

# Balanced and Equitable Participation in International Forums



## A rights-based approach to participation



## Promoting coherence between human rights obligations and international governance related to the environment

- “ 15. Where members of the public have **differentiated capacity, resources, socio-cultural circumstances** or economic or political influence, special measures should be taken to ensure a balanced and equitable process.
- Processes and mechanisms for international access should be designed to **promote transparency, minimize inequality**, avoid the **exercise of undue economic or political influence**, and facilitate the participation of those constituencies that are **most directly affected and might not have the means for participation** without encouragement and support.

*Almaty Guidelines, Decision II/4*

# Outline

**Section 1: Promoting balanced and equitable participation**

**Section 2: Facilitating the participation of those most directly affected**

**Section 3: Avoiding the exercise of undue economic or political influence**

**Conclusions & outlook for Aarhus Parties & Stakeholders**

# Promoting balanced and equitable participation



## Promoting balanced and equitable participation



## Ensuring representation of diverse constituencies

- Main trend: multistakeholderism / non Parties stakeholders
- Objective must be to enable the voices of all rights holders
- Major Group approach must not impair diversity of voices:
  - ▣ diversity of perspectives heard
  - ▲ No joint interventions across constituencies
  - ▲ barring access to groups that were not considered in Rio (persons with disabilities, fenceline communities, waste pickers)

## Equitable participation critical consideration

- Blatant inequality in access to international forums
- Lifting of visa access and logistical issues
- Global South / Global North figures regarding NGOs registration must not be weaponized against public participation



**Facilitating the participation of  
those most directly affected**



## Facilitating the participation of those most directly affected

## Facilitation of the participation of those constituencies that are most directly affected and might not have the means for participation without encouragement and support

- Material support
- Adequate preparation
- Meaningful opportunities to participate
- Examples: waste pickers, fenceline communities

## Keys to effective participation

- Engagement with representative structures & processes
- Safe space and freedom from retaliation
- Lifting of visa access and logistical issues



Facilitating the  
participation of  
those most directly  
affected

*When you are not at  
the table, you are  
probably on the  
menu...*



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## Good practice: UN Voluntary Fund for Indigenous Peoples



# Avoiding the exercise of undue economic or political influence



*Entrance of the COP-25 Venue and Sponsorship announcement*

## Avoiding the exercise of undue economic or political influence

### Corporate ownership of the negotiating space

- Sponsoring of the COPs,
- Rental of space on commercial basis
- Sponsoring of consultative forums

### Undue political influence

- Number of delegates
- Facilitation of sessions / setting agenda
- Presidency mixing roles
- UN secretariats playing unhelpful roles



# Avoiding the exercise of undue economic or political influence



Press release

## First sponsors for COP26 announced with one year to go until the climate summit

The first sponsors for COP26 have been announced as SSE, Scottish Power, National Grid and National Grid.

Cop27

This article is more than 7 months old

## 'Explosion' in number of fossil fuel lobbyists at Cop27 climate summit

Oil and gas industries have 636 representatives at Egypt conference - a rise of more than 25% on previous year

United Arab Emirates

## UAE oil company employees given roles in office hosting Cop28

Exclusive: at least 12 officials at body hosting Cop28 appear to have come straight from fossil fuel industry

## Climate change: UN to unmask fossil fuel lobbyists at climate talks

16 June

COP27





## Avoiding the exercise of undue economic or political influence



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## Lessons learned

- Good practices exists: WHO Framework Convention on Tobacco
- Civic space and corporate capture as two sides of the same coin
- Need to review modalities for corporate sponsorship AND to differentiate between rights holders and actors with vested interests

# Conclusions & outlook for Aarhus Parties & Stakeholders



# Speaking up is key!



United Nations



Framework Convention on  
Climate Change

ADVANCE VERSION

FCCC/SBI/2023/L.10

Distr.: Limited  
15 June 2023

Original: English

## Subsidiary Body for Implementation

Fifty-eighth session

Bonn, 5–15 June 2023

Agenda item 19

Arrangements for intergovernmental meetings

### Arrangements for intergovernmental meetings

#### Draft conclusions proposed by the Chair

16. The SBI encouraged hosts of future sessions and mandated events to reaffirm their commitment to upholding the purposes and principles of the United Nations Charter and international human rights law before, during and after UNFCCC sessions and mandated events, and to ensure that participants can exercise those human rights without fear of intimidation and repercussions.

17. The SBI welcomed UNFCCC policies and the efforts of the secretariat to secure the conference venue and highlighted that all participants must abide by the UNFCCC code of conduct<sup>2</sup> at the meeting premises and respect the national laws of the host country outside the meeting premises.

18. The SBI noted that for transparency the host country agreement for sessions of the COP should be made publicly available consistently with the United Nations Charter.

19. The SBI noted that host country agreements should reflect the purposes and principles of the United Nations Charter as well as respective obligations under international human rights law, and enable inclusive and effective participation of Parties and observer organizations, with a view to ensuring that UNFCCC sessions and mandated events are convened at a place where human rights and fundamental freedoms are promoted and protected, and where all participants are effectively protected against any violations or abuses including harassment and sexual harassment.

20. The SBI recommended that the host country designate a focal point to address the issues referred to in paragraph 19 above.

## Conclusions and outlook

### **Almaty Guideline 15 must serve as a compass for Aarhus Parties engagement in International Forums**

- Promoting balanced and equitable participation of all right holders
- Taking affirmative steps to remove obstacles to - and support - the participation of those most directly affected
- Tackling undue economic influence and addressing conflicts of interest

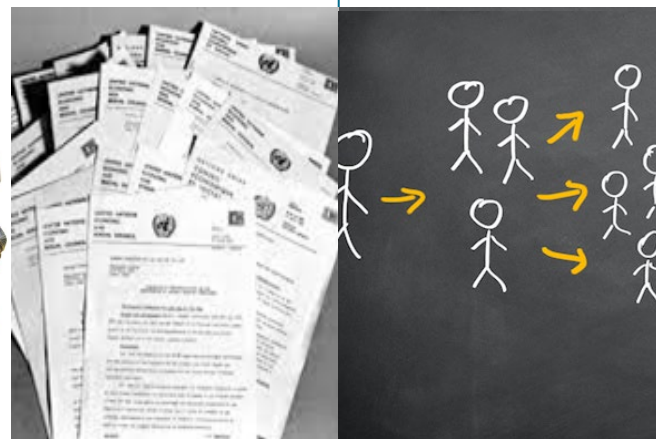


# Outlook for the Aarhus Convention Process (possibly in cooperation with the Escazú Agreement process)

**1. Consult UN Secretariats and stakeholders to map practices and challenges**



**3. Disseminate key findings among Parties and relevant actors**



**2. Prepare a synthesis note based on these consultations**

**Thank You!**

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