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**United Nations
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United Nations Environment Programme**

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Items 5 and 6 of the provisional agenda*

Policy issues

**Follow-up to and implementation of the outcomes of
United Nations summits, in particular the United Nations
Conference on Sustainable Development, and major
intergovernmental meetings of relevance to the
United Nations Environment Assembly**

Implementation of Governing Council decision 27/2

Access to information policy of the United Nations Environment Programme

Report of the Executive Director

Summary

The present report has been prepared pursuant to paragraph 17 of decision 27/2 of the Governing Council of the United Nations Environment Programme and provides an update on the establishment of the access to information policy.

* UNEP/EA.1/1.

1. Given the mandate of the United Nations Environment Programme (UNEP), it is of critical importance for UNEP to disseminate or make accessible information concerning its work or generated by its programme of work as widely as possible, so that such information, when shared with a targeted community or the broader public, can become a catalyst for achieving the objectives of UNEP.
2. With this in mind, UNEP has, since its inception, published and disseminated a wide range of publications and reports, including reports on its activities, state of the environment reports, specific scientific assessment reports and data, and technical and training materials. Official documents prepared for and emanating from meetings of its governing body and those of the processes established by the governing body (such as intergovernmental negotiating committees to prepare global environmental conventions) have also been made available to actors involved in the processes and to the public. Furthermore, a number of UNEP secretariat offices, in particular through officials responsible for specific programme areas, have 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 was primarily achieved through the dissemination of printed copies. However, the significant progress in information technology seen in the past decade in particular has made it possible to disseminate information to a much broader audience in a more rapid and cost-effective manner through the use of electronic means. For prospective users, accessibility to information has increased dramatically, in particular through the global growth in internet access, and opportunities to share information as a source of knowledge and guidance for informed decision-making continue to increase.
4. In addition to the programmatic dissemination of information pursuant to its mandate, UNEP has made information accessible to the public, ensuring transparency, accountability and openness of governance, thereby contributing to the management of its operations while fulfilling its responsibilities. In the context of enhancing the engagement of stakeholders in UNEP, relevant information will be made available to stakeholders and the general public, and the principles and procedures governing access to information at UNEP, which have long been observed in practice, need to be clearly documented in writing.
5. In that regard, in paragraph 17 of its decision 27/2, the Governing Council decided to enhance transparency and openness in its work and requested the Executive Director of UNEP to establish a written policy governing access to information.
6. It is noted that similar policies have been developed by other organizations and these include the following:
 - (a) United Nations Development Programme Information Disclosure Policy;
 - (b) United Nations Children's Fund Information Disclosure Policy;
 - (c) Office of the United Nations High Commissioner for Refugees Archives Access Policy;
 - (d) World Bank Policy on Access to Information.
7. Within the United Nations Secretariat, examples exist of handling and access to certain information. These include the Secretary-General's bulletins on information sensitivity, classification and handling (ST/SGB/2007/6), on the records and archives of the United Nations Monitoring, Verification and Inspection Commission (ST/SGB/2009/12) and on international criminal tribunals: information sensitivity, classification, handling and access (ST/SGB/2012/3).
8. The Executive Director will establish an access to information policy in accordance with Governing Council decision 27/2, which will be implemented by the UNEP secretariat under the authority of the Executive Director.
9. The UNEP access to information policy will include the following:
 - (a) A policy statement, together with an expression of commitment, that as a general principle UNEP will allow access to any information in its possession, with the exception of any restricted information as stipulated in the policy;
 - (b) Information will primarily be made accessible on the UNEP website;

(c) As a practical illustration of the type of information that will be made available, a non-exhaustive list of information normally disclosed to the public, such as annual reports, final versions of environment assessment reports, publications and documents for general distribution, the UNEP programme of work and budget, projects and official documents for governing bodies, will be set out in the policy;

(d) Exceptions listing the type of information that may be classified as restricted or confidential will be clearly set out in the policy and may include, for example, information received from and sent to third parties with the expectation of confidentiality; information whose disclosure is likely to endanger the safety or security of individuals, violate their rights or invade their privacy; information whose disclosure is likely to compromise the security of member States; information subject to legal privilege; and internal documents, including e-mails and drafts;

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

(f) Under exceptional or extraordinary circumstances, UNEP may be obliged to disclose certain information that would normally be covered by an exemption or to restrict access to certain information that would normally be disclosed, in particular in connection with safety and security issues or emergencies, such as the protection of life of individual staff members or their families in the face of imminent threats to their safety, or the prevention of environmental disasters from imminent and unforeseen dangers;

(g) Procedures for requesting information that is not posted on the UNEP website will be set out in the policy, as will procedures for appealing against a refusal to disclose information not posted on the UNEP website;

(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 policy on access to information by early June 2014, which should be reviewed within one year on the basis of the experience gained during its operation, and that a final policy will be established thereafter. During the interim period, consultations will be held with member States and relevant stakeholders to seek their opinion on the interim policy.

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