolokeng, Coordinator, Health, HIV/AIDS Safety and environmental Policy, Congress of South African Trade Unions (COSATU), Ms. Yvonne Maingey, representative of the Tunza Youth Advisory Council, and Ms. Lucy Mulenkei, Executive Director of the Indigenous Information Network.
5. In his opening remarks, Mr. Töpfer welcomed participants to UNEP and underlined the importance of civil society cooperation, including on the issues of environment and gender. Both issues had been brought to the global agenda by civil society pressure. The genesis of UNEP at the 1972 United Nations Conference on Environment and Development had itself been largely brought about by the lobbying of Governments by civil society and non-governmental organizations, the World Conservation Union (IUCN) (known at that time as the International Union for the Conservation of Nature and Natural Resources) in particular. Civil society had also played an important role in the development of multilateral environmental agreements, which had been the main focus of UNEP activities for many years and most of which had been started, negotiated and finalized at UNEP, including the Convention on Biological Diversity and the Stockholm Convention on Persistent Organic Pollutants.
6. He outlined measures that had been taken to enhance cooperation between UNEP and civil society, which included the strengthening of the Major Groups and Stakeholders Branch and the regional offices of UNEP; the drafting and distribution of the Global Civil Society Statement to Governments well in advance of the twenty-third session of the Governing Council/Global Ministerial

Environment Forum in order that delegations might take it into account in their deliberations; the communication of unedited working documents of the Council to accredited non-governmental organizations to enable them to submit written inputs to documents; refinement of modalities for accredited non-governmental organizations to make submissions to the Council/Forum and reservation of a quota of seats for them in sessions of the plenary and the Committee of the Whole. Those steps had been undertaken with his full support and were in line with the existing rules of procedure of the Council/Forum. In reviewing the main topics of the present meeting, he noted that a statement, which could be known as the "Nairobi Communiqué" would be a desirable outcome of the Governing Council for submission to the high-level summit to review the Millennium Development Goals to be held in New York in September.

7. In conclusion, he expressed his sympathy to those who had lost their loved ones and their property in the recent tsunami disaster. He commended the international community on its extensive commitment to contribute to relief and reconstruction efforts in affected areas. The immediate response by the United Nations to that disaster had provided a positive example of its work. Quick, comprehensive and sustainable reconstruction was now critical, and the central role of the United Nations in facing that challenge had been confirmed by the international community.

8. Ms. Kennedy underlined the appreciation of the business community at the opportunity to be involved in the twenty-third session of the Governing Council/Global Ministerial Environment Forum. She expressed the community's gratitude to UNEP staff, the African civil society host committee and other stakeholder groups for their assistance in that regard. She noted that broad consensus had emerged that the Millennium Development Goals could not be achieved without the involvement of civil society and the business community. Companies of all kinds were critical partners in the process, as they made a real contribution to attaining the goals through their long-term commitment to sustainable development.

9. She highlighted three points that the business community would like to see addressed at the present meeting. First, although most of the organizations represented were natural allies with UNEP, they were not always natural allies with one another. It was critical, therefore, that they find ways to work together and develop partnerships. Second, the means for civil society to participate in the process of attaining the Millennium Development Goals were not clear. For that reason, the proposed Nairobi communiqué should include a paragraph on how stakeholders could be engaged to work towards the achievement of the goals. Third, there had been a focus on sectoral initiatives in technical, capacity-building and scientific support, but a real need had emerged for cross-sectoral initiatives with emphasis on the broad range of expertise of civil society and non-governmental organizations as a positive resource for the Governing Council and decision makers.

10. Mr. Lamba welcomed participants to Nairobi on behalf of the African civil society host committee. He gave a brief summary of the sixth Global Civil Society Statement contained in annex I to the present report. He noted that an African civil society steering committee had been established at the African global civil society meeting, held on 18 February 2005, to increase interactive cooperation between African and global civil society and UNEP. He highlighted the importance of expanding the accreditation to UNEP of major groups and stakeholders.

11. Ms. Mpolokeng welcomed the opportunity for trade union representatives to participate at the present meeting and expressed the hope that that would provide the basis for future cooperation. She described as an important step, the coordination of health and safety standards between UNEP and the International Labour Organization (ILO). Workers were affected by the shift to environmentally-friendly production techniques, unemployment, poverty and gender, among other matters. Creation of employment was the most sustainable means of fighting poverty, and employment creation strategies had to be gender-sensitive and address factors that obstructed the employment of women. In that regard, improving social security measures and access to energy, water and sanitation would enhance women's employment. While workers were not against environmental sustainability, it was important that the process be managed properly in order that workers were not adversely affected. In conclusion, she underlined the importance of promoting tripartite dialogue in UNEP, including workers; cooperation between ILO and UNEP; and of the promotion of reinforced development strategies targeting women and children.

12. Ms. Mullenkei extended her condolences to the victims of the recent tsunami on behalf of women and indigenous people. Many elders, women and young people had perished in the disaster and traditional knowledge had been lost with them. She called for measures to be taken to prevent similar disasters in the future. She noted that Ms. Wangari Maathai had been a role model for many years, fighting for forests and the environment, and her award of the Nobel Peace Prize 2004 reaffirmed the

role of women in environmental conservation. Noting that women and children were most vulnerable to poverty, she underlined the critical importance of women being able to own land. That would enable them to fight poverty, take decisions on land-use and prevent the destruction of global biodiversity by landowners who had no regard for long-term environmental issues.

13. She called on UNEP to step up its gender mainstreaming activities. The Global Women's Assembly on the Environment: Women as the Voice of the Environment (WAVE), held in Nairobi in October 2004, had been a clear indication of UNEP commitment to involve women in its work but greater visibility of women in the programmes and activities of UNEP was still required. She expressed the hope that discussions would be undertaken on that subject at the twenty-third session of the Governing Council and that the draft decision on gender equality and environment would be given full support. While UNEP was involving indigenous people in its various activities, the challenge of convincing Governments of the crucial role of indigenous people in sustainable development, which had been underlined at the Johannesburg Summit, remained. The full and effective participation of civil society was imperative to the attainment of the targets of the Millennium Development Goals.

14. Ms. Maingey summarized views that had emerged following rigorous regional consultations held with young people on issues such as hunger, poverty, gender and sustainable development. Key priorities included the provision of funds and technical support to young people and community-based groups through ministries of environment; access to clear information, including accurate data, indicators and targets; building awareness and creating knowledge on the impact of lack of access to water, sanitation and others; involvement of young people in policy design and implementation and participation in decision-making. Noting that there was no dignity in living without water and sanitation, she called for the implementation of the Millennium Development Goals. Water was not a commodity, but a public good and successful policies on water should, therefore, be studied, replicated and included in the poverty reduction strategy papers of all developing countries. Other important issues for young people included the increased participation of young women; better coordination of environment, development and other agencies to avoid duplication; development of resettlement programmes for displaced persons; upgrading of slums to address the urban shelter deficit; action and replication of successful policies; implementation of partnerships; and implementation of initiatives similar to the "Make poverty history" initiative organized by a coalition of civil society organizations in the United Kingdom of Great Britain and Northern Ireland.

B. Election of officers

15. In accordance with standard procedure, the Forum was asked to elect a chair, vice-chair and rapporteurs. The officers would facilitate the conduct of each of the thematic sessions and the organization of the Forum's work. It was agreed that four rapporteurs would be elected, so that there would be a total of six civil representatives on the bureau, with one for each region.

Chair:	Mr. Davinder Lamba (Kenya)
Vice-Chair:	Ms. Esther Neuhaus (Brazil)
Rapporteurs :	Ms. Elenita Dano (Phillipines) Ms. Kate Davenport (United States of America) Ms. Hanan Redha Rajab (West Asia) Mr. Jan Gustav Strandenaes (Norway)

C. Adoption of the agenda and programme of work

16. The Chair presented a provisional agenda and programme of work proposed by the African civil society host committee in collaboration with the UNEP secretariat. The agenda and programme of work were adopted as contained in annex I to the present report.

II. Draft Governing Council decisions: what is at stake?

A. Presentation on recent UNEP activities involving civil society

17. Mr. Deleuze gave a brief presentation, including a progress report on UNEP activities aimed at involving civil society at the level of policy development since the fifth session of the Global Civil Society Forum. He said that six regional civil society forums had been held and preparations for the present Forum had been made by the African civil society host committee in cooperation with UNEP. Building on the six regional statements, a global drafting committee had developed a global civil society statement, which was before the meeting, to be submitted to the Governing Council/Global Ministerial Environment Forum at its forthcoming twenty-third session. He also tabled a paper, dated 18 February 2005, listing and detailing in an unedited advance text the draft decisions for submission during the twenty-third session. In addition, he described the arrangements for civil society participants during the twenty-third session.

18. He noted that the global civil society statement could not represent all the different opinions and views of civil society, since civil society was made up of many heterogeneous groupings; for that reason, he said that his branch in UNEP would welcome comments on the statement in writing from any civil society representatives. The goal was to influence UNEP policy, and all the various views would be of interest. He informed the meeting that the African civil society host committee would like to have information about those civil society representatives who were part of official government delegations to the Governing Council/Global Ministerial Environment Forum, as the Committee wished to give awards to those Governments which had included such representatives.

B. Comments on key draft decisions

19. Mr. Jan Gustav Strandenaes (Norway) said that the present Forum was setting an example and a precedent in using the opportunity to intervene in the Governing Council/Global Ministerial Environment Forum. Forum participants would study and comment upon the draft decisions to be submitted to the Council/Forum, in working groups. He recalled that the Malmö Ministerial Declaration, in its paragraph 16, had said that the role of civil society should be strengthened and that civil society should play an active role and have a voice in decision-making. Participants would therefore have the opportunity to prepare themselves to step forward and speak at the forthcoming session of the Council/Forum. After noting some of the key areas for civil society in the various draft decisions, he stressed the need for implementation of those decisions, quoting the saying "action is eloquence".

20. Ms. Elenita Dano (Philippines) of the Third World Network, a non-governmental organization based in Malaysia, gave a presentation on the importance of the sixth Global Civil Society Forum and the twenty-third session of the Governing Council/Global Ministerial Environment Forum, and provided comments on key draft decisions.

21. On the programme of work, there was a call for an increased allocation of funds for UNEP from the United Nations regular budget, a streamlining or prioritization of programmes and a need for increased participation of civil society in UNEP processes and initiatives.

22. On administrative and other budgetary matters, it was felt particularly that UNEP should have adequate, stable and predictable financing; some flexibility should be given to the Executive Director to reallocate resources between budget lines; and a more realistic level of income to the Environment Fund should be expected in view of current financing levels.

23. On sustainable procurement, and with reference to the draft decision submitted by the United States of America proposing the implementation of an environmentally friendly UNEP procurement programme, it was felt that unsustainable consumption and production patterns, capacity-building and technology enhancement in developing countries and the importance of information and education on the need to accelerate the shift to sustainable consumption and production should be highlighted.

24. On international chemicals management and mercury, two different approaches were identified, namely, legally-binding agreements and the development of voluntary partnerships. The question of whether a global framework on mercury should be developed or a request made to UNEP to help develop national initiatives was also mentioned, as well as the need for an assessment of other heavy metals, and the strengthening of the central role of UNEP.

C. Discussion

25. In the ensuing discussion, among the most prominent issues were the strengthening of financing both at the United Nations level and governmental level; giving greater importance to gender and poverty in policy-making; the impact of chemicals management policies in developing countries; the strengthening of the scientific base of UNEP; the importance of chemicals management through legally binding agreements and partnership activities; and the need to strengthen UNEP at the national level.

26. Overall, the meeting agreed on the importance of speaking with one voice to get the Forum's message across to the Governing Council.

27. Three working groups were set up to work on the draft decisions, as follows: group 1, on chemicals management; which would consider draft decisions 2 and 4; group 2, on international environmental governance, which would consider draft decisions 1, 3, 5 and 8; and group 3, on the UNEP programme of work, which would consider draft decisions 6, 7, 9, and 10. It was agreed that participants would be divided into those groups to exchange views on the draft decisions. The rapporteurs of those groups would report to the plenary on their discussions, after which the elaboration of a strategy to lobby Governments on the draft decisions would be considered.

D. Reports of the three working groups on the draft decisions

1. Presentations

28. The rapporteurs of the three working groups on the draft decisions reported on the work of their respective groups and presented the preliminary outcomes of the groups' discussions.

2. Discussion

29. One representative requested clarification of the budget line for civil society engagement and asked the UNEP secretariat to provide a report on expenditures and sources of funding used by UNEP to support civil society engagement in its work prior to the seventh Global Civil Society Forum.

30. Another representative highlighted existing conflicts between World Trade Organization (WTO) trade agreements and multilateral environmental agreements. She called for an increase in the UNEP budget to help countries to assess the negative impacts of trade agreements and to set up a joint working group on the relationship between multilateral environmental agreements and trade agreements. In response and as a point of clarification, another representative noted that the UNEP position was that the Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement and the Convention on Biological Diversity were consistent with each other but that they needed to be made mutually compatible.

31. One representative asked that the language used in the draft decision on international environmental governance that referred to the "sound scientific base" should be clear in terms of intent and its implications at the broader national level.

32. In response to a request for clarification regarding the global civil society statement to the Governing Council/Global Ministerial Environment Forum at its twenty-third session, representatives of the secretariat noted that the first version had been produced on the basis of consultations and negotiations held in six different regions, with an average of 50 civil society organizations represented at each meeting. As a result, the nature and content of that version represented the views of those units of civil society and should not be changed, but might be strengthened to include additional language on, for instance, the recent tsunami disaster.

III. UNEP programme of work

A. Civil society perspective

33. Mr. Rémi Parmentier, Coordinator of the Varda Group, gave a presentation on the UNEP programme of work from the civil society perspective. He said that his group had been asked by UNEP in September 2004 to elaborate a review of the draft programme of work from the perspective of civil

society, which could be consulted at http://www.unep.org/dpdl/civil_society/PDF_docs/Varda_Review_of_Work_Programme.pdf. He had subsequently presented that review at the Asia-Pacific and European regional meetings of civil society representatives. Many of the ideas in his review of the programme of work had been taken up by the regional meetings and had later been inserted into the global civil society statement mentioned earlier. In his overview of the programme of work, he recalled that it was made up of seven subprogrammes, one for each of the seven divisions in UNEP, and that each division had been asked to fill out a template including, among other things, its objectives and expected accomplishments. The total budget for the biennium 2006–2007 was \$239 million. In his review, he had identified opportunities to strengthen mutual cooperation between UNEP and non-governmental organizations, as well as some gaps and areas of unnecessary duplication.

34. His key findings included the recommendation that UNEP should tap more deeply into the strategic skills and what might be termed the “real world” knowledge of non-governmental organizations, both to improve the strategic content of the programme of work and to promote public awareness and, possibly, fund-raising campaigns such as those carried out by other United Nations bodies, perhaps even to the extent of branding UNEP. Non-governmental organizations joined the secretariat in saying that the proposed budget of \$239 million was too low and limited possibilities, as well as noting that a strategic plan should also anticipate the unexpected and contain provisions for emergency planning, hence the proposal that the Executive Director of UNEP should be authorized to exercise flexibility in allocating a percentage of the budget to deal with emerging challenges.

35. With respect to the global civil society statement, he highlighted sections 2 and 3, which dealt with the programme of work and budget. He also wished to highlight the view expressed by some representatives of civil society that a more user-friendly overview of the programme of work might make it more accessible and more easily understood. He welcomed the global statement proposal that the programme of work should better reflect the clusters into which UNEP had divided its work, such as biodiversity, oceans, climate change, forests, fresh water and others. He also touched on the need to limit the use of jargon in both UNEP and non-governmental organization publications and discourse and drew attention to the role played by non-governmental organizations in raising the political importance and profile of environment ministers and the need for UNEP to consider strengthening its capacity and level of representation with public fund-raising programmes, which might help compensate for the lack of contributions from Governments or offset the risk of excessive dependence on voluntary contributions from the private and public sectors.

IV. UNEP national committees

A. Presentation

36. Ms. Victoria Elias, Chair, European ECO-Forum, gave a presentation on UNEP national committees. Introducing a background paper on the topic, she said that the UNEP national committees had been set up under UNEP Governing Council decision 13/33 of 1985. The need to discuss the role of those national committees had been raised at both the European regional meeting of civil society representatives and in the global statement drafting group. The paper gave a recent list of national committees set up in various countries; none were in Africa, and relatively few were in other regions except for Europe, where 26 had been established. It seemed that the objective had been to strengthen UNEP at the national level. There were, however, no universal guidelines for the work and objectives of national committees, and no global network for them had been set up. Perhaps a new role for national committees should be discussed, and consideration given to the questions of whether civil society should promote them worldwide and whether they should be different in scope for different regions. She suggested that the participants at the present Forum might make some recommendations in that regard.

B. Discussion

37. Several participants suggested that, in Africa, national committees should be driven by Governments, while some others believed that their establishment would simply use valuable resources to create a new layer of bureaucracy, rather than deal with issues. One representative spelled out the difficulty from the practical viewpoint of the exercise being labelled undemocratic, as there was no single organization representing non-governmental organizations. Another representative said that a greater need was for advisory groups on environment. A representative of a European

non-governmental organization said that the national committee set up in his country had proved its usefulness in strengthening UNEP, in strengthening fund-raising by the Government, and in promoting multi-stakeholder partnerships, and added that each country should look at its own needs. In response, Ms. Elias said that a useful discussion had been stimulated, and she noted that national committees should be a concern for non-governmental organizations, and that there should be clear criteria for their establishment and objectives; in her view, however, a transition from advisory groups to national committees might be the best way forward.

V. Global challenge: Millennium Development Goals

A. Presentations

38. Mr. Bakary Kante, Director, Division of Policy Development and Law, UNEP, gave a presentation of UNEP work on the internationally agreed goals of the Millennium Declaration, specifically the goals of poverty, gender and environmental sustainability. He emphasized that 2005 was a special year for multilateralism and development and that many important steps would be taken in support of the attainment of the goals expressed in the Millennium Declaration.

39. He stressed the important role that UNEP could play to highlight the crucial linkage between poverty and sustainable development, providing clear examples of those linkages. During the recent tsunami disaster, for example, lives had been saved in those areas where coastal ecosystems such as mangroves, coral reefs and sand dunes were intact and broke the force of the tsunami's impact. He underlined that the environment should be considered the wealth of the poor, as it was the primary resource provider for many communities, those in rural areas in particular. He acknowledged the resources provided by many countries in support of UNEP research activities, and the many poverty alleviation and environmental sustainability pilot projects under way throughout Africa. Although the current focus of UNEP interventions and activities was in Africa, it would be looking to expand its work to Latin America in the future.

40. In closing, he thanked WAVE for its work with regard to gender and stressed the importance of the work of women in environmental sustainability and poverty alleviation.

41. Ms. Irene Dankelman, a representative of the Women's Environment and Development Organization, gave a presentation on the WAVE manifesto and recommendations, stressing the importance of gender equality for sustainable development. Gender equality and equity were preconditions for sustainable development and were inextricably linked to the Millennium Development Goals dealing with poverty and environmental sustainability. Some major challenges related to the lack of participation by women in environmental protection and management activities, the lack of influence of women in policy-making and management, and the lack of gender sensitive policies, strategies and programmes in dealing with poverty alleviation and environmental sustainability.

42. She referred to a number of agenda-setting moments in the recent past: the UNEP Global Women's Assembly on the Environment (WAVE) held in Nairobi in 2004; the Rio Declaration on Environment and Development of 1992; the Fourth World Conference on Women held in Beijing in 1995; and other forthcoming high-level meetings that would help in developing a more meaningful dialogue on the subject of gender.

43. Focusing on the impact of the UNEP Global Women's Assembly on the Environment, held in Nairobi in 2004, she noted that strong wording had been used in the manifesto and that specific recommendations and project ideas had been important outcomes of the meeting. Ultimately, however, political will, institutional reform, information-sharing, enhancement of leadership roles for women and gender-sensitive international environmental agreements were still outstanding requirements for gender equality and equity to progress.

44. Mr. Paul Bayili, Coordinator of the West African network for non-governmental organizations and environmental associations, gave a presentation on the work being undertaken in the subregion in support of UNEP and the United Nations Development Programme (UNDP) in the context of the Millennium Declaration and the internationally agreed goals. He said that, while many countries in the subregion did not have reliable or up-to-date statistics, it was nevertheless clear that many countries would not meet those goals, as evidenced by an increase in the number of people living below the poverty line and in land degradation. With a high rate of population growth, a vicious cycle of poverty existed and there was a continuing need to relate the environment to poverty and also to gender issues,

as women, especially those in the rural areas, were more affected by poverty. The question was what civil society could do to help. The goals of the Millennium Declaration were not known at the grassroots level, or even at decision-making levels, and a public awareness campaign was part of what his network was trying to achieve. He suggested that countries should be made to understand that strategies to increase the resources of communities as well to make sound use of natural resources could emerge from improved dialogue with partners and donors. Poverty alleviation and resource management adapted to local conditions were closely linked. Civil society should impress on development partners that there was a need to support better governance in countries and greater control of factors such as corruption.

45. Mr. Tony Hill, Coordinator, United Nations Non-governmental Liaison Service, gave a presentation on the role of civil society in the upcoming summit for a five-year review of the goals of the Millennium Declaration, due to be held in New York, 14–16 September 2005. He said that the current focus regarding those goals could be summarized under the headings of the poverty agenda, the security agenda and the United Nations reform agenda. The poverty agenda included the global call for mobilization and action against poverty. The security agenda had arisen because of the issue of the conflict in Iraq and the report of the high-level panel established to look at security threats and opportunities, published in December 2004. The United Nations reform agenda, would be based in part on the report of the high-level panel on the relationships between civil society and the United Nations system, which had contained some 30 recommendations for institutional reform of the United Nations to promote more coherence in the system for non-governmental organizations, and about which Governments had not reached any consensus. It was hoped that the United Nations reform agenda might include, in the Secretary-General's report, a proposal for a trust fund for capacity-building for non-governmental organizations. Those organizations were disappointed that only one speaking slot had been allocated to them at the Summit. He reported that the General Assembly would hold hearings with civil society representatives in June 2005, and that meeting and various other forthcoming meetings would provide opportunities for civil society to express its views. In addition, as a result of a meeting in January 2005 of the Deputy Secretary-General with civil society representatives, the latter had written a letter to the United Nations asking for more participation in the aforementioned summit, and a request for the establishment of a consultative group with civil society to work out modalities for such participation.

B. Discussion

46. In the discussion on the presentations, several participants called for increased intervention by civil society in the summit for a five-year review of the Millennium Development Goals, while one suggested that in the course of the twenty-third session of the Governing Council/Global Ministerial Environment Forum, the participating ministers should be asked to include in their recommendations the idea that civil society should be more substantially engaged in the preparations for that summit. One participant noted that the concept of empowerment of women should specifically draw attention to the plight of young girls, who were often burdened with such chores as collecting firewood and fetching water. Several participants, drawing attention to the need for linking poverty and the environment, said that such a linkage was missing in many reports on the goals of the Millennium Declaration. One participant said that asking the poor to pay for water was like putting nature up for sale. Another participant said that enough studies had been carried out on the role of women, and that it was time to begin implementing actions to improve their situation. Participants from the Middle East and from Central Europe highlighted the need to deal with poverty and the environment in their regions, particularly in issues of land degradation.

47. In replying to the discussion, Mr. Tony Hill agreed that anything that could be done to increase civil society participation in the Millennium Development Goals five-year review summit would be beneficial. With regard to national level participation, he recommended to non-governmental organizations in countries that they should organize country-wide representation, which would facilitate contacts at a global level. Mr. Paul Bayili agreed with several comments that the goals of the Millennium Declaration were not known at both grassroots and at decision-making levels, and said that civil society should strive to make the general population feel that it owned those goals. Ms. Irene Dankelman agreed that there was a danger of overstudying women's issues, but she stressed that monitoring of those issues should continue. Mr. Bakary Kante agreed that linkages between poverty and environment needed to be stressed more, and that the issue of aid should be tied in to the development of goals 1, 3 and 7 of the Millennium Declaration.

VI. Civil society engagement in the twenty-third session of the Governing Council/Global Ministerial Environment Forum

A. Business perspective on UNEP priorities

1. Presentation

48. Ms. Kennedy presented a number of points that the business community wanted to see raised during the twenty-third session of the Governing Council, as follows:

(a) The session should focus on implementation of existing targets, initiatives and outcomes of the Johannesburg Summit and, in particular, the Millennium Development Goals. The business community would support UNEP in catalysing its efforts in that regard and in activities to engage civil society in its work. The business community would ask ministers to include the need for civil society engagement in the preparation of the proposed Nairobi communiqué;

(b) The business community advocated the need for business views and expertise to be taken into account during sessions of the Governing Council and supported cooperation with business in strengthening capacity-building, science and technology;

(c) With respect to mercury, there was a divergence of opinions amongst civil society organizations. The business community supported partnerships as a practical means of delivering sustainable development. Partnerships could be tailored to suit the impacts of mercury and national situations with a focus on capacity-building in developing countries. The business community was not in favour of a legally binding instrument on mercury, as that might take time and resources away from other more important issues;

(d) The business community supported the strengthening of the scientific base of UNEP in order to enhance its ability to manage risks and to address the most pressing environmental challenges. The Environment Watch proposal was positive, and it was to be hoped that it would be developed in a transparent manner with multi-stakeholder participation;

(e) The business community appreciated the capacity-building focus of the twenty-third session of the Governing Council, and it was to be hoped that it would be linked with the Bali Strategic Plan on Technology Support and Capacity-building and the scientific effort and would include all stakeholders;

(f) The business sector had responded strongly to the recent Tsunami disaster, and the United Nations Global Compact Office had carried out some assessment of that response;

(g) A high-level meeting entitled "Africa, business and sustainable development" would be held on 24 February 2005. Representatives of UNEP and the International Chamber of Commerce, the World Energy Council and the World Business Council for Sustainable Development and civil society organizations would discuss, among other matters, energy and water issues and how to improve financing and investment in Africa.

2. Discussion

49. Answering a request for more information on the private sector response to the tsunami disaster, Ms. Kennedy noted that, although there did not seem to be any central source of information on that response, there were various other sources of information, including United Nations organizations, the United Nations Global Compact Office and others.

50. One representative asked whether guidelines on how to develop corporate responsibility existed, while another, noting that the private sector was often the biggest culprit in environmental degradation, enquired whether there were international rules to address that problem.

51. In responding, Ms. Kennedy noted the crucial importance of open and transparent arrangements between the private sector and civil society. She stressed that there were many existing guidelines such as those issued by the Organization for Economic Cooperation and Development (OECD) for multinational companies and also various United Nations guidelines. A great deal of effort had been put into promoting corporate responsibility, and there were also guidelines on that, including from the

International Chamber of Commerce, the United Nations Global Compact Office and the Secretary-General's office.

52. A trade union representative underlined the importance of empowering women to play major roles in society. Reforms should be undertaken in institutions to facilitate women's achievements. Support should be provided to financial institutions, but also to social and human rights institutions at all levels. UNEP had a central role to play in implementing the outcomes of the Johannesburg Summit. Capacity-building was of crucial importance and should be undertaken by UNEP and others as a matter of urgency.

B. Youth perspective on UNEP priorities

1. Presentation

53. Mr. Alan Wu, UNEP Tunza youth advisor for Asia and the Pacific, presented an overview of UNEP engagement with young people. The work of UNEP with young people had started in 1998 and had been formalized in 2003 at the twenty-second session of the Governing Council/Global Ministerial Environment Forum, which had led to the development of a six-year plan for the engagement of young people. He outlined a number of UNEP activities carried out under the Tunza ("treat with care and affection") network, including UNEP publications, programmes and events for young people, such as the international youth conference held every two years at which the Tunza Youth Advisory Council was elected. The council had been set up in 1999 as an additional mechanism for enhancing youth participation.

54. The UNEP youth programme had been sponsored by the Bayer company since 2004; the company had committed itself to provide one million euros and other non-financial input for three years. That sponsorship had been decided without consulting young people, and the council had expressed a strong preference for government funding and had requested more transparency and information on Bayer involvement with UNEP. He noted that young people were eager to embrace the precautionary principle and agreed with universal membership of UNEP and an assessed scale of contribution. They felt, in general, that corporate sponsorship should be limited in favour of Government sponsorship. Water, genetically modified organisms and the Kyoto protocol were topics of particular interest. In conclusion, he stressed that young people were keen to cooperate with civil society organizations and to take advice on how best to use the one seat allocated to them at ministerial consultations during sessions of the Governing Council.

2. Discussion

55. In the discussion that ensued, several participants underscored the necessity of educating young people around the world on environmental and sustainable development issues, highlighting the importance of regional networks for information sharing in that regard. A number of participants expressed their eagerness to cooperate with the Tunza network, and one representative urged young people to take advantage of the GEF Small Grants Programme, implemented by the United Nations Development programme, for projects related to environment and sustainable development.

VII. Civil society engagement in the Governing Council/Global Ministerial Environment Forum

A. Presentation

56. Ms. Esther Neuhaus, Co-Chair, presented suggestions for enhancement of civil society engagement in the twenty-third session of the Council/Forum. Fifteen seats had been allocated to representatives of civil society in both plenary sessions and sessions of the Committee of the Whole. Of those seats, some could be occupied by representatives of non-governmental organizations and others by representatives of major groups such as indigenous people, trade unions and the private sector. She proposed that nine seats should be allocated to non-governmental organizations, three to business representatives, one to a representative of indigenous people and one to a youth representative. A meeting would be held at 9 a.m. every day during the session to decide which representatives would occupy the seats.

B. Discussion

57. A number of participants called for nine of the seats to be allocated to major groups and the remaining six to be allocated to the six regions recognized by the United Nations, while others felt that the remaining six seats should be allocated to non-governmental organizations. After much debate, participants voted and agreed upon the latter option.

58. Many participants appealed for flexibility in the allocation of seats and requested that civil society representatives participate in discussions according to their areas of expertise. Most agreed that it was crucial to know which agenda item would be addressed in which session in order to ensure that civil society representatives with the appropriate expertise and interest were present. They also agreed that the allocated seats should be occupied at all times, in particular, so that the credibility of civil society organizations would be maintained.

59. In response to a number of requests for clarification, a representative of the secretariat confirmed that all accredited non-governmental organizations would be allowed access to the sessions but the fifteen seats allocated to civil society organizations would enable participants to make interventions during the sessions. Seats allocated to Governments that remained vacant could not be taken over by civil society representatives but the fifteen entry badges were numbered rather than named and could, therefore, be worn by different representatives at different times.

60. A representative of a European non-governmental organization noted that rule 69 of the rules of procedure of the Governing Council regulated access to sessions of the Committee of the Whole and the plenary. It was up to the discretion of the chair of those meetings to declare them open or not. In the past, representatives of civil society had been allowed to move in and out of the sessions.

61. A representative of the secretariat explained that representatives of civil society had been allocated two seats for ministerial consultation sessions. In addition, youth representatives would have one seat in those sessions. A business community representative would be allocated one seat for one session. Governments were allocated two seats for those sessions. The sessions would be broadcast by video so that those unable to participate could follow the proceedings. He noted that he had requested that one representative of civil society be given an observer seat in the group drafting decisions. Another representative stressed that, while it would not be possible to contribute to discussions in the drafting group, it would be possible to speak with drafting group participants outside the rooms.

62. A representative of the secretariat noted that the Global Civil Society Forum statement to the Governing Council had been circulated to Governments well in advance of the twenty-third session. It was not necessary, therefore, to read the statement in full to the session. One representative noted that a civil society representative might be designated to speak during the session on behalf of the Forum to elaborate on selected points contained within the statement.

63. It was agreed that a meeting would be held at 9 a.m. every day during the session at the African Centre for Technology Support (ACTS) to decide which representatives would occupy the seats. A "certificate of appreciation" would be awarded during a plenary session of the Governing Council to a national delegation that had included civil society representatives in its official delegation.

64. A representative of an indigenous people's organization from Alaska made a statement on behalf of indigenous people as contained in annex V to the present report.

VIII. Aftermath of the Indian Ocean earthquake tsunami

A. Presentation

65. The session gathered participants of the Global Civil Society Forum and of the Intergovernmental Consultation on the fourth Global Environment Outlook report (GEO-4). An overview was presented of the work of UNEP in the aftermath of the Indian Ocean earthquake tsunami.

66. The Chair opened the discussion by expressing both the sorrow of all participants and their solidarity with the tsunami-affected countries and the representatives of non-governmental organizations from those countries present at the meeting.

67. Several presentations were made by participants from non-governmental organizations from the most affected countries (India, Indonesia, Maldives, Sri Lanka and Thailand), providing their

experiences and views on the tsunami's effects and the immediate, medium and long-term strategies, interventions and resources required in its aftermath. Emerging environmental issues identified by many of the participants on the immediate effects of the tsunami were those of waste management and sanitation, access to safe drinking water, environmental rehabilitation (groundwater, coastal erosion, coral reefs, sea grass beds, and mangroves), settlements and rehabilitation of agricultural land.

68. Progress reports on UNEP activities in the aftermath of the tsunami were made by the Chairman of the UNEP Asian Tsunami Disaster Task Force, representatives of IUCN and the World Wide Fund for Nature (WWF), the latter two being members of the UNEP Asian Tsunami Disaster Task Force. Other presentations were also made by representatives of the Inter-Agency Secretariat of the United Nations International Strategy for Disaster Reduction (ISDR) on United Nations activities on disaster reduction in Africa, and the Caribbean Policy Development Centre, on the experiences of small island developing States. The coordinator of the Non-Governmental Liaison Service also gave a presentation on the implications of the tsunami for the relationship between the United Nations and non-governmental organizations at the global and at national levels. Providing a summary of the many immediate, medium and longer term assessments was the Director of the UNEP Regional Office for Asia and the Pacific.

B. Discussion

69. In the discussion that followed the presentations, one representative said that while women and children had been affected greatly by the tsunami, no mention had been made of the gender perspective in rehabilitation planning, and she believed that it should be kept in mind. Several participants raised the question of timber products required for reconstruction in Aceh, Indonesia, and asked which markets would be tapped for those supplies. A representative from Indonesia replied that timber supplies from any part of the world would be acceptable, as in any case, the supplies would not all be needed at once. A representative from Sri Lanka clarified, in response to another query, that his non-governmental organization had complete access to the whole country, including that part occupied by the rebel Tamil group. A representative of a Caribbean country detailed the damage caused to his country by hurricane Ivan, which highlighted the possible impact of natural disasters, which in turn showed the need to build resilience in the environments of small island developing States. Another representative deplored the lack of warning of the tsunami, despite modern communications and the existence worldwide of seismic observing stations; he added that thousands of lives could have been saved by early warning, and he stressed the need to strengthen early warning systems worldwide. One representative said that she wished to pass on a message from the World Social Forum, to the effect that non-governmental organizations should raise awareness at the grassroots level regarding the vulnerability of the environment to ecological disasters, especially when natural barriers such as mangroves were vanishing.

70. Representatives also highlighted the need for technical innovation to enable adaptation of management tools to protecting the environment and human beings; the need to deal with evacuation homelessness; the urgent need for action and implementation of existing goals, plans, and activities; and for cooperation of all stakeholders in that regard; the need for a multi-hazard response system; the need for strengthened building structures in coastline areas; the need for more attention to sanitation as a priority in relief and aid programmes; and the need for more emphasis on liability, given the increase in extreme weather patterns brought about by climate change.

71. A representative of the secretariat emphasized that the international community had recognized the central role played by the United Nations in post-tsunami efforts. UNEP was working on damage assessment and means for sustainable reconstruction, a report on which would be available shortly. The inter-agency task force, based in Geneva, was working with local and international non-governmental organizations. UNEP aimed to expand the geographic scope of the task force and to include all sources of disasters.

72. One representative from Africa requested that due attention be given to the multiple disasters occurring in that continent, such as the situation of internally displaced persons camps in northern Uganda and the resultant environmental disasters.

73. A representative of the Deep Sea Conservation Coalition reminded participants of the opportunities offered by World Environment Day, celebrated each year on 5 June, the day on which UNEP was born in 1972. While the theme of World Environment Day for 2005 was "Green Cities", in 2004 it had been "Oceans: Dead or Alive". On that occasion, UNEP had emphasized the urgent need to conserve cold water corals and sea mounts from destructive fishing practices, in particular, high seas bottom trawling. He explained that the Deep Sea Conservation Coalition, with a membership of over 40 non-governmental organization from all over the world, campaigned for a moratorium on high seas

bottom trawling, a major threat to marine biodiversity, as proposed by several countries at the United Nations General Assembly. He appealed to participants to join the Coalition and to urge their environment ministers to seek government support for the moratorium at the sixtieth session of the United Nations General Assembly, to be held later in 2005.

74. A statement on behalf of representatives of civil society organizations from Tsunami-affected countries is contained in annex IV to the present report.

IX. Closing ceremony

75. The rapporteur presented an outline of the report of the sixth Global Civil Society Forum, which would include as annexes the Global Civil Society Forum statement, the reports of the three working groups, a statement by participants from Tsunami-affected countries on the recent Tsunami earthquake disaster and a statement on behalf of indigenous people.

76. The rapporteurs of the working groups presented the final reports of the working groups on the UNEP budget and programme of work, on chemicals and on international environmental governance. The forum adopted those reports as contained in annex III to the present report. In addition, the forum adopted the statement on mercury submitted by non-governmental organizations as contained in annex VI to the present report.

77. Following the customary exchange of courtesies, the meeting rose at 6.30 p.m.

Annex I

Sixth global civil society statement¹ to the Governing Council/Global Ministerial Environment Forum at its twenty-third session, 20 February 2005

I Background

1. Historically, UNEP was among the first United Nations entities to allow the non-governmental organization community to participate in its many proceedings. Non-governmental organizations were present at the very making of UNEP at the United Nations Conference on Environment and Development, held in Stockholm in 1972. Non-governmental organizations are and will always be important to UNEP. In the suggested programme of work for UNEP for the period 2006–2007, there are almost 70 references to non-governmental organizations and civil society in the implementation of the programme.
2. The fact that non-governmental organizations and other representatives of civil society may still be barred from some key processes and proceedings of the Governing Council is neither in tune with the historical legacy of UNEP nor with global calls for better transparency and good governance. In responding to the recent Cardoso report on civil society², United Nations Secretary-General Kofi Annan made it a priority for the United Nations to be inclusive in its relations with civil society.
3. Stressing the importance of civil society at the implementation level, Governing Council decision SS.VII/5 of 15 February 2002 emphasized that the UNEP civil society strategy should "provide clear direction to the secretariat to ensure that all programmes take into account opportunities for multi-stakeholder participation in design, implementation, monitoring of activities, and dissemination of outputs".
4. Civil society is pleased to respond to this mandate with the present statement.

II. Programme of work

5. Civil society organizations welcome the opportunity to review and comment on the UNEP proposed biennial programme of work and support budget. Consideration should be given to whether and how a more user-friendly overview might make the draft programme of work more accessible and easily understood. In addition, participation in civil society meetings could be enhanced by providing more advanced notice prior to meetings and by providing civil society participants with all relevant materials at the same time as Governments.
6. The effectiveness of the UNEP programme of work would be increased by addressing the following omissions and gaps:
 - (a) The programme of work needs to take greater account of, and establish clear linkages to, relevant existing processes such as the five-year review of the Millennium Declaration; the thematic clusters of energy, air pollution and transportation of the fourteenth and fifteenth sessions of the Commission on Sustainable Development; the Johannesburg Plan of Implementation objective of halting and reversing biodiversity loss by 2010; the ten-year framework of programmes in support of regional and national initiatives to accelerate the shift to sustainable consumption and production (the Marrakesh Process); and the United Nations Decade of Education for Sustainable Development 2005–2014;

¹ This statement builds on six regional statements developed during broad consultative meetings facilitated by UNEP during November and December 2004. All six regional statements are annexed to this global statement. This global statement has been drafted in the recognition that business and industry and youth groups have their own processes in place.

² Fifty-eighth session, Agenda Item 59 "Strengthening of the United Nations System" (A/57/387 and Corr.1). The report is entitled: "We, the peoples: civil society, the United Nations and global governance. Report of the Panel of Eminent Persons on United Nations-Civil Society Relations," and is also known as the Cardoso report in honour of the Chair of the Panel Mr. Cardoso.

- (b) UNEP should continue its research and impact assessments and increase its efforts to raise public awareness on the effects that armed conflicts and militarization may have on the environment and sustainable development at the local, national, regional, and international levels;
- (c) Governments should support the further implementation of the Development and Periodic Review of Environmental Law for the First Decade of the 21st Century (Montevideo Programme III) and should continue the overall process in Montevideo IV;
- (d) UNEP, Governments, and relevant civil society organizations should support and expand national and regional training programmes on environmental law, including those that focus on environmental training for judges and legislators, among others;
- (e) UNEP should consistently promote and address at all levels the need to significantly raise the status of environment ministries at national levels;
- (f) We acknowledge and welcome the UNEP initiative on organizing the First Global Women's Assembly on Environment: Women as the Voice for the Environment (WAVE). We underscore the outcomes of the assembly and expect that UNEP and its partners as well as national Governments and different stakeholders will play proactive roles and take concrete steps to implement the outcomes of the assembly and move the WAVE process forward;
- (g) The programme of work should emphasize the relationship between environment, sustainable development and cross-sectoral issues such as poverty, food security, sustainable livelihoods, globalization, gender, health, education, and unsustainable consumption and production patterns;
- (h) Special attention should also be paid to the particular sensitivities of regions, with a view to recognizing the value of their cultural, linguistic, and religious diversities and how they contribute to environmental protection and sustainable development.

III. Budget and funding

7. Global military expenditures in 2004 reached nearly \$900 billion.³ At the same time, humanity is consuming 20 per cent more natural resources than the Earth can produce.⁴ If only Governments would set aside a fraction of their military expenditures as called for in paragraph 16, chapter 33 of Agenda 21, there would be ample financial resources to solve many of the most pressing environmental and sustainability challenges that we face:

- (a) The UNEP budget of \$239 million for 2006–2007 is simply too low, in the light of the broadening mandate of UNEP, to meet the needs of dealing with the increasingly complex and growing list of global environmental challenges;
- (b) Civil society urges Governments to re-commit themselves at the twenty-third session of the Governing Council/Global Ministerial Environment Forum to cooperate at all relevant levels in support of the UNEP mission, and urges donor Governments to provide the necessary financial and technical resources that such cooperation will entail;
- (c) The voluntary indicative scale of contributions that UNEP has piloted may be a helpful initial step in dealing with the perennial budget shortfalls of UNEP. UNEP should publicly distribute its analyses of successes and shortcomings of the voluntary indicative scale of contributions so that it can be meaningfully evaluated by all stakeholders;
- (d) UNEP should explore new and additional sources of funding. These may include partnerships with the corporate sector. To the extent that UNEP may accept corporate financing, it must do so only in a fully transparent manner and under clear policies that avoid conflicts of interest and encourage corporate accountability;
- (e) We call for the establishment of grants within the UNEP budget or line budget allocation for programmes to be implemented by civil society.

³ Based on estimates from the Swedish International Peace Research Institute (SIPRI), the World Game Institute, and the Global Policy Forum report on the United Nations financial crisis. The exact figure cited as global military spending from January 2004 to November 2004 is \$855,321,541,643.

⁴ World Wide Fund for Nature, Living Planet Report 2004.

IV. International environmental governance

8. Civil society discussed the complexity of the international environmental governance process and clearly favoured strengthening UNEP in Nairobi as the lead United Nations agency responsible for all environmental programmes and activities within the United Nations system. The achievement of progressive decisions on environmental and sustainable development issues sometimes requires more political will than is available to all Governments. Governments must, therefore, be willing to resort to majority voting when consensus cannot be reached on important issues. In addition:

(a) Any reforms to the present environmental governance structure should enhance coordination and coherence and must not increase fragmentation or duplication;

(b) The design of environmental policy requires clear links to sustainable development, particularly in the context of sustainable livelihoods;

(c) Better cooperation and coordination should be established between different United Nations agencies, programmes, and multilateral environmental agreements;

(d) WTO rulings and processes must be compatible with sustainable development;

(e) WTO should never be allowed to have the final say in matters relating to perceived conflicts between trade and the environment;

(f) Civil society organizations urge UNEP to consistently promote and fully operationalize the implementation of principle 10 of the Rio Declaration at all levels in order to ensure public participation, access to information, and access to justice in environmental matters;

(g) There is a need to foster stronger synergistic relationships between UNEP and its regional offices as well as other United Nations agencies and programmes such as the United Nations Development Programme (UNDP), the Commission on Sustainable Development and others. Particular attention should be paid to linking UNEP work to important international initiatives and processes, such as the implementation of the Millennium Development Goals, poverty reduction strategy papers, the United Nations Decade of Education for Sustainable Development, the New Partnership for Africa's Development (NEPAD), the Environmental Strategy for Eastern Europe Caucasus and Central Asia, the European Union Water Initiative and others;

(h) We call for the strengthening of UNEP scientific capacity for policy discussion, particularly in the programme of early warning and assessment and in assessing the impact of war and conflict on the environment;

(i) The international environmental governance reform process must not distract UNEP and civil society organizations' energy from their primary tasks of dealing with environment and sustainable development issues at the grassroots and community levels.

V. Bali Strategic Plan for Technology Support and Capacity-building

9. Civil society is pleased to have been a part of developing the Bali Strategic Plan for Technology Support and Capacity-building framework from the beginning and we wish to endorse the statement made by civil society representatives in Nairobi on the 22 June 2004.⁵ In addition, we reiterate the following:

(a) The Bali Strategic Plan should, where possible, build on existing initiatives;

(b) Civil society must be regarded both as recipient and potential provider of capacity-building;

(c) Experience and knowledge from civil society should be used at all levels;

(d) Capacity-building initiatives should be demand-driven and based on the needs and requests of developing countries;

⁵ NGO Statement on Intergovernmental Strategic Plan for Technology Support and Capacity Building, 22 June 2004.

(e) UNEP should explore new models to access existing and emerging technologies that are protected by intellectual property rights to ensure that they are sustainable, environmentally friendly, and do not adversely impact the environment, human health, or cultural diversity. Civil society should be actively and adequately involved in this process;

(f) The Bali Strategic Plan should recognize and protect traditional knowledge as a source of sustainable practices outside the WTO Trade-related Aspects of Intellectual Property Rights (TRIPS) agreement system.

VI. Civil society and UNEP

10. We welcome the timely publication of the UNEP publication “Natural Allies” and hope that it will contribute to invigorating the strategy for engagement between UNEP and civil society. “Natural Allies” describes the mechanisms, instruments, and decisions of Governments and various structures within UNEP in a manner that would allow for effective engagement. In addition:

(a) We recognize the underlying value of principle 10 of Agenda 21, the recommendations contained in the Cardoso report, and the Johannesburg Plan of Implementation, which could provide a framework for enhancing the relationship between civil society and intergovernmental organizations;

(b) Governing Council decision SS.VII/5 of 15 February 2002 forms the basis for civil society participation in the design, implementation and monitoring of activities and dissemination of UNEP outputs. We call on our Governments and intergovernmental bodies, therefore, to include civil society in the early stage of conceptualization, planning, design, and implementation of the UNEP programme of work;

(c) UNEP and accredited civil society organizations should increase awareness of the UNEP accreditation process in order to increase and strengthen civil society organization participation. Furthermore, we urge Governments to amend rule 69 of the Rules of Procedure of the Governing Council to allow broader participation of civil society, including national civil society organizations, in UNEP work, including at regional offices;

(d) We call for the formalizing of the right of civil society to participate and make statements at the Governing Council/Global Ministerial Environment Forum, and we encourage Governments to include civil society representatives on national delegations;

(e) We call for the organization of special dialogue sessions between Governments and civil society in the agendas of the Council/Forum, starting with the round table discussion on the implementation of the Millennium Development Goals and youth participation at the twenty-third session of the Council/Forum in 2005, as proposed by TUNZA.

VII. Areas for enhanced collaboration between civil society and UNEP

11. In the light of the requests and recommendations above, civil society organizations call for:

(a) The design and implementation of a comprehensive public awareness programme that increases collaboration with media; is sensitive to religions and cultural, indigenous, and national traditions; and is implemented on an ongoing basis at local, national, regional, and international levels;

(b) The joint launching of *Global Environment Outlook* (GEO) reports, starting with *GEO 4* in 2007;

(c) The development and co-distribution of educational materials, the simplification of key UNEP publications, and their translation into local languages;

(d) The establishment of a central database on environmental information, indicators, and programmes;

(e) Participation in the implementation of the programme of work through the sub-contracting of relevant activities to civil society organizations.

VIII. Conclusion

12. Civil society stands ready to work closely with UNEP and all Governments in facing the complex challenges posed to sustainability on this planet. Civil society takes this opportunity to remind Governments, especially those in developed countries, not to renege on their promises related to goal 8 of the Millennium Declaration, especially as they relate to trade, aid, debt, and commodities. We call upon Governments to meet all the commitments they have made in order to ensure a better, safer world for us and for future generations.

Annex II

Agenda for the sixth Global Civil Society Forum

Friday, February 18: Registration and Opening Ceremony

18:00-19:00 **Pre-Registration at ACTS**

19:00-20:30 **Reception**

Welcoming Remarks

- **Mr. Klaus Töpfer, Executive Director, UNEP**
- Mr. Davinder Lamba, Chair of the *ad hoc* African Civil Society Host Committee, Mazingira Institute, Nairobi
- Ms. Aseghedech Ghirmazion, Director, Heinrich Böll Foundation, Regional Office, Horn of Africa

Presentation and distribution of the kit for participants

Cocktail dinner hosted by the Heinrich Boell Foundation

NB: Registration of all GCSF participants will be on Saturday, 19 February from 7.30 am –9am at the main gate of the UN compound. Please be there as early as possible.

Saturday, February 19: Opening statements

UNEP's work programme and the draft Governing Council decisions

9:00-10:45 **Agenda item 1 - Opening statements**

- Mr. Klaus Töpfer, Executive Director, UNEP
- Business representative
- Non-governmental organization representative
- Trade unions representative
- Women representative
- Youth representative

10:45-11:15 Coffee break

11:15-12:15 **Agenda item 2 - Organization of the Global Civil Society Forum**

Election of chairperson and rapporteur

Presentation and adoption of agenda

12:15-13:00 **Agenda item 3 - The draft Governing Council decisions: What is at stake? (Session1)**

Progress report from the 5th to the 6th GCSF (6 Regional fora, the African Civil Society Host Committee, Global drafting meeting); the draft decisions to be negotiated at the GC23; and arrangements for civil society during the GC23:

- Mr. Olivier Deleuze, Chief, Major Groups and Stakeholders Branch

Question and answer session

Comments on key draft decisions:

- Mr. Jan Gustav Strandenaes, senior officer, ANPED, The Netherlands
- Ms. Elenita Dano, Third World Network

Question and answer session

13:00-14:00 Lunch break

14:00-15:00 **Agenda item 3 - The draft Governing Council decisions: What is at stake? (Session 1 continued)**

Discussion in 3 working groups on the draft decisions, exchanges of views

15:00-15:30 Coffee break

15:30-16:30 **Agenda item 3 - The draft Governing Council decisions: What is at stake? (Session 2)**

Report from the 3 working groups, including elaboration a strategy to lobby the governments

16:30-17:16 **Agenda item 4 - The UNEP programme of work**

A civil society perspective

- Mr. Remi Parmentier, the Varda Group

Discussion on the civil society response to UNEP programme of work

17:15-18:00 **Agenda item 5 - UNEP National committees**

- Ms. Victoria Elias, Chairperson, European ECO-Forum

Question and answer session on the challenges and opportunities to establish UNEP National Committees

18:00-20:30 **Cocktail dinner hosted by UNEP (Fountain Area)**

Welcoming Remarks

- Mr. Bakary Kante, Director, Division of Policy Development and Law, UNEP

Sunday, February 20: UNEP and civil society – Millennium Development Goals and Aftermath of the Indian Ocean Earthquake Tsunami

09:00-10:45 **Agenda item 6 - The global challenge : the Millennium Development Goals**

Presentation of UNEP's work on the MDG 1, 3 and 7 (Poverty, Gender and environmental sustainability):

- Mr. Bakary Kante, Director, Division of Policy Development and Law, UNEP
Presentation of WAVE manifesto and recommendations (MDG 3):

- Mr. Irene Dankelman, WEDO

Presentation of the MDG 1, 3 and 7, the African perspective

- Mr. Paul Bayili, Coordinator, Réseau des ONG et Associations de Protection de l'Environnement et de lutte contre la Pauvreté, Burkina Faso

Framework of interaction between UN and civil society, including the MDG+5 review

- Mr. Tony Hill, Coordinator, Non-Governmental Liaison Service

Discussion on the role of civil society in the review of the MDGs+5

10:45-11:15 Coffee break

Agenda item 7 - Civil society engagement in the twenty third session of the Governing Council/ Global Ministerial Environment Forum (GC23/GMEF)

11:15-11:45 **Session 1 - Business perspective on UNEP priorities**

Business statement and participation in civil society discussion at UNEP

- Business and industry representative

Question and answer session

11:45-12:15 **Session 2 - Youth perspective on UNEP priorities**

Youth statement and participation in civil society discussion at UNEP

- Youth representative elected during the Youth retreat

Question and answer session

12:15-12:45 **Session 3 - Civil society engagement in the Governing Council/ Global Ministerial Environment Forum**

Presentation of the award to governments that have included civil society representatives in their delegation

Organization of the civil society engagement during the GC/GMEF

12:45-14:00 Lunch break

14:00-15:45 **Agenda item 8 - The aftermath of the Indian Ocean Earthquake Tsunami**

Conference room 1, with participants of the Global Environment Outlook meeting (GEO4)

Role of UNEP and the international environmental organizations working with civil society

- Mr. Surendra Shrestha, Director, UNEP regional office for Asia-Pacific
- Mr. Pasi Rinne, Chairman, UNEP Asian Tsunami Disaster Task Force
- NGO members from affected countries
- Ms. Sue Mainka, Senior Programme Coordinator, IUCN, member of UNEP Task Force
- WWF, member of UNEP Task Force
- Mr. Feng Min Kan, Senior Regional Coordinator Africa, Inter-Agency Secretariat of the International Strategy for Disaster Reduction (UN/ISDR)

Emerging international relations around the Indian Ocean Earthquake Tsunami

- Mr. Tony Hill, Coordinator, Non-Governmental Liaison Service

Question and answer session

15:45-16:15 Coffee break

16:15-17:45 **Agenda item 8 - The aftermath of the Indian Ocean Earthquake Tsunami (continued)**

Elements for civil society participation and means to build synergies between UNEP and civil society
Plenary discussion

17:45-18:15 **Agenda item 9 - Closing ceremony**

Closing remarks by the Chairman of the African civil society host committee

Closing remarks by Bakary Kante

Annex III

Reports of the three working groups

I. Report of the chemicals working group at the sixth Global Civil Society Forum

A. Agenda

Document dated 18 February 2005

1. Point 2 on chemicals management (a) SAICM; (b) Lead in gasoline; (c) Mercury programme; and
2. Point 4 on small island developing States.

B. Discussion

1. The group was composed of participants from ten non-governmental organizations, one trade union, one indigenous people's organization and two private businesses (industry).

Agenda item 2:

2. There was no expertise in the group to cover this item. There were no comments.

Agenda item 1 (a) and (b):

3. There was no objection to the document presented to Governments but once more there was no specific expertise in the group for a more in-depth discussion on the two items. There was a suggestion from the non-governmental organizations to possibly include a point on mercury work under the strategic approach to international chemicals management (SAICM) but no more details were discussed.

Agenda item 1c:

4. There were three relevant documents, first the proposal to Governments, pages 10–13 of 18 February 2005, second, a submission by the Government of Switzerland, third, a proposed resolution on mercury submitted by the Natural Resources Defence Council (NRDC), the European Environmental Bureau (EEB), Greenpeace the Ban Mercury Working Group.
5. Document 2 was considered in the proposals that were included in document 1, so it was not discussed separately. Document 3 was presented by EEB and clarifications were given on the different proposals. The main point was that a parallel track was proposed to implement concrete actions on several issues regarding mercury such as reduction of consumption, phase-out of mercury in products, and at the same time, work to start on a legally binding treaty.
6. All participants from non-governmental organizations, indigenous people's organizations and trade unions supported the non-governmental organizations' resolution on mercury. Industry did not support the document fully.
7. A trade union representative underlined that a legally binding instrument was required to set the framework for action and to assist workers and communities since this would empower workers to say "no" if they were requested to work under dangerous conditions. In addition, it was noted that when phase-out of use of mercury was being suggested, technological alternatives should be considered to address potential employment implications.
8. Regarding the need for a global legally binding instrument on mercury, a representative of industry was concerned that such an instrument would require time, financial and human resources and that priority should be given to existing multilateral environmental agreements rather than to a new one.

9. On the document proposed to Governments, there was common agreement on the language on the first points of the document as well as point 12 referring to capacity-building. There was also agreement between industry and non-governmental organizations that immediate actions should be taken, including voluntary agreements. There were concerns, however, from industry on some of the concrete actions proposed by non-governmental organizations, but the group did not enter into detailed discussion on potential different actions.

10. A discussion took place on the partnerships proposed in the document dated 18 February 2005. There too, common ground was reached between industry and non-governmental organizations that the partnerships by themselves could not really deliver what was required. They also agreed that the language in the text was quite unclear as to how they would work and the expected outcomes. If included, partnerships should be more concrete.

C. Conclusion on mercury

11. Participants from non-governmental organizations, indigenous peoples' organizations, trade unions and industry agreed that concrete actions should be taken and that if partnerships were proposed, they should not be on a stand alone proposal, and they should become more concrete as to how and what they would deliver.

12. Participants from non-governmental organizations, indigenous peoples' organizations and trade unions supported the resolution submitted by the Natural Resources Defense Council (NRDC), European Environmental Bureau (EEB), Greenpeace and the Ban Mercury Working group. Industry did not agree on starting work towards a global legally binding instrument on mercury.

13. Some general points were raised as follows:

(a) Existing conventions need to be enforced and implemented and ways should be found to put pressure on Governments to introduce national legislation corresponding to international conventions;

(b) Questions addressed to the meeting: whether new text could be added to the already drafted text. (the answer was that new paragraphs could be added without changing the already agreed text).

Elena Lymberidi
EEB, Rapporteur of the working group on chemicals at the sixth Global Civil Society Forum.

II. Report of the working group on international environmental governance at the sixth Global Civil Society Forum

1. Civil society groups that met at the sixth Global Civil Society Forum on 19 February 2005 to discuss the implementation of decision SS.VII/1 of 15 February 2002 on international environmental governance made the following recommendations regarding the decision to be submitted to the twenty-third session of the Governing Council/Global Ministerial Environment Forum.

2. The text as presented to civil society on 19 February contained a number of brackets that seemed to weaken the purpose, policies and work programme of UNEP.

3. While expressing support for the initial four paragraphs, participants from civil society raised concerns regarding the brackets surrounding the fifth paragraph in the text and the grave consequences that many of the following brackets might have, including weakening the text, if they were maintained.

4. Several speakers made interventions that focused on the importance of international environmental governance. In summary, the following reasons for the need for a strong international environmental governance system were highlighted:

(a) To enhance environmental protection through the sustainable use of resources; mainstream environmental considerations into economic and social decision-making at all levels and secure the effective implementation of multilateral environmental agreements;

(b) To meet the challenges of the twenty-first century, including globalization and the broadening role, mandate and power of WTO as well as to monitor those challenges;

(c) To contribute towards the realization of all the Millennium Development Goals, especially goal 1 on reducing poverty and hunger and goal 7 on environmental sustainability; and

(d) To ensure effective accountable environmental governance to help strengthen democracy and human rights, promote economic prosperity and social cohesion, and thereby deepen confidence in Government and global institutions.

5. Representatives of civil society expressed a common need to strengthen the process revolving around the environment and sustainable development agendas. In this context, civil society reiterated the following:

(a) There is a need both in a general context and in several particular areas to strengthen UNEP;

(b) Science-based research as well as the development of science-based information should be strengthened, while acknowledging and respecting the value of traditional knowledge systems;

(c) UNEP should be given a stronger role in inter-agency cooperation on environmental affairs, in integrating environmental policies, practices and norms, and in coordinating multilateral environmental agreements, in particular in the light of WTO agreements as well as increased resources to fulfil those tasks;

(d) The environment watch network and the intergovernmental panel on global environmental change should be developed with fully integrated participation of the civil society organization community;

(e) Funding to UNEP should be adequate, stable and predictable based on the programme of work;

(f) With an aim to further strengthen civil society cooperation with UNEP and strengthening the role of UNEP at national level, UNEP should continue to explore the development and functional utility of national committees;

(g) Universal membership: Whereas the large majority of speakers favoured such an idea, there were those who felt that the consensus-based principle with rotating membership had worked well since UNEP had started in 1972, and thus preferred the organization to proceed with that system;

(h) Financing UNEP: A strong majority of those who spoke favoured a system of mandatory contributions. Some civil society participants spoke strongly against corporate sponsorship of UNEP. Others felt, however, that corporate funding in the context of private and public partnerships could be conducive to promoting the environment agenda as long as those partnerships were transparent, participatory and accountable;

(i) As the precautionary principle combines political and scientific concerns in a unique way, none of the above bullet points nor any of the proposed text before the Governing Council should be used to undermine this principle. Where paradoxes might exist, they need to be solved in a sensible manner. A consensus feeling among the participants was the need to develop coherence in this context;

(j) In conclusion, all of the speakers emphasized and stressed the importance of good governance at all levels in order to successfully promote environmental sustainability.

6. In general, civil society representatives also reiterated that to strengthen the work on international environmental governance within UNEP:

(a) Civil society should be recognized as a source of experience and knowledge regarding the development and implementation of local, national, regional and global strategies for sustainable development;

(b) There is a need to continue mainstreaming gender into UNEP activities, policies and structures; At the same time, equal access to capacity-building and technology support should be provided for both men and women, as gender equality is both an aim and a precondition for sustainable development;

(c) The strategic plan should respond to the regional dimensions emphasized in the Johannesburg Plan of Implementation.

7. This approach could be based on the following modalities:

(a) Support for the implementation of global and regional conventions and other legal instruments and international agreements;

(b) Training and enhancement of existing centres of excellence;

(c) Strengthened research and development in the area of technology support and capacity-building;

(d) Promotion of South-South cooperation and skill sharing;

(e) Exchanges of best practices and lessons learned, including from civil society experiences;

(f) Development of mutually viable partnerships amongst other stakeholders;

(g) Adequate information for decision-making as well as access thereto.

8. The Millennium Declaration and its operational system as expressed through the eight Millennium Development Goals, their targets and indicators, were created to serve “we, the peoples” of the United Nations. Civil society has become a central partner of the United Nations and its various member nations to implement these goals. To be excluded from genuine participation at the first five-year review of these goals makes a travesty of the principles of good governance, i.e. among other things, transparency, participation and accountability. The sixth Global Civil Society Forum at the twenty-third session of the Council/Forum sends a strong message, therefore, to United Nations Member States to allow full access of civil society to the five-year review of the Millennium Development Goals.

III. Report of the working group on the UNEP programme of work and budget

1. The Group appreciates the serious efforts and commitment of UNEP to involve civil society in reviewing and commenting on its biennial programme of work and budget. It is hoped that this practice will be institutionalized at UNEP, taking into account the following areas for improvement:

(a) A complete copy of the programme of work, budget and relevant documents should be provided to civil society in advance, at the same time that these documents are circulated to Governments, to ensure adequate time for review, consultation and comments;

(b) The programme of work, budget and relevant documents should be made accessible and available in a language that is easily understood (“de-jargonized”) by civil society, to ensure timely, serious and useful comments and suggestions.

2. For our part, civil society should use existing networks and organizations that are interested in and have the competence to review the UNEP programme of work and budget and will have access to the relevant documents and adequate time to review them, comment and share information with others.

3. The Group shares the observation that the current biennial budget of UNEP is “hopelessly inadequate”. The basic mission of UNEP to save the planet demands that it be provided with adequate, stable and predictable funding. New, innovative ideas on fund generation for UNEP should be explored, including funding from the private sector provided that such funding adheres to the principles of participation, transparency and accountability. The Group supports the suggestion that UNEP and interested civil society organizations should brainstorm jointly on ideas for innovative fund raising.

4. The Group noted that while UNEP repeatedly underscores the importance of civil society involvement in its programmes and activities, the financial and logistical support for such participation is not clearly reflected in the programme of work and budget of UNEP. Support for civil society participation in UNEP activities should be made explicit in these basic documents. Additionally, the Group recommends that the UNEP programme of work must:

(a) Clearly reflect cross-cutting issues, such as poverty alleviation, sustainable livelihood, food security, health, etc.;

(b) Clarify the relationships and synergy in the inter-departmental concerns within UNEP to avoid overlaps and duplication; and

(c) Visibly include gender as a cross-cutting issue.

5. With regards to the bracketed texts in the draft Governing Council decisions related to the programme of work and budget, the Group recommends:

(a) Giving sufficient flexibility to the Executive Director of the UNEP to reallocate resources between budget lines up to a maximum of 20 per cent, but strictly adhering to the principles of participation, transparency and accountability;

(b) Setting the expected income to the Environment Fund at a realistic level in view of the current level of financial contributions from Governments and the delivery of Government contributions;

(c) Setting the level of financial reserve at a realistic level in view of the current and prospective financial sources;

(d) Increased budget allocation should be complemented by serious efforts within UNEP for streamlining and prioritization of programmes.

Annex IV

Statement from civil society organizations from Tsunami-affected Asian countries to the UNEP Governing Council//Global Ministerial Environment Forum at its twenty-third session⁶

We, the civil society organizations attending the sixth Global Civil Society Forum, representing India, Indonesia, Sri Lanka, Thailand and the Caribbean, would like to draw the attention of the members of the UNEP Governing Council/Global Ministerial Environment Forum to the following recommendations, based on our deliberations during 19 and 20 February 2005:

1. We appreciate the resilience and courage with which our people and Governments have faced the disaster and the challenge of massive efforts required for relief and rehabilitation. We applaud the outpouring of spirit and generosity with which the international community and Governments have responded to the needs of those affected by this disaster;
2. As people and Governments continue to work hard to meet important short-term needs for the relief, recovery and rehabilitation response to the Tsunami disaster, we implore Governments and the international community to take the occasion to think about and explore strategic, long-term and sustainable ways and means of dealing with such natural disasters;
3. Given the close linkage between disasters, environmental destruction and livelihoods, we request that Governments pay greater attention to the environment and environmental concerns like climate change, desertification, deforestation and pollution that undermine capacities to cope with natural disasters. We commend the Russian Federation for ratifying the Kyoto Protocol, thereby providing hope for reversing trends in global warming;
4. Comprehensive planning is needed for the rehabilitation of people, livelihood restoration, ecological rehabilitation, agricultural rehabilitation, disaster preparedness, mitigation and management. The planning should address the need for strengthening environmental defence systems, enlarging opportunities for sustainable livelihoods, appropriate technology development and dissemination and, improving the productivity, profitability and sustainability of agriculture and fisheries. We recommend holistic responses encompassing economic, social, political and cultural aspects of dealing with the transition from emergency relief to long-term disaster management strategies;
5. Rehabilitation programmes in affected villages and towns should be intensive and area specific. They should undertake people-centered, community-driven, participatory initiatives in the areas of housing, improvement of infrastructure, access to good quality education and health and enhancement of livelihoods. The long-term objectives of the intervention should be towards the sustainable development of the villages — ensuring a better environment, a better quality of life and better livelihoods;
6. Fishing-based livelihoods: Most affected communities are those whose livelihoods are dependent on fishing. Specific focus is needed on understanding how to strengthen these livelihoods and make them more sustainable. From making better fishing nets, to technologies for preservation, to market linkages — all of these concerns should be addressed, with effort to bring in the best technologies, processes and expertise to the communities;
7. Waste management and sanitation: Issues like waste management and sanitation are not often adequately addressed in post-disaster scenarios. Initiatives in these critical areas, including setting up of toilets and sewerage networks, ensuring environmental sanitation and better management of biodegradable and non-biodegradable wastes, should be undertaken;
8. School education: Following the disasters, there has been significant disruption of school education. Not only has physical infrastructure been destroyed, but because of disruption of life, there has been an increase in school drop outs and some of the affected children may never go back to school. Initiatives need to be undertaken for physical reconstruction of schools and improving the quality of school education, through close interaction with school administrations, teachers, students, etc. Mobile schools and exhibitions for schools and the community on understanding tsunamis and preparedness may also be developed;

⁶

Compiled by Dilip Surkar, India. 20 February 2005.

9. Affected countries should undertake regional cooperation on environmental regeneration initiatives, develop joint programmes for addressing the regional environmental issues;
10. Specific suggestions which may be considered:
 - (a) Enhance information base and people's access to the latest technologies on environment friendly boats and boat making, fishing nets, sustainable fishing practices;
 - (b) Encourage local communities to adapt locale specific, women centered appropriate eco-regeneration activities;
 - (c) Have in place long-term strategic planning to minimize the impact of such disasters in the future;
 - (d) Set up national disaster management authorities and allocate reasonable budgets for its prompt coordinated response in such situations;
 - (e) Develop national plans for coastal zone management. Develop guidelines or manual on post disaster mitigation of environmental degradation;
 - (f) Undertake assessment of ecological damage, quantify them and develop restoration and conservation plans;
 - (g) Set up early warning systems and be part of the global disaster warning networks;
 - (h) Develop a cadre of trained professionals in disaster preparedness and develop system for their networking and coordination.
11. Develop and/or implement a strategy to facilitate state and non-state actors to participate in and support regional and subregional forums organized by the regional offices of UNEP to harness synergies and coherence of programme development and implementation of priorities identified by countries;
12. UNEP could provide policy advice, capacity-building and technical support in collaboration with other multilateral stake-holders to strengthen national action for the protection and enhancement of the environment;
13. Strengthen outreach and collaboration with all stakeholders to create greater consistency and strengthen commitments for environmental action at all levels;
14. Promote the implementation of the outcome of the international environmental governance process that enhances delivery of UNEP capacity-building initiatives at country level;
15. Reconstruction efforts should capitalize on natural defence mechanisms, appropriate costal zone planning, rehabilitation of habitats and restoration of sustainable livelihoods. Use of sustainable resources, e.g. timber from sustainable forest management, should be encouraged;
16. Develop a universally accepted policy for coastal zone management, limiting activities that affect adversely coastal ecology, developing green belt and other measures;
17. Develop appropriate mechanisms for maintaining accountability and transparency and management of the resources generated for the relief and rehabilitation;
18. Develop mechanisms for coordination with and amongst the various departments, non-governmental organizations, donors and other agencies involved in disaster response, to avoid duplication and to achieve better efficiency;
19. The coastal areas cleared because of the relocation of affected populations should be rightfully accessible to local fishermen and local communities who are traditionally dependent on coastal resources for their livelihood. These areas should not be opened up for use by the tourism industry or for other commercial purposes;
20. Rehabilitation policies should emphasize the need for greater human capacity-building and an option for more labour absorptive techniques in all rehabilitation and reconstruction efforts;
21. The policy should focus on women specific issues and the need to change some traditional taboos that have discriminated against women, such as the taboo for women to enter the sea resulting in their inability to swim, which limits their ability to respond in a disaster situation;
22. Marine biosphere and coastal ecosystem should be conserved to protect land and people;

23. The proposal regarding building of a wall as a physical barrier along the coast, which is being discussed, should be discouraged. Instead bio-shields, eco-regeneration activities involving women should be encouraged;

24. As long-term strategies for dealing with Tsunamis are being sought, the choice of debt cancellation represents a viable and most strategic way of showing goodwill and appreciation of development challenges posed by developing countries. We commend those Governments that have responded positively to the voice of debt cancellation, and encourage those who have not to take up the gauntlet.

Annex V

Statement on behalf of indigenous peoples: An indigenous rights-based approach within the United Nations mechanism

This statement is made to highlight the importance of indigenous peoples in the present process.

Although the 300 million indigenous people are represented under the auspices of civil society organizations we wish to make it clear that we have sovereign rights as nations to determine our own destiny.

Indigenous peoples are rights holders with inherent, propriety and inalienable rights on the question of environment. In particular, we note the right of self determination and the corresponding right of permanent sovereignty over natural resources: the fundamental premise upon which indigenous peoples have asserted propriety, inherent and inalienable rights over our natural resources.

Our desire to be included in UNEP policy decisions is neither an isolated nor an unprecedented request. In fact, the International Labour Organization (ILO) has a convention on indigenous peoples, distinct from minorities and other vulnerable groups, as contained in convention no.169; the World Intellectual Property Organization (WIPO) is currently in the process of making indigenous peoples very much a part of its discussions on intellectual property rights and protection of traditional knowledge; as is the United Nations Conference on Trade and Development (UNCTAD), in pursuing the means of drafting elements of national sui generis systems for the preservation, protection and promotion of traditional knowledge, innovations, and practices and options for international frameworks.

Additionally, the Food and Agriculture Organization (FAO) has set a course in recent years towards a policy addressing indigenous peoples on land and food security issues considered as our sovereign right to food. The right to food is a human right recognized in many international instruments, including the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights which states in part:

“...In no case may a people be deprived of their own means of subsistence.”

Article 8 (j) of the Convention on Biological Diversity specifically addresses indigenous peoples and specific rights to natural resources, and has established an indigenous working group to gather and prepare issues of concern and makes recommendations to its Parties; the United Nations after countless and voluminous studies, established in 2000 the Permanent Forum on Indigenous Issues which will meet in May 2005 in New York for the fourth year. The forum has been invited by UNEP to attend and participate in the sixth Global Civil Society Forum and the twenty-third session of the Governing Council/Global Ministerial Environment Forum of UNEP and to report the conclusions of those meetings to the forum.

The World Bank has changed its tune toward indigenous peoples over the past ten years and now includes an indigenous peoples selected task force for policy recommendations and to be considered as third parties in providing Government loans where indigenous Peoples reside, founded in 2003. It included direct loans, grants under the World Bank Grants Facility for Indigenous Peoples, which is collaborating on an initiative that supports sustainable and culturally appropriate development projects planned and implemented by and for indigenous peoples. The innovative projects supported by the grants facility build on indigenous culture, identity, property and human rights.

Finally, in this second International Decade of the World's Indigenous People declared in December 2004 by the United Nations, the General Assembly called upon Governments, specialized agencies and intergovernmental organizations to seek ways to include indigenous peoples in a “partnership” and realizing the distinction and contributions of indigenous peoples of the world. The United Nations is currently conducting studies under the guidance of Ms. Erica Daes on the question of “Permanent Sovereignty over Natural Resources” to substantiate claims of inherent rights or pre-existing rights of indigenous peoples long before the coming of colonial Governments.

Mr. Chairman, I could go on as to where indigenous peoples are in relation to the United Nations structure, suffice to say that clearly we are not considered minorities nor a civil society organization but rather distinct from national minorities with our own voice and destiny.

Now with the disastrous effects of chemical contamination and mercury poisoning of our lands, water and traditional subsistence foods we are compelled to be here today to encourage UNEP to help establish a firm base of representation of indigenous peoples to participate in and make recommendations for policy considerations.

Many of our non-governmental organization colleagues present today have never had a relationship with or knowledge of indigenous peoples and cultures; this includes several Government representatives and private industry involved in land and development projects where indigenous peoples live who hardly know of the history of traditional indigenous communities nor of the great strides and achievements produced within the United Nations system. This is a brief lesson of our accomplishments that helps to promote and protect indigenous peoples rights.

Lastly, we strongly urge the inclusion of indigenous peoples within the UNEP and civil society process, beyond mere stakeholder status, in recognition of the fact that indigenous peoples maintain the right of self determination and by virtue of that right we freely determine our political status, and freely pursue our economic, social and cultural development.

We make this recommendation because profound relationships exist between indigenous peoples and our natural environment, which is central to our traditions, customs, and spirituality. Indigenous peoples around the world are in crisis as we witness the devastation caused by unsustainable development projects on our lands, health, ecosystems and livelihoods. We maintain an unbreakable inter-connected relationship with the environment and we are, therefore, at the first point of impact on the question of environmental policy. With that in mind we strongly reiterate the need for inclusion of language recognizing indigenous peoples within UNEP and civil society discussions on the implementation of the programme of work and the Governing Council decision on international environmental governance.

Thank for your attention and to all our relations, peace to your families.

Annex VI

Statement of the sixth Global Civil Society Forum on mercury

Mercury is highly toxic, causing damage to the nervous system and is particularly harmful to the development of unborn children. It collects in human and animal bodies and can be concentrated through the food chain, especially in certain types of fish. Mercury travels long distances through the atmosphere, and has contaminated the global food supplies at levels posing a significant risk to human health. This is clearly recognized by the conclusion of the UNEP Global Mercury Assessment (2003).

With respect to the draft decisions on chemicals management, section on the mercury programme (document dated 18 February 2005), all civil society organizations represented at the sixth Global Civil Society Forum agreed on all preambular points as well as on points 1 and 2, including the need for measures that will reduce or eliminate releases of mercury and its compounds to the environment. They also agreed on the need for technical assistance and capacity-building to support the efforts of countries to take action regarding mercury pollution, including efforts to disseminate important health messages and develop methods for determining human exposure.

Civil society organizations (apart from business and industry) call for the adoption by the Governing Council of the proposed Governing Council decision submitted by non-governmental organizations on mercury, including taking immediate concrete actions to substantially reduce mercury demand and releases, the adoption of meaningful targets, and the development of a new global binding instrument to address mercury.

Annex VII

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