

Civil Society Engagement in Sustainable Development Governance

2nd Intersessional Meeting of UNCSO

15 December 2011, 6:15 pm – 7:45 pm, Conference Room 7

Notes by Jeffery Huffines, UN Representative for CIVICUS

Following an introduction of the structure and themes to be addressed at this side event by co-moderators Jeffery Huffines of CIVICUS and Hamish Jenkins of UN-NGLS, the first panel focused on the normative and institutional frameworks that need to go together, followed by panels on the history of civil society engagement and the post-Rio+20 framework on sustainable development. To follow is a summary of the presentations and subsequent discussions of each panel.

1. Global Sustainable Development Governance reform proposals

Roberto Bissio, Social Watch

Social Watch was created to monitor a series of legally binding commitments that came out of Rio and the UN conferences of the 1990s. We are now launching our 2012 report, on the issue of sustainability that includes 66 country reports. What we have is a demonstration of how the promises of Rio were kept. In 1992 at the highest level the leaders of the world said that the major cause of the deterioration of the global environment is the unsustainable path of consumption and production, particularly in industrialized countries, that aggravates poverty and imbalances not just between countries but also within countries.

Over the last 20 years rights were created for corporations which far exceed the rights and commitments created for the people and the environment. What civil society is saying is that it is time to rebalance those rights. We have the basis for those rights in the UN human rights instruments and in the other instruments, but the problem is in their observance and implementation which is not enough to balance the rights given to corporations which are given strength through mechanisms like the trade agreements, bilateral and multilateral investment agreements, and the WTO. After having exacerbated those imbalances civil society everywhere is demanding we rebalance that.

This is where Rio can have a say in existing rights and commitments giving us the mechanisms to strengthen them. Elements like the adoption of the Universal Periodic Review process of Human Rights Council should be considered. We really don't need any new goals, the goals are all there in the existing treaties. These are mandatory goals, these are rights that people already have. The gap that needs to be filled is on the rights of future generations. We don't have that in the existing system. We need to not only strengthen capacity where rights aren't being enforced but we also need to create the rights of future generations which is what sustainability really is all about. There are different proposals to do that at national and international levels. The notion is that you cannot mix it all together in a single number, in a single price tag. This is what is coming out in the Stiglitz-Sen-Fitoussi Commission which had been asked by President Sarkozy to come up with indicators of well-being and sustainability which requires limits, which is an extremely difficult discussion to have as we have seen with the climate debate.

"Social Watch Report 2012 - The right to a future"

<http://www.socialwatch.org/>

Barbara Adams, Civil Society Reflection Group on Global Development

The UN Secretary-General acknowledged in a press briefing today that “people are outpacing institutions in their desire for change, in their demands for democracy, justice, human rights, and new social and economic arrangements.” He went on to say that “our challenge is to keep up, to adapt and to deliver.”

I would like to draw your attention to the Social Watch report, page 7, regarding the Civil Society Reflection Group submission. The democracy deficit that many civil society groups are calling to be addressed is that governments actually undertake their responsibilities to act and implement their commitments. The context of today compared to twenty years ago in Rio is that we have a new configuration in which Member States are now going about multilateral business. We have now “systemically significant countries” and new groupings like the G20. What we are trying to say for Rio 2012 is that ‘systemically significant’ does not only apply to the financial system but also applies to the human system and the ecosystem. When we talk about the three pillars what does it really mean to integrate them? There is a gap that needs to be filled and one recommendation is an ombudsperson for inter-generational rights.

In addition to how we integrate these three pillars at the policy and financing level, we also have the problem of a hierarchy among these three pillars. We have a situation where the economic pillar clearly dominates. If we don’t tackle this problem in 2012 then we really are not going to be able to move to a human rights and sustainability framework. A key element is that whatever is decided in Rio must be applicable to all Member States. We are looking at universal reporting, reporting across the three pillars, as well as across national and international commitments for all Member States and that addresses the unsustainable consumption and production patterns.

What lessons do we learn from a decade of the MDGs? MDGs were very appealing because people wanted concrete targets with which to hold governments accountable. But what we have learned is that we have actually narrowed the development agenda down substantially. We have changed the development agenda by picking these targets, and in turn changed the governance mechanisms, and narrowed the financing frame accordingly. These are lessons we must apply when discussing Sustainable Development Goals. They need to be more ambitious, they need to be universally applicable, and they cannot become a tool for further narrowing what we are doing on the multilateral level.

In terms of financing, what we are also finding is a situation, not only about Rio but about the work of the multilateral system in total, where so much of the financing of multilateral activities is dependent upon ODA. We need to find other ways of financing sustainable development; we need new strategies for financing sustainability. The Reflection Group is looking for a more equitable automatic burden sharing approach. In social protection we talk about automatic stabilizers, so we need automatic stabilizers in a multilateral system in terms of financing sustainable development.

In the Rio 2012 submissions and speeches there are many calls for a Sustainable Development Council. We need to think very carefully about what it needs to look like to avoid being the next version of business as usual. We need to figure out what some of the new elements are, for example a universal periodic review process or an ombuds-

role. We need to seriously “de-hierarchicalize” the three pillars, so that the financial and economic institutions will come to report on their processes as well. We also need to look at national-international policy coherence. We need to challenge the participation at the national level. National activities are not well represented at the international level. We need to develop a new approach on how the national level is represented. For example, do we need a sherpa on sustainability at the national level?

On metrics, there is a lot of criticism and awareness of the weakness of GDP with regard to measuring the progress of the three pillars of sustainable development. I wonder how we are going to get Member States to actually use new metrics. Perhaps we need a summit level meeting building on the Bhutan resolution which is now in the General Assembly. We need governments at the highest level to commit themselves to using the new metrics as a way of developing new policy prescriptions and allocating budgets.

UN-NGLS is in the final stages of developing a publication where we will include some of these ideas to move them forward.

“Reclaiming Multilateralism: For people, rights and sustainable development” published by UN-NGLS publication

Web link:

Q&A

Q: DESA staff member: You mentioned the convenience of universal reporting mechanisms with more transparency and better metrics. If we look at the origins of the major challenges in environmental sustainability, you would find a high concentration in highly advanced countries. So it seems that we don’t need yet a universal reporting mechanism. What in your view is lacking in those particular countries in terms of transparency, participation, accountability or enforcement of existing agreements without looking at the rest of the world?

Q: Representative of International Institute of Monetary Transformation. I think that we do need new goals, particularly with regard to the goal of integrating the three pillars. An overarching goal may be a monetary system that is based upon a carbon standard that introduces the whole climate dimension. We can talk about monetary justice as a guiding principle of organizing Rio. Maurice Strong thinks that if we base the monetary system on carbon that this is innovative, and has a good chance to become part of a post-Kyoto governance system.

A: Barbara Adams: On UPR, it would be difficult to get consensus on an agreement that would apply only to advanced economies. At the heart of the gap that we have seen for the last 20 years is that we have a two-tiered system at UN, where the contribution and the reporting and monitoring and the burden-sharing of industrialized countries is very small in the context of the multilateral system. Unsustainable consumption and production patterns really do need to be addressed.

In the context of climate change work, there is this green house rights development framework that is looking at how to balance as an index with regard to contributions and responsibilities, both historic and otherwise. There are also the Millennium Consumption Goals. I am a skeptic on goals, not targets, because I have witnessed through the MDGs that the goals go wrong. They are not a strategy for achieving something, they change

the agenda. However, if we are going to go forward with goals we have to make sure that they apply to advanced industrialized countries to report within the multilateral context.

A: Roberto Bissio: The problem with limits is how do you allocate the rights? What kind of system do you use? I completely agree that the carbon discussion in one way or the other at the global level cannot be excluded from the Rio agenda because you cannot talk about any other issue. We are talking about a global conference therefore we should be talking about the global environment. The global problems related to sustainability are climate, depletion of fisheries, and the monetary system which is in complete chaos and havoc and is creating financial unsustainability. It is creating a situation where many of the poorest countries in the world are creditors of the highly indebted rich countries, which we are talking about in financing for development, which is at the root of why some of those countries are now destroying their environment and exploiting their people. How do we allocate or distribute life jackets and space in the boat if there is not enough for everybody? We cannot pretend that this problem does not exist. So let's talk about what things we can agree on such the right to access to the internet, but how do we allocate emission rights, pollution rights, or debts? Then we have historic responsibility principles, justice principles and so on that should be incorporated. This is not an easy discussion, otherwise Rio 1992 would have been a great success. Looking for an easy discussion because the difficult ones cannot be solved is not really what we want the Heads of State to do.

2. History of civil society engagement since Rio 1992

Felix Dodds, Stakeholder Forum

Regarding SDGs, there is a very good paper by Oxfam about planetary boundaries.

On stakeholder engagement in Rio, during the first period of CSD from 1993-1997, we saw the beginning of much more stakeholder involvement. We had days of consultation on the work place with industry and trade unions, as well as on local Agenda 21 and local government, to show what we were doing in implementing the chapters of Major Groups. In 1996, on the advice of the CSD NGO Steering Committee, the UNGA Second Committee recommended that there should be multi-stakeholder dialogues at the Five-Year Review of the Earth Summit in 1997. This was then developed by UN DESA, ICC, WBCSD, ICFTU and the CSD NGO Steering Committee into a two-day multi-stakeholder set of dialogues. The stakeholder dialogues held the first two days of the UN CSD with 12 hours of discussion between governments and stakeholders, with a majority of the time being stakeholders discussing their ideas in front of governments on the issues that the CSD was negotiating.

Although each CSD came out with initiatives, the best organized which also had the most impact was the year that Simon Upton as chair of the UNCSD entered the chair's text that came out of that dialogue session into the formal negotiations as a NZ government position. Therefore, the two-day dialogue became a substantive part of the negotiations.

The dialogue process was far better than what we have now where we have just these comments by stakeholders in the process. We had that also in the first and second CSD period, so we have lost a lot of space for engagement since 1997 to 2001.

Stakeholder Forum worked with UN system to look at other examples and produced the Stakeholder Standard. At that time one of the most interesting innovations was what happened with the UN Habitat conference where stakeholders had seats at the table to enter text into the negotiations and if a government endorsed that text it became a live text. Hamish Jenkins was extremely involved in that when he was an NGO, and ensured that the work on international cooperation was found in the second draft of the chair's text unbeknown to the governments. There was a proposal at the end of the Habitat conference that the UN commission on human settlements should have a number of seats for NGOs, government, and industry, to do that kind of engagement putting forward recommendations into the negotiations.

When we did a review of UN AIDS, UNCSD, UNEP, UNCTAD, Aarhus Convention, we came up with some interesting ideas on what one would have to do to make a successful engagement. There are 10 points. (1) In line with governmental processes, you need at least six months of consultation for stakeholders to engage in the process effectively, not just turn up a week before. (2) You need to clearly define civil society into groups and constituencies or stakeholders so you are enabling those voices to be heard, and not all merged together which often happens because you have very small speaking rights. (3) We should ensure that all civil society organizing partners represent a wide network or stakeholder group with the resources and mechanisms to be effective, and that are not appointed but democratically elected. (4) A combination of stakeholders should have inputs into the initial design of their engagement in the intergovernmental process. (5) Identify and publish the criteria for the selection of key civil society partners and coordinators. (6) A summary of all meetings of key civil society partners and coordinators should be made publicly available. (7) Cover the cost of travel and accommodations of organizing partners. (8) There should be capacity building and training initiatives to engage civil society and new groups effectively in the process. (9) Civil society coordinators should be provided with the same information and documentation at the same time as governments. (10) Allow time and resources for an engagement strategy and have a proper evaluation of whether this has been effective. That Stakeholder Standard is available on Stakeholder Forum's web site.

The Major Groups concept was itself an incomplete concept when it was put together. Those nine groups are not necessarily the right ones for every discussion. We believe that you should choose the appropriate stakeholders, not all nine need to be speaking at every single meeting. There can be ten or twelve groups, however it should be the ones relevant. Another interesting development these last few years has been the development of multi-stakeholder platforms, which bring together different stakeholders. There is no space for that conversation to happen within this forum for those people to say that we have already had a conversation with different stakeholder groups and we would like to bring that in front of you. They then have to unpick that and put it through a Major Group process which I think is quite dated 20 years after Rio.

"The Stakeholder Empowerment Project (2009)"

<http://www.stakeholderforum.org/sf/index.php/our-work/stakeholder-engagement/stakeholder-empowerment>

Chantal Line Carpentier, UN DESA

We have a Major Group program for sustainable development with 2.5 people to staff the program. It is a system based on organizing partners for each of these Major Groups as fixed by Agenda 21. There is criteria on line for selecting organizing partners that facilitate NGO participation at UN meetings as well as coordinate position statements by each of the Major Groups. What I hear is that the system works pretty good for the MG organizing partners when we have normal UNCSD events. There is quite a bit of frustration on the part of Major Groups because the space for MGs has been reduced, you cannot say much in 1 or 2 minutes. A lot of academics and other coalitions ask how they can get into the process. The system is not designed to bring in additional groups, so they have to lobby one of the major groups to have their statement read or position paper submitted. The summit time is different because we open up the process quite a bit. For example, anyone could submit into the compilation document, we also increased the number of organizing partners, but still within the confines of the nine Major Groups. We are coordinating between the host country liaison and the nine Major Groups.

We organize with Stakeholder Forum a capacity building workshop along side each of the Rio+20 preparatory meetings. A lot of the NGOs in the region felt that the system was very top-down, they didn't feel very represented, and didn't understand how organizing partners were selected who were telling them how things work. We realized that none of the ECOSOC regional economic commissions except for the Europeans actually used the MG system, so everybody had to speak with one voice. In Cairo, for instance, the regional economic commission considered the MG system a success despite the problems because it was the first time that the indigenous people got mentioned in the room in the Arab region. You had different voices as opposed to just one NGO speaking on behalf of everyone.

Member States and DESA colleagues often ask us what Major Groups are saying in terms of implementation. They are not seeing it, so do not feel that Major Groups are actually doing or reporting on how they are implementing these decisions.

There have been a lot of complaints about limited financing for Major Group participation. If you read the 492 Major Group submissions, what you find is that the Local Authorities have called for the restructuring of the Major Group process, they feel like they should be something else, and others like academics would like to see how they can feed into this process. The academics are organizing because they realize that NGOs fill the space and they no longer feel connected to the process.

If you are not happy with the way the Major Groups system works, or the way we work with you, change it. You have an opportunity to do so at Rio+20 by introducing ideas on how to improve the system through the institutional framework for sustainable development. How to enhance participation of civil society is pretty much mentioned in every submission by MGs.

UNCSD web site:

<http://www.uncsd2012.org/rio20/>

Jacob Werksman, World Resources Institute

My remarks will focus on the treaty making process on international environmental governance. NGOs have felt most frustrated when they seek to replicate the roles that governments traditionally play. While there has been a marked improvement in the

opportunity for CSOs to attend and participate in the formation of international environmental law through the treaty-making process, as the volume of NGO participation has increased the opportunities for them to participate effectively has decreased. Those few minutes of time on the plenary floor are increasingly rationed as more groups show up and get accredited and occupy the corridors. Therefore, their ability to have those 30 seconds to intervene is all the more frustrating. It has been a distraction for NGO capacity and effort because they are encouraged by the system to value those few minutes to intervene. There has been a real decrease on return on investment.

Moreover, NGO participation is also often in inverse proportion to the importance of the issues that they are allowed to address. The more important the issue being discussed, the less are the NGOs allowed to participate effectively in the diplomatic process. The source of many frustrations these last 20 years is that NGOs are being encouraged to replicate the roles that governments play by getting that chance to take the mic in plenary where there is often no one from governments listening on the other end.

On the positive side, where NGOs have added value to the international environmental legislative process is where governments themselves fail profoundly, in particular, in the area of mutual accountability. Governments are terribly shy in allowing each other to hold themselves accountable to the commitments that they make. NGOs can make a significant difference in using the intergovernmental process to hold national governments accountable for the commitments that they have made to their own citizens. For example, there is the ombudsman role where you would have a window of opportunity for citizens to approach an international authority to hold their governments accountable for the commitments they have made internationally. Successes, though limited, have occurred in the human rights system, the inspection panel system of many of the IFIs, and the clean development mechanism under the Framework Convention where the international system allows citizens to hold their national governments accountable by being able to approach an international forum directly to voice their complaints.

My advice would be to not to have NGOs continue to replicate government's role but instead step into those gaps where governments feel that they cannot play a role, where citizens can provide an essential degree of accountability that is missing from the international system.

"UNEP Discussion Paper: Improving Public Participation in International Environmental Governance"

<http://www.unep.org/environmentalgovernance/IEGReformandpotentialmodelsforpublicparticipartici/tabid/78631/Default.aspx>

Q&A

Q: Paris Blackman, former UN staff person. We're talking about switching the role of governments in a sustainable development governance arrangement. On the basis of your experiences how would you restructure civil society engagement if there were a Sustainable Development Council?

Q: Center for Ethics and Value Inquiry, University of Gent, Belgium. Why should we focus so much on these 3-minute interventions for civil society? Policy is not made in

plenary, of course, so we should focus more on getting organized in the corridors for civil society as well as at home, and focus on empowering smaller or newer NGOs that come into the process.

Q: Annabelle Rosemberg, ITUC. Two points. On MGs, what is the balance between expertise and legitimacy? I'm not sure if knowledge and expertise on the topic is the only reason that civil society organizations are asked to be in the UN. I understand the temptation of some who say that only those who have some expertise to offer should be in the discussion, but I don't agree. Thanks to Agenda 21, NGOs are asked to be the voice of people who are not otherwise here. The most disempowered have a voice under the MGs system, i.e. women, indigenous, organized labor. Governments do not want to always want to hear from these groups. NGOs also bring legitimacy to the UN system. What would happen to UN system if CSOs stopped asking for their 3 minutes? We are endorsing the process by being there. Otherwise, civil society is outside which represents the beginning of the end of the multilateral process, like the WTO. From the moment that the system is not perceived as fair, you have civil society going outside.

The problem is not the number of MGs, but in the way in which we engage. Think about the ILO, we have three groups and trade unions as non-state actors discuss amendments at the same level as states along with employers. We can find ways in which CSOs are represented in a much more adult manner than in the way we are being asked to participate today. What are our expectations? Is it not only about having the minutes to speak, or our advocacy capacity in the corridors and at capitals, but it is also about putting together a truly international representation, engaging in the multilateral process. We could then implement things that we have also decided upon, rather than just endorsing things already decided by governments at the international level.

Q: Aron Belinky, Brazilian Civil Society Committee. It is important that we seize Rio+20 as an opportunity to revisit the entire participation system for civil society. We see people in many countries who are turning their back from politics. Participation in elections is decreasing. People feel less confidence and relevance in the political system because of the market orientation, where big interests are being promoted outside of the democratic system. This is reflected in the multilateral system as well. People relying on the multilateral system know how difficult it is to get international agreements implemented on the ground. There is a need to bring more people to participate in the multilateral system to make it more legitimate and relevant. We should be very bold to explore the possibilities for new participation. For example, why organize only in categories as Major Groups, by branding people, but rather let's encourage organizations to participate in the process based upon issues of common concern rather than because they are accredited for this or that topic. People are organizing like this already like swarms depending on the subject, not by the brand or category they have.

A: Felix Dodds: I agree that the run up to Rio offers us an opportunity to review civil society participation. ILO is a good example, but maybe we aren't brave enough and so we ask for things that too lower level. Rather than dwell on the 3-minutes issue, we as an organization spend most of our time meeting with governments ahead of time, which we have been doing for the last three months.

On dialogues, when we were asked by the Germans to coordinate the Bonn energy dialogues in 2004, we brought in community-based organizations as a different group because we felt that they had a relevance to that conversation. We broke up the industry

group into three: the traditional oil companies, ICC & WBSD group, the finance sector & renewables because industry isn't one homogeneous group either. We brought in regional government in other places. The great thing about the dialogue process was that people had to know what they were talking about when they were dialoging, this is important. You have to have experience and knowledge to be involved in the process.

With the NGOs there is a complete democratic deficit. We used to have a process of electing NGO representatives in the regional and issue caucuses. We now don't have that. We need to look at the 9 Major Groups. There should be an on-going discussion up to Rio which should be looking at as many out-of-the-box thinking in the context of how we would like to develop the kind of processes around the Sustainable Development Council to make sure that we have the right kind of process and the most up to date ideas on multi-stakeholder engagement.

A: Chantal Line Carpentier: In addition to the ILO, another example that has been put to us is the FAO Committee on Food Security as a model, where civil society is sitting at the table negotiating as well. Other examples of groups not represented by the Major Groups include the faith-based organizations and the small & medium "clean tech" companies.

In the indigenous peoples submission, one of the concerns raised was that when the Human Rights Council was created, Major Groups disappeared. There was a recommendation that we prepare a proposition to put forward in the formation of the proposed Sustainable Development Council.

A: Jacob Werksman: I agree about the importance of being in the corridors and lobbying. Also the issue of bearing witness of what governments are saying in the more informal settings is an absolutely critical role of civil society in the international governance process.

Hamish Jenkins, Co-Moderator: Being based in Geneva, the HRC UPR as a mechanism for holding governments accountable to peer review has been an improvement because it has created much more traction at the national level in both developing and developed countries as opposed to some of these treaty monitoring body processes. In fact the US UPR was quite an outstanding event which created some real movement back home. The UPR has been proposed as a framework for a new Sustainable Development Council.

3. Strengthening civil society engagement in the post-Rio+20 Institutional Framework on Sustainable Development

Clarice Wilson, UNEP

As the discussions continue on reforming international environmental governance within the institutional framework for sustainable development, one of the key elements to potentially strengthen UNEP is the improvement of stakeholder engagement. The current model of the 9 MGs has its limitations. We need to look at how we can achieve more meaningful involvement and representation in UNEP's processes, perhaps through participation in the Committee of Representatives at the same level as Member States, or in implementation at the national level through the UN development assistance frameworks. Also in NGO reporting, monitoring and accountability.

Joe Foti, WRI Access Initiative

The paper that we have published under the auspices of UNEP builds on the work done previously by Integrative Strategies Forum, Stakeholder Forum, and UNEP. It owes a lot to the innovations that have been carried out in the various international environmental governance mechanisms and sustainable development institutions from around the world. We wanted to gather together some of the best practices on public participation which are already being carried out by international organizations. We looked at existing practice in trade organizations, MEAs, and IFIs. We also reviewed the Almaty guidelines of the Aarhus Convention and some of the existing civil society proposals that have yet to be implemented. From these we derived over 20 concrete proposals that we think could be actionable and could be resolved by governments through the Rio+20 space.

Some of them need to be customized to the individual institution, some are piece-meal, and some might apply to all institutions, both old and new. Some of them are very mundane such as accreditation processes, to the very bold, such as considering ILO-like standing for civil society in particular mechanisms.

There are three main themes. The first issue is one of representation. There are problems with the current MGs system, specifically that it is not representative. The other problem is that it might not take as much advantage of the kind of collaborative and cooperative process that could take place if you implemented a proposal like “issue affinity groups”. At the same time we want to preserve a lot of the protections that the MGs has for the least advantaged groups. One of the proposals that we have is to enhance that. For example, through the UNFCCC process there has been a lot of tracking of what kind of NGOs are attending. Taking that kind of attendance tracking and analyzing it for whose being under-represented, over-represented, or who has a huge attendance and needs to be broken into smaller more representative groups would allow for greater flexibility. It is also data-driven, so it can be public and more accountable than the current system.

The second issue is high-level participation, by making sure that NGOs have observer status at many major decision points, that there is an ability for NGOs to comment on draft documents and agendas which NGOs should receive at the same time as governments. Another important area that has been really pushed for in the climate process by youth NGOs is formalizing face-to-face time with governments.

The third issue is strengthening implementation, the idea of citizen measuring, reporting and verifying. This would include making sure that there is more chance for the public to report on what it is doing to measure progress on international commitments, and through ombudsman and compliance mechanisms, to push for states to follow through on their commitments under those processes. Finally to provide more opportunities for on-the-ground implementation and cooperation. What has been a promising model is where local law enforcement is collaborating with NGOs and community-based organizations to ensure that Aarhus convention is being followed through.

The idea is for us to move from principles to very concrete proposals that we can make about how international institutions will interface with NGOs. Hopefully UNEP and similar organizations will provide a forum to begin debating some of these concrete proposals and putting them into documents which we can do as NGOs as well.

Jeffrey Barber, Integrative Strategies Forum

Integrative Strategies Forum (ISF) works with different civil society organizations and networks to encourage dialogue and collaboration on sustainability. One such group we work with, the Citizens Network for Sustainable Development, was launched in 1990 as a network promoting participation by US citizens in the original 1992 Earth Summit and played an active role in the follow-up to the Earth Summit, both in the NGO Steering Committee and NGO issue caucuses at the Commission for Sustainable Development and in leadership roles in the various task forces and working groups of the the President's National Council for Sustainable Development.

At the 1996 UN Conference on Human Settlements, ISF and members of the Citizens Network were actively engaged in the Committee II process which established the historic full day dialogue between NGOs and government delegates. This breakthrough opportunity also posed critical challenge: there was simply not enough time for each group to speak about their particular issue. Because we had no mechanism for choosing slots, people were soon at each others throats, shouting and arguing the case for their particular issue. Missing was an understanding and method for identifying and articulating the common concerns and priorities we all shared, that this was the only way out of this dilemma. While the NGOs at this meeting were able to agree on an agenda, we continually face this challenge of rising beyond our individual concerns in order to work together toward a common vision.

Soon after the multistakeholder dialogue format between civil society and governments was adopted by the Commission on Sustainable Development (CSD). The challenge of how NGOs can best work together to express their concerns and ideas on sustainability to governments, as well as who will speak at the microphone, remains. In the past two years I was elected as one of the North American regional civil society representatives to the UNEP Global Forum. From the year 2000 until recently this was called the Global Civil Society Forum, governed by a Steering Committee of 12 elected regional representatives. However, a relatively recent institutional decision to adopt the CSD's nine "major group" categories as a framework for participation also involved a switch in the composition of the Steering Committee as well as the name of process, now entitled Global Major Groups and Stakeholders Forum. This new structure was then presented in the 2009 version of the UNEP Guidelines on Participation, wherein the term "civil society" was systematically replaced by "major groups." Further, the status of all the elected regional representatives was changed to "observers." As might be expected, this shift sparked a degree of confusion and friction. In the current revision of the UNEP Guidelines, there were calls for both the restoration of the regional representatives to the Steering Committee as well as the original name "Global Civil Society Forum."

The current approach by CSD and UNEP focusing on the "nine major groups" as the chief participation mechanism remains a source of controversy and questions about the process. Some argue that "major groups" does not equate with "civil society," much larger and diverse than the nine categories identified in Agenda 21. Ironically, the original idea was to ensure that groups too often marginalized in the process have a voice; it did not intend for those nine groups to speak for all civil society. Who speaks for the unmentioned "minor groups" such as faith-based groups, poor people, and oppressed racial & ethnic groups? Then there is the role of business & industry which is neither civil society nor a marginalized group. Questions explored although unresolved

by the 2004 Cardoso panel, which endorsed wider civil society participation but left the challenge as to the appropriate framework for this to take place.

For the Rio+20 zero draft, ISF submitted a proposal from the newly launched Working Group on Civil Society Participation to establish a UN multistakeholder committee on improving civil society participation. Its work would begin where the Cardoso report left off, returning to those important questions about representation and engagement, as well as the nature and role of NGOs, civil society and major groups. The members are to (1) review the different models and methods practiced or proposed in other institutions and processes, (2) conduct a consultation with civil society organizations to explore their experience, ideas, and proposals, (3) establish an advisory committee on civil society participation, and (4) actively engage the relevant UN agencies and institutions in this review. The aim is for a Rio+20 outcome committing the UN to a process for improving civil society participation and acknowledging this as a key dimension of the global sustainable development governance framework.

Integrative Strategies Forum (ISF) contribution to Working Group on Civil Society Participation in Sustainable Development Governance:

<http://www.uncsd2012.org/rio20/index.php?page=view&nr=382&type=510&menu=20&template=529&str=Chemicals>

Farooq Ullah – Stakeholder Forum

What we have been doing at SF is to provide an empirical base of evidence to advocate initiatives, develop new partnerships & issue-affinity groups or clusters, to identify common concerns, and to better represent the under-represented parts of civil society. We have been doing a lot of work on “SDG 2012” (a review of implementation on Agenda 21 and the Rio Principles), and commissioned a series of think pieces on governance issues and civil society engagement upon which our submission to the compilation text was based. All these documents and resources are available on our website. The question is how do we operationalize these proposals, how do we create clusters and partnerships for action.

We took a top-down approach to analyzing all of the submissions to the zero draft, and we came up with an interesting variance analysis. Some highlights. The top ten concepts or core values that MGs are talking about include participation, accountability, transparency, capacity-building, Principle 10 and access to information. They don't necessarily feature in the top ten for the UN, IGOs or for Member States. In fact, Principle 10 is #17 for Member States and #13 for the UN. Accountability is #13 for Member States. Multi-stakeholder dialogue/process is down the list at #41 for everyone, this is really surprising. I agree that we do need new partnerships based not on types of organizations but on issues. We are going to publish this information and I hope that this data base of some 4000 lines will help us develop issue-affinity groups.

We need to reduce the risk in the formal process by having off-line discussions and “informal informal informals” about these issues so that we can address potential conflicts before they occur. We can tell you what these potential conflicts are by doing some of this analysis of what people are interested and not interested in, and by doing so hope that we may be able to improve the effectiveness of the formal processes in the run up to Rio. We don't want to have people bickering at the negotiating table by splitting hairs on what metrics we should be using for the SDGs, but rather agree that we need

the SDGs. That is the top initiative on the list of 62 issues. If SDGs get caught up in discussions about how we measure what we measure than I fear that it may not feature very strongly in the outcome document. We need to come to issue-based conflict resolution outside of the formal process and within the corridors.

These partnerships will extend beyond Rio+20. We are working on an agenda called "Action 15" which seeks to peg the initiatives and outcomes of the Rio document to a time-bound implementation period that is similar to the review of the MDGs in 2015, with the hope that SDGs will succeed them in 2016.

Yesterday Maurice Strong in a partnerships meeting talked about people's movements holding governments and UN system to account on what they agree in Rio and making sure that it is delivered in a meaningful and transparent manner. Working together we can ensure this happens.

SDG 2012 and analysis of zero draft submissions

<http://www.stakeholderforum.org/sf/>

Q&A

Q: Cristina Diez, ATD Fourth World. Regarding representivity, I agree that expertise is not the only reason why we are here as civil society. People living in extreme poverty have expertise. The problem is that the UN defines what is expertise is, and when we say that they don't have expertise it is by the definition that the UN system is giving. For many years we have been battling to say that people living in extreme poverty have a huge amount of expertise in what does it mean to fight to have access to their human rights, but this is not yet recognized. It is not only not recognized because of the way that we define expertise, it is not recognized because the way in which those in extreme poverty express themselves. They never have had the means to access the same information we have to express ourselves at UN meetings. The UN says okay let's go for participation, we are open, yet there is no effort at all to include people in extreme poverty. The consequence is very violent. Why don't we meet in a common territory where we can learn from people living in extreme poverty? What are the words that they use to express themselves so we can better understand each other? If we do not extend ourselves, there is not true participation of people that are living in extreme poverty, the ones that are suffering the most from the consequences of not having a real sustainable world.

Q: Fatima Rodrigo, International Presentation Association: Are we as a civil society of these past two days going to produce a common paper of concerns in order to influence the drafting of the zero document? This same document could be taken to our national constituencies during the next six months.

Q: Catherine Peace, World Future Council: We really welcome the release of the Social Watch report and the messages that came out of it. We are doing a lot of work looking at governance at the national level as well as internationally. We are not spending so much time looking at how civil society organize themselves at UN meetings but really analyzing some of the problems of why governance is not working nationally. At the micro level there are real similarities – what we are seeing is that there seems to be this alien world of what is being discussed internationally and at the national level that is a

world apart from the core values of civil society. It is more about identifying mechanisms and access that is recognizable to anyone in society.

A: Roberto Bissio: At the end of the day the United Nations is about governments making decisions. Civil society has a variety of ways to approach that process, but it is the people in the street and people at home where the diplomats receive their instructions from their capitals who make the decisions. As important as it is being here at the UN, if it is not backed by political will at home it is not really useful.

A: Jeff Huffines, co-moderator: We will write up a summary of this side event together with links to the various publications and proposals which could provide a basis for continued consultations of civil society in between UN meetings leading up to Rio+20. We need to identify the resources and times when we can continue this discussion even when we are not together face to face.

A: Hamish Jenkins, co-moderator: NGLS thanks all the panelists and co-sponsors who synthesized all the proposals. We covered a lot of ground, this is the time to think both in terms of the reform agenda with our normative goals in mind and also to look at concrete mechanisms.

One of the exciting innovative mechanisms that Chantal Line Carpentier put forward was with regard to the FAO committee on world food security where they have a civil society mechanism. In contrast to the formation of the Major Groups structure, the FAO civil society mechanism wasn't decided by governments. It was organized by a process self-determined by civil society to deal the very specific issue of food security. Within the civil society mechanism they have eleven different constituencies each of which are facilitated by a global consultation process. They have the small farmers, the landless farmers, urban poor, indigenous, etc., also they have multiple regional representation. In terms of representation, it is really rich. Just as importantly, it is probably the only other example comparable to the Habitat II process of being able to engage in the drafting of text on a par with governments.

Civil society doesn't have voting power of governments, but since these guidelines are to be adopted by consensus, voting does not tend to happen. In fact, civil society can actually help to broker or unlock differences between negotiating blocs. So it is a really exciting example. But again (at least in terms of how civil society organizes itself) it is really something driven by civil society organizations themselves. Perhaps we need a reflection on that before calling for an UN intergovernmental process to reform the Major Groups system.

While we cannot really change the rules of the game in the next six months leading up to Rio there are a lot of creative things that we can do in the preparations leading up to the People's Summit. There is going to be a thematic social forum in Porte Alegre in late January where the whole question of reforming governance and participation will be a quite an important element of the discussion. Perhaps we need to start thinking of forming an on-line discussion around that theme.