



**STANDARD OPERATING PROCEDURE**

**for the**

**ACCESS-TO-INFORMATION POLICY**

**September 2016**

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# 1 Purpose and Scope of the Standard Operating Procedure

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The objective of the Standard Operating Procedure (SOP) for the Access-to-Information Policy is to guide UN Environment (the Organisation) staff in implementing UN Environment's Access-to-Information Policy (the Policy). The Standard Operating Procedure will ensure that staff members will uphold the commitment to ensure access to information and implement the Policy in their day to day work. The document may also be shared with the public, including parties requesting for information from UN Environment, to know how the Organisation operationalizes the policy. This document should be read in conjunction with the [Policy](#).

Information that is not available on the Organisation websites may be made available upon request. This Standard Operating Procedure defines whether and how, the Organisation will provide information requested pursuant to the Policy. In particular, it sets out the procedures for the request of information from the Organisation, the processing of requests and the appeals process should the request for information be denied.

## 2 Parties involved in the Access to Information Process

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The following section describes the parties involved in the process of requesting information from UN Environment, the appeals process and the respective roles, responsibilities and mode of appointment of the members.

### 2.1 Requestor

The Requestor may include an individual, organisation, partner, stakeholder, government or the general public seeking information held by UN Environment. Requests for access to information may refer to any or particular kind of information related to the Organisation, its structure, governance, operations, information concerning its work or information generated through the Organisation's programme of work.

### 2.2 Access-to-Information Desk

The Access-to-Information Desk shall receive all requests for information and appeals; acknowledge receipt of such requests and appeals; coordinate the consideration of and respond to the request or appeal with the respective office within the Organisation, including the Access-to-Information Panel; and provide this information to the Requestor. All requests for information will be centrally channeled through the Access-to-Information Desk. Other officers within the Organisation can consult the Access-to-Information Desk regarding any requests in order to obtain relevant guidance about the Policy.

Requests for appeals will be directed to the Access-to-Information Panel through an email address that is hosted and managed by the Access-to-Information Desk.

The Access-to-Information Desk is located in the Communication Division as the unit responsible for responding to public enquiries. The Head of the Access-to-Information Desk is the Chief, Digital Strategy Unit at the Communication Division or any other staff that the Communication Division shall assign this position to.

## 2.3 Responsible Office/Officer

The Responsible Office or Officer within the Organisation shall verify and confirm the existence of the information requested, undertake an initial review to confirm whether the information can be shared, engage with the Senior Legal Officer in cases where an exception may apply and ultimately relay either the information itself or the reasons why the information should not be given to the Requestor, as may be required.

The Responsible Office or Officer will also liaise with the Panel as needed on appeals against decisions not to disclose information. Any Responsible Officer in the UN Environment can be asked to provide the information which relates to the request.

Various offices within the Organisation will, by default, provide information within their line of work and are responsible for classifying their own information.

## 2.4 Senior Legal Officer

The role of the Senior Legal Officer shall be carried out by the Senior Legal Officer at the corporate level of the Organisation. The Senior Legal Officer is involved in cases where the requested information may be considered an exception under the Policy. The Responsible Office or Officer should seek the guidance of the Senior Legal Officer while handling such requests.

## 2.5 Access-to-Information Panel

The Access-to Information Panel (the Panel) shall review appeals relating to the request for information; determine whether the policy has been properly applied; and submit its conclusion and relevant recommendations to the Head of UN Environment. The Panel consists of three members: two UN Environment staff members and one individual, in his or her own personal capacity from outside of the Organisation. A Secretary of the Panel, who is a staff member within the Communication Division or any other office within the Organisation, shall be selected to provide administrative and logistical support to the Access-to-Information Panel. The Secretary shall not be involved in the decision making process of the Panel.

In addition, all panel members are appointed by the Head of UN Environment. The current appointed members are listed as an annex to this Standard Operating Procedure. These members will serve a term of two years, which may be extended for another term at the discretion of the Head of UN Environment. The Panel will meet virtually or in physical meetings whenever there is an appeal for review.

## 2.6 Head of UN Environment

The Head of UN Environment shall appoint the members of the Access-to-Information Panel. He or she makes the final decision concerning appeals against the decision denying a request for information. He or she also approves the disclosure of confidential information.

## 3 Access to Information Procedure

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This procedure defines whether and how the UN Environment will provide information requested pursuant to the Policy. The following step by step process shall apply with respect to the request for information from the Organisation.

### 3.1 Access to Information

Information relating to the functions and responsibilities of the United Nations Environment Assembly of the United Nations Environment Programme and the Head of UN Environment as stipulated in General Assembly resolution 2997 (XXVII) are available to the public and can be accessed from the UN Environment website and its sub-sites through the link: [www.unep.org](http://www.unep.org). Information that is not available on through these public website(s) will be made available upon request. Information will be made available to the Requestor, in the original language of the information requested. UN Environment shall not be required to translate the information to the language of the Requestor.

### 3.2 Classification of Information

- i) The Organisation shall make available to the Requestor any type of information including “environmental information”, which may be in written, visual, aural, electronic or any other material form. Such information shall include:
  - a) The state of elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;
  - b) Factors such as substances, energy, noise and radiation, and activities or measures, including administrative measures, environmental agreements, policies, legislation, plans and programmes, affecting or likely to affect the elements of the environment within the scope of subparagraph (a) above, and cost-benefit and other economic analyses and assumptions used in environmental decision-making; and
  - c) The state of human health and safety, conditions of human life, cultural sites and built structures, in as much as they are or may be affected by the state of the elements of the environment or, through these elements, by the factors, activities or measures referred to in subparagraph (b) above.
  
- ii) The Organisation may not disclose information that is designated as confidential. The following types of information in written, visual, aural, electronic or any other material form are considered confidential, and embody exceptions to the Policy.
  - a) Documents created by the Organisation, received from or sent to third parties, under an expectation of confidentiality which has been expressly stated in writing;
  - b) Documents whose disclosure is likely to endanger the safety or security of any individual, violates his or her rights, or invades his or her privacy;
  - c) Documents whose disclosure is likely to endanger the security of Member States or prejudice the security or proper conduct of any operation or activity of the Organisation;
  - d) Documents covered by legal privilege or related to internal investigations;
  - e) Internal inter-office or intra-office documents and other communications, including draft documents, if disclosure would undermine the Organisation’s free and independent decision-making process;

- f) Documents containing commercial information, if disclosure would harm either the financial interests of the Organisation or those of other parties involved; and
  - g) Information which, if disclosed, in the view of the Organisation, would seriously undermine the policy dialogue with Member States or partners concerned.
- iii) The Standard Operating Procedure should also be read in line with the Secretary-General's Bulletin (SGB) on information sensitivity, classification and handling ([ST/SGB/2007/6](#)).

- a) Under the SGB, sensitive information can be classified as 'confidential' or 'strictly confidential', as defined below.

"The designation "**confidential**" shall apply to information or material whose unauthorized disclosure could reasonably be expected to cause damage to the work of the United Nations.

The designation "**strictly confidential**" shall apply to information or material whose unauthorized disclosure could reasonably be expected to cause exceptionally grave damage to or impede the conduct of the work of the United Nations."

- b) In addition, the designation "**unclassified**" shall apply to information or material whose unauthorized disclosure could reasonably be expected not to cause damage to the work of the United Nations".
- c) According to the SGB, classifications should be used judiciously and only in cases where disclosure of the information may be detrimental to the proper functioning of the United Nations or the welfare and safety of its staff or third parties or violate the Organisation's legal obligations.

### 3.3 Requesting Access to Information

- i) All requests for information from the public should be directed to:

Post Office Mail:	Access-to-Information Desk United Nations Environment Programme Address: P.O. Box 30552, Nairobi 00100, Kenya
Phone:	+254 20 7621234
Email:	<a href="mailto:unepinfo@unep.org">unepinfo@unep.org</a>

- ii) For the Organisation's internal tracking purposes, all requests should indicate that the request for information is made pursuant to the UN Environment Access-to-Information Policy.
- iii) All requests will be thoroughly reviewed to determine whether they are made pursuant to the Policy.
- iv) All communication with the Requestor will be channeled through the Access-to-Information Desk, unless otherwise specified.
- v) In the event that a request for information is sent to a specific staff member within the Organisation and not the Access-to-Information Desk, that staff member shall be required to inform and forward to the Access-to-Information Desk the request as soon as it is received.
- vi) The time limits required to respond to the Requestor shall start running the day the response is received by the Access-to-Information desk from the staff member.
- vii) Other circumstances may warrant a response from a specific UN Environment office or staff. In such cases, the Responsible Office or Officer should inform the Access-to-Information Desk of any action taken and forward to the Access-to-Information Desk a copy of the response sent to the Requestor or the information of the action taken. During this process, if the staff member identified to respond to the

Requestor decides to delegate the task to another staff member or office, the delegated staff member must respond to the delegator, who will in turn respond to the Requestor.

- viii) The Access-to-Information Desk will send an acknowledgement of receipt to the Requestor within five (5) working days of receipt of the request in the format stipulated in the appendix to the Standard Operating Procedure. The acknowledgement will inform the Requestor that the request has been received and is being considered, and that the UN Environment will endeavor to respond within thirty (30) calendar days.
- ix) If it is not possible to handle a request within the above time limits, the Access-to-Information Desk will inform the Requestor of the reason why it needs more time and the estimated date for communicating the information concerned.

### 3.4 Initial Review process

- i) After acknowledging receipt of a request, the Access-to-Information Desk will send the request to the appropriate staff member in the substantive office responsible for, or capable of, providing the information requested. The Access-to-information Desk must specify in the request to the appropriate staff member, the date when the request was received and the deadline for the Access-to-Information Desk to respond to the Requestor.
- ii) The staff member responsible for providing the information will, in consultation as needed with the head of the office concerned, determine whether the information exists and if it can be shared.
- iii) Where the information is available and can be shared, the staff member will provide the requested information to the Access-to-Information desk as soon as possible bearing in mind that a response should be provided to the Requestor within thirty (30) calendar days of receipt of request from the Requestor.
- iv) In case it appears that the information is confidential and falls under the list of information under 3.2 (ii) above, the Access-to-Information Desk or the responsible staff member in the substantive office will approach the Senior Legal Officer for guidance on whether the information should be shared or whether an exception should be made.
- v) There are circumstances where the staff or office selected to provide the information will directly respond to the Requestor e.g. in cases where the Requestor is a donor, government of a Member State, partner etc. In these cases, the responsible office should inform the Access-to-Information desk of the action that has been taken and forward a copy of the response sent to the Requestor.
- vi) If a document contains both confidential and non-confidential information, part of such document containing only non-confidential information may be made available to the Requestor upon request.
- vii) UN Environment may partially or wholly deny a request for information:
  - a) In accordance with the limitations set out in the Policy, or
  - b) If the request is deemed an excessive demand upon the Organisation's resources.
- viii) Should a request be denied in whole or in part, the staff member or Senior Legal Officer, as the case may be, will advise the Access-to-Information Desk of the decision not to share the information, including the reason for the decision. The Access-to-Information Desk will then communicate this to the Requestor.
- ix) Where the request is denied, the Access-to-Information Desk shall inform the Requestor that the request has been denied and inform them that they may seek further review of the decision to the Access-to-Information Panel. The request for appeals should be directed to [unep.infopanel@unep.org](mailto:unep.infopanel@unep.org) which shall be hosted and managed by the Communication Division.

### 3.5 Appeals process

- i) The Requestor may seek the review of the decision by addressing a letter or email to the Access-to-Information Panel through the address: [unep.infopanel@unep.org](mailto:unep.infopanel@unep.org), providing reasons for the appeal.

- ii) All requests for appeals will be acknowledged as set out in paragraph 3.3 (viii) above.
- iii) The Access-to-Information Desk shall send the request to the Access-to-Information Panel (the Panel) by email within five (5) working days of receipt of the appeal. The subject line of the email will be: "Confidential: Access to Information Appeal".
- iv) The Panel will review the appeal to determine whether the Policy was properly applied in the initial review of the request. Panel discussions may take place either in person or through electronic means including email.
- v) The Panel may request for information or clarification in any given case from the office or staff member who handled the initial request, as well as from the Senior Legal Officer.
- vi) The Panel will submit its conclusion and recommendations to the Head of UN Environment within forty five (45) working days of receipt of the request from the Access-to-Information Desk. The recommendations shall be in the form of a report which shall be communicated to the Head of UN Environment through a memorandum signed by the Chair of the Panel and copied to the other panel members.
- vii) The Head of UN Environment will have the authority to make the final decision concerning the request for information in question. The Head of UN Environment will inform the Panel of the final decision which will be forwarded to the Access-to-Information Desk in the same email or in separate emails.
- viii) The Access-to-Information Panel through the Access-to-Information Desk will communicate the decision to the Requestor. In case of rejecting an appeal, the communication made will provide the Requestor with a reason for such rejection.
- ix) The review process should be completed within sixty (60) working days of being requested.

### 3.6 Special Conditions

- i) In extraordinary circumstances where the overall benefits of disclosure of information listed as confidential and in the exceptions of information to be disclosed outweigh the potential harm, the Head of UN Environment or such officials as the Head of UN Environment so authorizes may authorize the disclosure of information covered in the list of exceptions. This may include situations in which the disclosure of certain confidential information would be likely to avert imminent and serious harm to public health or safety, or imminent and significant adverse impacts on the environment.
- ii) In such cases, the information concerned will have to be declassified to allow for its disclosure. If applicable, such declassification will be done in accordance with the Secretary-General's Bulletin (SGB) on information sensitivity, classification and handling ([ST/SGB/2007/6](#)).
- iii) Such disclosure by the Head of UN Environment or the authorized official would be on the most restricted basis necessary to achieve the purpose of the disclosure.
- iv) In every case, the disclosure of information received from a government or a third party in confidence requires the written consent of the government or the third party concerned.

### 3.7 Record-keeping

The Access-to-Information desk is responsible for maintaining a record of each request received. The record shall indicate:

- i) The name of the Requestor and/or the requesting organisation as the case may be, the date of receipt of the request, a brief indication of the nature of the request;
- ii) The date of acknowledgement of receipt;
- iii) The responsible substantive office and or officer to whom the request was forwarded to for review, and the date to which this was done;
- iv) As applicable any additional time within which to provide the information to the Requestor;
- v) If the matter was submitted to the Senior Legal Officer for consideration of an exception and if so when;



- vi) The response provided by the substantive office or Senior Legal Officer; and
- vii) The date the Access-to-Information Desk communicated the information or the denial to provide the information to the Requestor.

### 3.8 Costs of Processing the Information request

Information disclosed under the Policy will be made available free of charge. However UN Environment may charge a limited fee for information requests that involve the reproduction of material in hard copies and or in large quantities, which cannot be delivered within the available resources.

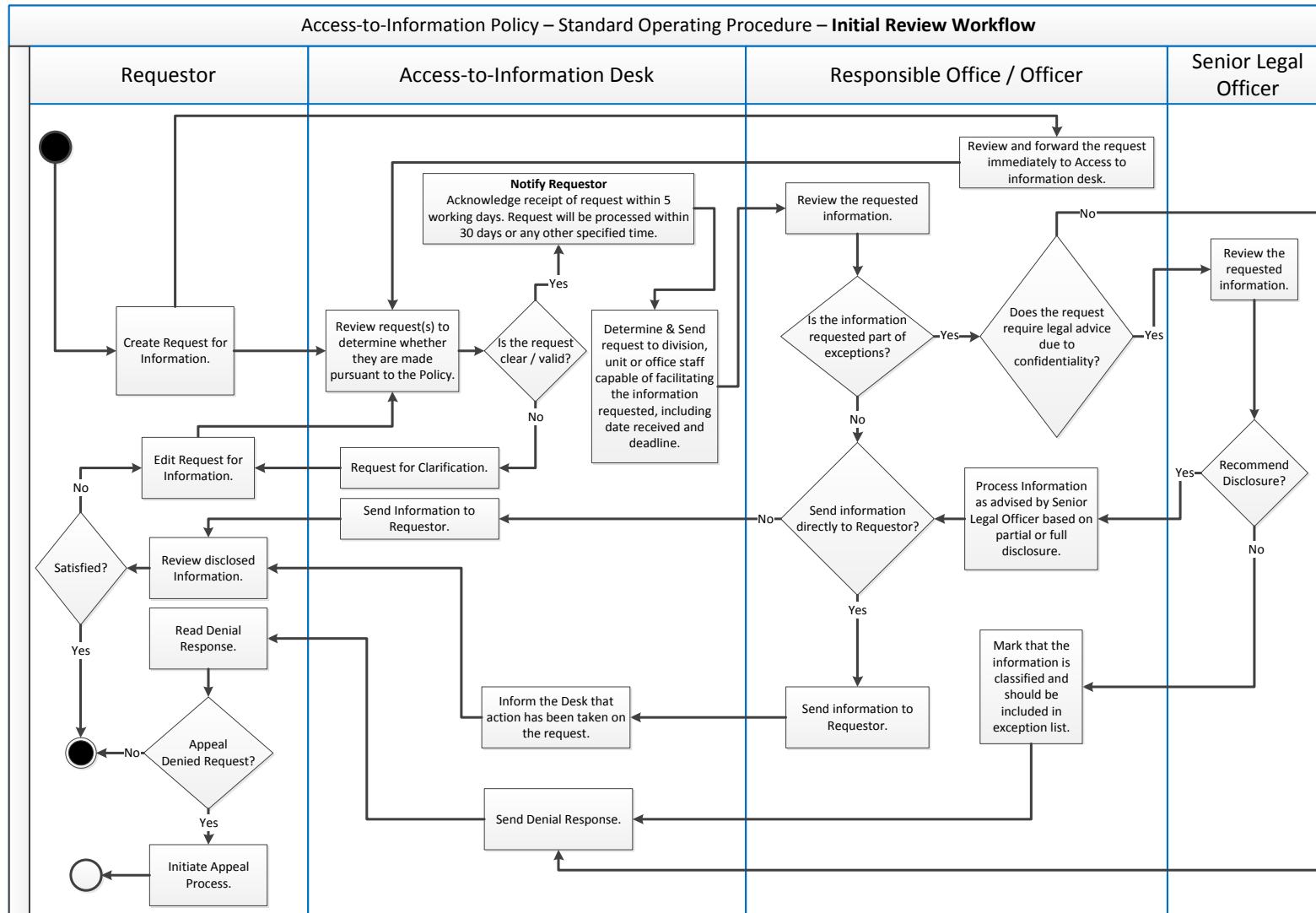
This limited fee is charged in order to recover the actual cost of printing such material and its associated labor cost. The fee will be determined by the number of pages or copies to be provided and must be paid in advance. The Access-to-Information Desk will determine the fee in consultation with the Responsible Office or Officer producing the information material and thereafter communicate the fee and the mode of payment to the Requestor. Once payment is made, the Access-to-Information Desk shall inform the Requestor that the payment has been received and the information shall be provided to the Requestor.

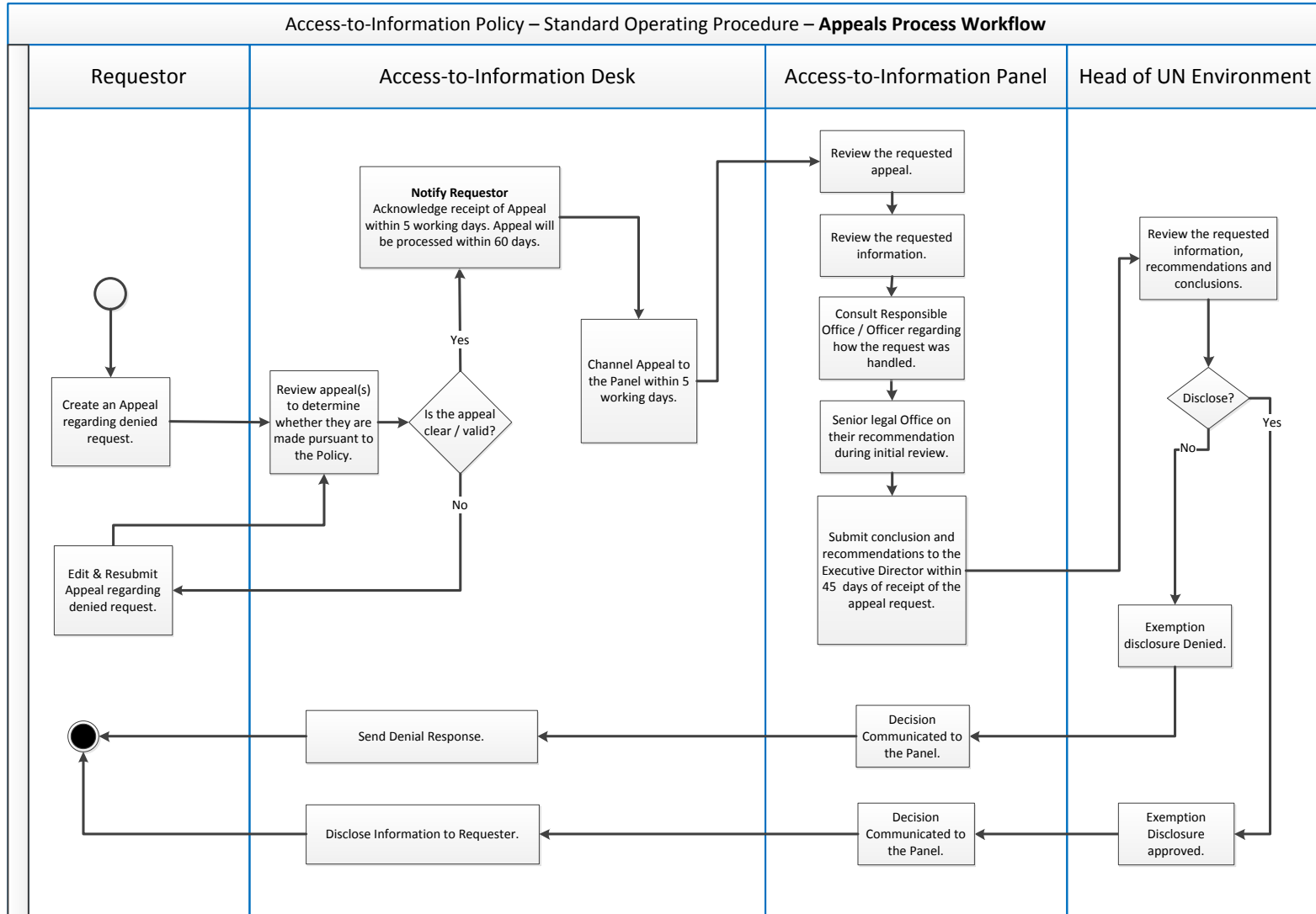
## 4 Terms and Definitions

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Term	Definition
Appeal	This is a request for a reconsideration or reversal of decision to be granted access to earlier denied information.
Calendar day	This is any day of the month including working days and weekends. It excludes all UN holidays.
Classification	This is the act or process by which information is determined to be confidential.
Communication Division	This division communicates UN Environment's core messages to all stakeholders and partners, raising environmental awareness and enhancing the profile of the UN Environment worldwide.
Donor	Member States of the United Nations and their governments, non-governmental organisations, intergovernmental organisations, other entities or partners providing funding to the UN Environment.
General Assembly	The General Assembly (GA) is the main deliberative, policymaking and representative organ of the United Nations.
Head of UN Environment	This is the Executive Director of the Organisation.
Information	Any information in written, visual, aural, electronic or any other material form.
Record(s)	Information created, received, and maintained by the UN Environment.
Working day	Official UN working days. UN Holidays shall not be taken into consideration for the calculation of working days.

# 5 Workflow





## 6 References

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1. Department of Peacekeeping Operations & Field Support, (2011, January 1), Standard Operating Procedure (SOP), Standard Operating Procedure - Access to Information (2010.36), New York, United States of America.
2. IFAD. (2010, September 17), IFAD Policy on the Disclosure of Documents, Retrieved 08 25, 2016, from International Fund for Agricultural Development:  
<https://www.ifad.org/documents/10180/2d39eae5-617f-4945-835f-d2880c46fa8b>.
3. Secretariat, U. (2007, 2 12), United Nations ST/SGB/2007/6 - Information sensitivity, classification and handling, Retrieved 08 04, 2016, from United Nations Archives and Records management Section:  
<https://archives.un.org>.
4. Steiner, A. (2016, June 13), Memorandum, Operationalization of the UNEP Access-to-Information Policy, Nairobi, Kenya.
5. Steiner, A. (2016, February 3), Memorandum, Revised UNEP Access-to-Information Policy, Nairobi, Kenya.
6. Steiner, A. (2016, January 28), UNEP Access-to-Information Policy (Revised), Nairobi, Kenya.

## Appendices

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### Appendix A: Sample Acknowledgement of Receipt of Request

Reference Number:

[Name of applicant]

[Address of applicant]

[Date]

Dear [Name],

We hereby acknowledge receipt of your [letter/email/fax/inquiry] requesting information about [subject].

We will let you know whether we have the information and are able to disclose it to you. UN Environment will endeavor to handle your request within thirty (30) calendar days (excluding United Nations Public Holidays). We will inform you should we require additional time to process your request.

Kindly contact the Access-to-Information Desk should you have any queries related to your request. Please remember to quote your reference number above in any future correspondence.

Yours sincerely

Information Officer

[Name, address, email address, and telephone number]

## Appendix B: Sample Acknowledgement of Receipt of Appeal

Reference Number:

[Name of applicant]

[Address of applicant]

[Date]

Dear [Name],

We hereby acknowledge receipt of your appeal regarding the refusal to disclose information about [subject].

The Access-to-Information Panel will review the decision and revert to you in sixty (60) working days (excluding United Nations Public Holidays).

Kindly contact us should you have any queries related to your request. Please remember to quote your reference number above in any future correspondence.

Yours sincerely

Information Officer

[Name, address, email address, and telephone number]

## Appendix C: Members of the parties involved in the Standard Operating Procedure

As stated in the Policy, the following are the participants involved in the standard operating procedure:

1. Access-to-Information Desk

- The Head of the Access-to-Information Desk is Ms. Roxanna Samii who is the Chief of Digital Strategy Unit within the Communication Division.

2. Access-to-Information Panel

The members of the Panel are:

- UN Environment Staff:
  - Ms. Camilla Nkwenti, Legal Unit, Corporate Services Division,
  - Mr. Jochem Zoetelif, Country Outreach Unit, Science Division.
- External Member:
  - Ms. Carole Excell, World Resources Institute.