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**United Nations Environment Programme's
access-to-information policy**

Report of the Executive Director

Summary

This report provides updates on the establishment of the United Nations Environment Programme's access-to-information policy as envisaged in paragraph 17 of Governing Council decision 27/2 of 22 February 2013.

* UNEP/EA.1/1.

1. Given its mandate, it is critically important for UNEP to disseminate or make accessible the information concerning the work of UNEP or information generated through its programme as widely as possible, so that such information, when shared among the targeted community or the public in general, can become a catalyst for achieving the objectives of UNEP.
2. Bearing this in mind, UNEP, since its inception, has been actively publishing and disseminating a wide range of publications and reports, such as report on its own activities, state-of-the environment reports, specific scientific assessment reports and relevant data, as well as technical or training materials. Also, official documents prepared for and emanating from meetings of its governing body, and those of the processes established by the governing body (such as an intergovernmental negotiating committee to prepare a global environmental convention) have been made available to the relevant actors involved in the processes and also to the public. Furthermore, various offices of the UNEP secretariat, in particular through officials responsible for specific programme areas, have continuously provided information and advice in response to specific requests from government officials, officials from other organizations and individuals, including technical experts and researchers.
3. Until the 1990s, the distribution of reports, publications and official documents had been mainly done in the form disseminating printed hard copies. However, significant progress in information technology in particular over the past decade has made it possible to disseminate the information faster to a broader audience in a more cost effective manner through electronic means. For prospective users of information, accessibility to the relevant information has been increased dramatically, especially through the recent developments in internet access around the world. Hence opportunities to share relevant information as the source of knowledge and guidance for informed decisions are increasing.
4. In general, in addition to programmatic dissemination of information pursuant to its mandate, UNEP has made the relevant information accessible by the public, which ensures transparency, accountability and openness of the governance of UNEP and management of its operations while fulfilling its responsibilities. In particular, in the context of enhancing the engagement of stakeholders in UNEP, relevant information will be made available to stakeholders and the public in general, and the principles and procedures governing the access to information at UNEP which has been observed in practice needs to be clearly spelled out in writing.
5. In that regard, the Governing Council in paragraph 17 of its decision 27/2, decided to enhance transparency and openness in its work and in this regard requested the Executive

Director to establish a written access-to-information policy.

6. It is noted that there are examples of similar policies developed by certain organizations, including the following:

- (a) UNDP Information Disclosure Policy;
- (b) UNICEF Information Disclosure Policy;
- (c) UNHCR Archives Access Policy;
- (d) World Bank Policy on Access to Information.

7. Within the United Nations secretariat, there are some examples of handling and access to certain information, such as the Secretary-General's bulletin concerning "international criminal tribunals: information sensitivity, classification, handling and access" (ST/SGB/2012/3), and the Secretary-General's bulletin concerning the "records and archives of the United Nations Monitoring, Verification and Inspection Commission" (ST/SGB/2009/12).

8. For UNEP, the Executive Director will establish an access-to-information policy in accordance with Governing Council decision 27/2 above. It will be implemented at the UNEP secretariat under the authority of the Executive Director.

9. UNEP access-to-information policy will contain the following elements:

(a) As a general principle, UNEP will allow access to any information in its possession, except for the restricted information stipulated in the policy. This will be stated in a policy statement, together with the expression of its commitment to do so.

(b) Primarily, information will be made accessible on UNEP's website;

(c) As practical illustration of what information would be typically made accessible, a non-exhaustive list of information normally disclosed to the public will be set out in the policy (e.g. annual reports; final form of environment assessment reports; publications and documents for general distribution; programme of work and budget; projects; official documents for governing bodies) ;

(d) Exceptions listing the type of restricted or confidential information will clearly be stated in the policy (e.g. information received from and sent to third parties with the expectation of confidentiality; information whose disclosure is likely to endanger safety or security of individuals, violate his/her rights or invade his/her privacy; information whose disclosure is likely to compromise security of Member States; information under legal privileges; internal documents, including emails and draft documents);

(e) Procedures for handling information relating to Member States or other entities will be specified;

(f) Under exceptional circumstances, UNEP reserves the right to disclose certain information covered under the exemptions, or to restrict access to certain information that is normally disclosed (for instance, in connection with safety and security issues or emergencies);

(g) Procedures for requesting information that is not found on UNEP's website will be set out in the policy. Also, procedures for appeal against denial of disclosing information not found on UNEP's website will be set out.

(h) Institutional arrangements within the UNEP secretariat for overseeing the implementation of the policy will be set out.

10. It is intended that the Executive Director will establish an interim access-to- information policy as from April 2014, which should be reviewed within one year on the basis of experience gained in its operation, and thereafter establish a final policy, no later than April 2015. During this interim period, appropriate consultations will be held with Member States and relevant stakeholders to receive their opinions on the interim policy.

11. The interim access-to-information policy, once established, will be made available to the United Nations Environment Assembly of UNEP as an information document.