

Multi-stakeholder Processes Examples, Principles, Strategies

**International Workshop
New York, 28/29 April 2001**

Workshop Report

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The workshop "Multi-stakeholder processes. Examples, Principles, Strategies" was made possible through their generous support and collaboration.

We would also like to thank all speakers, chairs, rapporteurs and participants whose active contributions and expertise made the workshop a success.

Introduction

85 international representatives of various stakeholder groups met in New York for a workshop on "Multi-stakeholder processes. Examples, Principles, Strategies" on 28-29 April 2001. Participants included representatives from UN agencies, governments, business, trade unions, local government, NGOs, women, youth, Indigenous Peoples, farmers, the education community, faith communities and the media.

The workshop was part of UNED Forum's project on multi-stakeholder processes. The project aims to develop a common framework for various types of multi-stakeholder processes, based on analysing the values and ideology of such processes, existing examples and relevant scientific findings. The project goal is to propose a step-by-step framework, which allows for transparent, equitable, democratic and gender-balanced processes of dialogue and project development; which is agreeable to all stakeholders and can be adapted to various situations and issues in a flexible manner.

The meeting aimed at exchanging experiences with multi-stakeholder processes around various policy-making and implementation processes; gathering stakeholder representatives involved in the various processes; creating opportunities to learn from each other; and at reviewing the draft outcomes of UNED Forum's project. To avoid abstract process-related discussions, the workshop focused on a set of issues in the areas of bio-society and energy, using various multi-stakeholder engagements in international, regional, national and local processes (or the lack thereof) as specific examples.

The workshop took place on the weekend before the 10th Session of the UN Commission on Sustainable Development, being the first International Preparatory Meeting for Earth Summit 2002 (PrepCom 1). As per the PrepCom 1 decision, there is to be significant stakeholder involvement in the preparatory process for the Earth Summit 2002 in Johannesburg, South Africa. Stakeholder groups have started their preparations and stand ready to contribute and collaborate to make the Summit a success.

The Co-chairs Summary of the workshop was distributed at the PrepCom 1 meeting. It gave a strong signal from stakeholders, outlining their perspectives on their involvement in the Summit process and their ideas on how to design the planned dialogues and other mechanisms in the most effective manner, creating the necessary commitment and initiating collaborative work of stakeholder groups to ensure implementation of the Summit outcomes.

UNED Forum's website on multi-stakeholder processes can be found at www.earthsummit2002.org/msp.

A list server has been established at <http://groups.yahoo.com/group/ms-proc> in order to further information exchange and networking.

Presentations

The presentations are available at www.earthsummit2002.org/msp/workshop.htm (MS PowerPoint).

Multi-Stakeholder Processes. A Methodological Framework

(Minu Hemmati, UNED Forum)

Minu Hemmati opened her presentation by giving an outline of UNED Forum's project on "A Methodological Framework for Multi-Stakeholder Processes (MSPs)": The goals of the project included developing a common framework which can be shared and promoted by stakeholders, building a knowledge base, and experimenting with MSPs.

She gave a definition of MSPs as processes of decision-finding (and possibly decision-making), which:

- aim to bring together all major stakeholders; and achieve equity and accountability in communication between them;
- involve equitable representation of stakeholder groups;
- are based on democratic principles of transparency and participation;
- aim to develop partnerships, networks, and collaboration.

She defined stakeholders as people who have an interest in a particular decision, either as individuals or representatives of a group; and as people who (can) influence a decision and people who are affected by it.

Depending on the issues, participants, time-frame and linkage into official decision-making, MSPs can be processes of dialogues, consensus-building, decision-making, implementation and/or monitoring and evaluation.

Minu Hemmati went on to describe the various building blocks that mark the basis for the report: clarifying the goals and terminology of MSPs; putting them into the context of the global governance reform debate; outlining different types of MSPs; elaborating the value / ideological base; analysing scientific research on groups of high diversity; and studying 20 MSP examples in various areas and at different levels.

She listed the principles of stakeholder involvement and collaboration that have been defined in the report: Accountability; Effectiveness; Equity; Flexibility; Good Governance; Inclusiveness; Learning; Legitimacy; Ownership; Participation; Partnership; Societal Gains; Strengthening Institutions; Transparency; and Voices, not Votes.

The various steps and issues to be addressed when designing MSPs are divided into 5 phases – context; framing; inputs; dialogues / meeting(s); and outputs - with an additional 6th category of issues to be addressed throughout the process, such as establishing procedures for meta-communication, and relating to non-participating stakeholders and to the general public.

The following issues should be carefully considered within the 5 phases:

1. Context: process design; linkage to decision-making; stakeholder identification; facilitation / organisational back-up; and funding.
2. Framing: group composition; goals; agenda and time-table
3. Inputs: stakeholder preparations; agreed rules & procedures; addressing power gaps; capacity-building
4. Dialogues / Meeting(s): communication channels; facilitation / chairing; rapporteuring; possibly decision-making; closure
Outputs: documentation; action plan / implementation; possibly ongoing MS processes; possibly impact official decision-making

At all stages, components of the process need to be agreed by participants. MSPs should be designed through an MSP process, for example, through a core group of stakeholder representatives who suggests a draft design and puts it to the group. All stakeholders should be enabled to initiate MSPs; some will need support and capacity-building. Making the process design itself a multi-stakeholder effort will help to ensure legitimacy of the process, increase commitment by potential participants, and help to identify stakeholders and scope of issue areas appropriately. It is also important to ensure that goals and the agenda, and criteria for closure are clear and agreed by participants. Much confusion, suspicion, and tension can arise when participants don't work on the basis of a shared definition of the issues and questions in front of them. This needs to be balanced with a learning approach – adapting an agenda and issues might be necessary when participants find that new aspects should be included, others should be dealt with somewhere else, and the like. Such a learning approach also needs to be adopted participants; everybody engaging in an MSP should be prepared to learn.

Finally, she identified two necessary steps for the future: Firstly, a "learning hub" should be created to enable exchange of information and networking among those involved in MSPs. Secondly, there is a need for a political dialogue to clarify and develop the relationship between (inter)governmental decision-making and stakeholder involvement and collaboration in MSPs.

Multi-Stakeholder Processes: Why, and Where Next?

(Paul Hohnen, Former Director Greenpeace International and Advisor to international NGOs, organisations and corporations)

Paul Hohnen outlined the political context of MSPs, stating that there is a democratic deficit in global forums that are not accountable to elected representatives and in which agendas are inconsistent with sustainability (UNCED, WTO). The process of globalisation is being equalled with un-sustainability, corporate control and a reduced government role. Various gaps, such as the governance gap, the implementation gap and the policy gap need to be bridged.

The question is whether MSPs can help to bridge that gap? Government, business and protest as usual are not achieving sustainability. Adversarial approaches might be good at problem identification, but not always at advancing solutions. MSPs address part of the democratic deficit, by engaging and harnessing the creativity from a wide and balanced cross-section of stakeholders. MSPs can provide leadership and action on key issues neglected by governments and thus help to bridge the governance gap.

He asked whether governments will see MSPs as a challenge to sovereign authority to determine policy, or as a tool to enhance democratic dialogue? Will mainstream business see MSPs as a threat to 'business as usual', or an opportunity to identify trends and partners supporting their transition to sustainability? Will NGOs see MSPs as a threat to traditional independence of thought and action, or an opportunity to take their message to a wider audience? Will MSPs be able to make measurable, accepted and recognised progress within meaningful timeframes, and thus maintain stakeholder and public support?

Paul Hohnen made several recommendations for the future of MSPs:

- Establish a framework to monitor MSP processes. Its objective would be to help all those engaged in MSPs, and others, to understand their goals, participants and processes.
- Create a MSP Learning Framework.
- Give that learning hub for MSPs a permanent home as someone needs to be responsible for creation of a website, encouraging completion of data, responding to enquiries and convening meetings to exchange experience. Hereby, the UN would be the most logical

site. This would be consistent with its universality, mandate and support for greater stakeholder engagement (e.g. Millennium Summit, Malmo Declaration).

- Avoid bureaucracy. MSPs may be local, national, regional or international. There will be no “one size fits all”. Each must be independent and self-sustaining.
- Secure seed funding. Money will be necessary to ensure provision of basic information and coordination mechanisms in relation to MSPs. Some MSPs may require financial assistance to ensure independence and viability.
- Ensure that it is a learning process and provide for an assessment and evaluation mechanism aimed at highlighting what works, as well as what doesn't.
- Establish ground rules based on respect for others' approaches and processes.

He finally remarked that MSPs are a new species in the political eco-system. They will make mistakes. They will not solve all problems to everyone's satisfaction. MSPs should not and will not provide an alternative to good government. But they might help it – and the rest of us - make the necessary progress towards sustainability. He concluded his presentation by giving an alternative definition of MSPs: “Making the Sum greater than the Parts”.

Innovation in Governance. The Role of Global Public Policy Networks

(Jan Martin Witte & Thorsten Benner, Global Public Policy Project)

Jan Martin Witte and Thorsten Benner started their presentation by outlining the context of global public policy networks (GPPs). GPPs exemplify the transformation of governance towards multi-level and multi-sectoral arrangements. Pulling together diverse groups and resources, these networks take advantage of technological innovation and political liberalization and enable participants to address issues that no group can resolve by itself.

The speakers went on to explain the key functions of these networks. GPPs:

- facilitate the negotiation and setting of global standards;
- serve as mechanisms for developing and disseminating knowledge;
- make markets where they are lacking, and deepen them where they do not fulfil their potential;
- serve as innovative implementation mechanisms; and
- create trust and help to close the participatory gap.

Getting a network up and running requires personal and institutional leadership. Hereby, the key to success is an adequately balanced consultation. Two main challenges need to be addressed in this context. First, effective multisectoral cooperation requires substantial organizational change on the side of all actors involved. Second, GPPs need to meet the dual challenge of inclusion (local-global and North/South) to ensure legitimacy and sustainability. As a way forward, this challenge needs to be tackled effectively.

Finally, the creation of 'best practice' focal points and the promotion of social entrepreneurship were suggested.

Bio-Society Issues and Related Processes

(Andreas Seiter, Novartis (Switzerland))

Andreas Seiter explained the need for a multi-stakeholder approach from an industry's perspective, based on the example of “access to healthcare”. He gave a brief definition of the term “bio-society issues”, involving:

- Impact of genomics revolution on humanity and society at large;

- Ethical boundaries (e.g. embryonic stem cells, cloning of human beings, germ line therapy);
- Novel risks (cross-species infections, new bio-warfare agents);
- Access and benefit sharing (intellectual property, costs, allocation of funding, equal access to treatment).

The challenge of bio-innovation lies in the disruptive change, which creates fears like loss of status, economic disadvantage and increasing external control of our lives. Bio-society issues have a potentially major impact on the fundamentals of human society. The goal of achieving equal access to life-saving medicines for all becomes more difficult to achieve if such medicines become a reality in increasing numbers - but at high costs.

The genomics revolution, the North-South divide and an aging society create a mix of conditions, which threatens a (remaining) consensus. A refined and more sustainable direction of global healthcare policies is necessary. The healthcare industry used to portray itself as a “philanthropic industry” and suddenly finds its business model under public attack.

Governance issues requiring MSPs in this area include:

- Reducing the healthcare divide between the rich and the poor;
- Human rights versus luxury - where is the line?
- Role of the private (capital market funded) healthcare industry; creating a sustainable business model;
- Balancing market forces with social and development goals;
- Measuring, monitoring, and sharing “good practice” in pragmatic problem solving.

You Have Been Consulted! Climate Change Multi-Stakeholder Processes in South Africa

(Richard Sherman, EarthLife South Africa)

Richard Sherman opened his presentation on multi-stakeholder climate change practice in South Africa by explaining how the complex structure of South Africa’s National Climate Change Committee, consisting of several ministries, businesses, NGOs and trade unions challenges the multi-stakeholder process on climate change in South Africa. It’s the Committee’s mandate is to guide / advise / manage the implementation of the UN Framework Convention on Climate Change; to engage in a national communication process; and to advise on the Global Environmental Facility.

He went on to discuss some avoidable pitfalls of multi-stakeholder dialogues:

- Lack of clear work programmes and implementation procedures;
- Confusion of roles / identities / leadership and direction;
- Compromise for progress / accommodation of diverse views / approaches;
- Bureaucratisation of process;
- Lack of visible progress particularly to those not involved in the process;
- Capacity of the State;
- Technical nature of debate disempowers new role players / non-negotiators;
- Institutional Memory for government / stakeholders
- Inter – departmental cooperation/confusion

By asking a series of questions, he raised a few points that need to be looked at when being involved in national multi-stakeholder dialogues, for example:

- Do we follow a sectoral approach to multi-stakeholder processes or is a centralized overarching framework with issues based working groups / committee’s a better option?

- How do we benchmark the performance of multi-stakeholder processes?
- How do we review effectiveness / progress?
- How do we remove barriers for maximum participation and effectiveness? Who should do this?
- Representation / mandates – Do we merely represent entrenched views or are we attempting to move sectoral views to find a common ground?
- How do we establish relationships of trust and full disclosure?
- Do multi-stakeholder processes lead to effective partnerships between the State and non-state actors?

The World Commission on Dams

(Saneeya Hussain, WCD's Senior Advisor on Stakeholder Consultations and Communications)

In response to escalating conflicts over the role of dams in development, dam proponents and opponents agreed in 1997 to establish an independent international commission. The World Commission on Dams (WCD) was created through a unanimous decision and was given a broad-based mandate to review the development effectiveness of large dams, to assess alternatives in energy and water resources management, and to develop internationally acceptable criteria and guidelines to guide future decision making on dams. The WCD published its report "Dams and Development - a New Framework for Decision Making" in November 2000.

The Commission's authority and credibility rested on the diversity of its Commissioners, a guiding theme throughout its inclusive, transparent and participatory work programme.

Factors that contributed to the legitimacy and independence of the WCD were: the multi-stakeholder selection process of the Commission members; the absence of any vested interests in its reporting structure; the hands-on experience of its Commissioners and Secretariat Staff; and the untied funding the WCD received from a broad base of 53 donors. The WCD accomplished the most comprehensive, global and independent review of dams from which it developed recommendations for future decision making.

The process was characterised by a knowledge-driven review, a multi-faceted analysis and an integrated assessment. Extensive negotiations within the Commission eventually led to a set of agreed recommendations.

As its principal findings the Commission learned that dams have delivered considerable benefits, but that in too many cases the price paid to secure those benefits has been unacceptable. The WCD found a lack of systematic evaluation of dam projects, and considerable scope to improve performance. It found that the economic profitability of dams is elusive, involving many externalities. It also found that all too often impacts on people and ecosystems are unacceptable and avoidable; and that alternatives to dams do exist that are viable and acceptable - depending on the location. Finally, the Commission learned that the means to improve development outcomes do exist but are not yet common practice.

In recommending a new framework for decision making, the WCD proposed seven strategic ways to turn conflict into consensus:

- Gain public acceptance;
- Assess options;
- Address existing dams;
- Sustain rivers and livelihoods;
- Recognise entitlements and share benefits;

- Ensure compliance;
- Share rivers across boundaries.

In sum, the World Commission on Dams conducted the first, comprehensive review of the performance of large dams, focused on options and compliance, promoted a rights and risks approach to negotiate outcomes, showed that conflict is not inevitable, and through its own experience displayed that common ground can be reached.

Break-out Groups

The groups were asked to address a set of questions during their discussions:

1. Which aspects of the issue area under discussion has been or should be addressed with an MSP – and what would such a process ideally look like?
2. What are the key principles, components, and conditions of successful MSPs?
3. What should be principles and practical components of linkages between MSPs and official decision-making processes?

Group 1: Biodiversity, bio-prospecting and access to health

Speaker 1: Alejandro Argumedo, Indigenous Peoples Biodiversity Network, Peru

Speaker 2: Michael Dorsey, Justice & Sustainability Associates, US

Chair: Lynne Joiner, Journalist, US

Rapporteur: Rosalie Gardiner, UNED Forum

Alejandro Argumedo gave the first presentation on "Access and Benefit Sharing – Bio-Prospecting for New Medical Products", in which he focused on access to essential and cheap drugs for the local level - "some 80% of people globally are still depend on plant remedies for curing ailments". He recognised that some issues may never be reconciled through MSPs, e.g. application of Intellectual Property Rights (IPRs) vs. recognition of traditional rights. The concept of stakeholders can give the impression that all stakeholders are able to participate in an MSP at the same level, however, Indigenous Peoples often have very different power relations and ideological beliefs compared to other stakeholders. He highlighted the mostly defensive reactions that have so far taken place during the development of the Convention on Biological Diversity (CBD), which have been mainly characterised by distrust between stakeholders due to these imbalanced power relations. He went on to consider IPRs, which create a new form of ownership over biological resources; he argued that patenting leads to exclusive rights, limiting access for some people to produce and obtain essential drugs. The crucial issue is therefore a symbolic "right of ownership". The CBD has changed the rules of the game in terms of access to IPR shares of benefits in the 10 years since Rio. Often, Indigenous Peoples interests are not recognised by governments who allow foreign companies to bio-prospect, therefore the CBD is crucial to formally encourage governments in recognising broader interests. Key issues that need continued discussion include Prior Informed Consent, control of access and user responsibility. He recommended that multilateral instruments should always include civil society discussions to ensure that the process produces concrete and equitable solutions. He also said that sometimes MSPs might be founded on an inequitable context and therefore could not reach a fair conclusion.

Michael Dorsey gave the second presentation on bio-prospecting defining bio-prospecting as an attempt to identify, categorise and commercialise biological resources. Bio-prospecting is not new, e.g. bio-prospecting has been going on in the Upper Amazon, Ecuador since arrival of the Spaniards, but it now comes under the term of bio-prospecting.

He outlined five driving factors for bio-prospecting:

1. A globalising market for biological resources enhances the urgency and demand for resources. A whole range of actors are involved from small business, pharmaceutical and universities.
2. There are greater efforts to link bio-prospecting activities with the conservation of biodiversity.

3. The new system created by the CBD has made biodiversity the property of States – where before there was “open access”.
4. The technology for research and development is now very fast and cheap. It is possible to test vast quantities of potential chemicals against a variety of ailments.
5. Larger businesses have to pay more attention to legislation, as they risk accusations of bio-piracy. Small firms seem to be less aware, less regulated and less able to afford such legal requirements. There is a lack of regulation and enforcement for these smaller prospecting groups.

The group discussed key elements for MSPs. First, **transparency**, in terms of access to negotiations and explanation of the process. There was general agreement that benefit-sharing is treated differently in different countries due to different agreements; this diversity can reduce transparency and therefore trust within different stakeholder groups. MSPs can help to develop bench-marking and assessment of such problems to help to increase transparency.

The **knowledge gap** is another key issue when seeking to engage stakeholders. The internet was identified as a very effective means in addressing the knowledge gap in the developed world, however, it isn't sufficient to reach people in the developing world, especially since English remains the dominant language online. Clearly both developed and developing countries need to be publicly engaged. Also global and local players need to be better linked, which would help to reduce the power gap between the North and the South. Synergies could be developed by using MSPs at different levels to help inform multi-lateral legal processes.

The following section outlines the workshop's comments on the four workshop questions.

1. Which aspects have been addressed by MSP – what would that process look like?

Around the official CBD process there has been a form of MSP – working groups were set up involving business, communities and governments to discuss the issues of access and benefit sharing, tourism and traditional knowledge. Some key elements to enhance this process, as identified by the workshop, included:

- Define principles – frame the discussion by the theme / key issues that need to be addressed e.g. access and benefit sharing. A clear and open process at the outset helps build group confidence in the process. Also ensure prior consent so that all stakeholders agree and accept the context of the MSP.
- Define how the MSP will be linked to official decision-making processes, as well as in terms of possible practical outputs of MSPs, e.g. Biosafety Protocol, certification of bio-prospecting, guidebook about patenting and prospecting. This is important to help ensure credibility and accountability.
- MSPs should learn lessons from other processes, e.g. utilise the World Commission on Dams guidelines document.
- MSPs should ensure wide diversity of stakeholder groups beyond Agenda 21 Major Groups, e.g. older people, religious communities.
- Formal reporting mechanisms are important.
- Facilitators and participants may require capacity building in terms of leadership development and management skills.
- Funding is crucial to ensure an adequate process, where typically only the large players, i.e. the private sector, have the resources and time to invest in effective participation.
- MSPs should try to bring in new actors that might assist in finding innovative solutions.
- Participants should be given the space to “agree to disagree”.

2. What are the key principles, components and conditions for an effective MSP?

- A time-bound plan of work with benchmarked stages throughout the process.

- A limited term of membership in the process, revolving stakeholder input, e.g. "wheel model".
- Participants carry a dual responsibility. Reporting to the MSP and taking information back to their constituencies – there's often a gap or lack of transparency as to who / what represents a legitimate constituency.
- Identify goals of the MSP within the group to ensure that all are in agreement with the process.
- Allow flexibility in the framework of the MSP, to take account of a dynamic process and changing views of participants.
- Break down broad aims into manageable elements.
- Start with easier issues first to build group trust.
- Build capacity to ensure effective participation in process – particularly in relation to the principles of dialogue / communication.
- Invite a broad and cross-sectoral range of groups to create a more even playing field. Avoid just involving the same old faces and "elites".
- A focal and representative group should decide an agenda for the dialogue – seeking consensus on the aims, principles of process and desired outcomes.
- An organisational group will be necessary to administer the MSP.
- Consider public relations impact when conducting an MSP to gain wider civil society "ownership" of a process; public and media transparency are therefore important.

3. Linkages between MSP and official processes?

- Funding mechanisms: these will often come from official sources and therefore require political recognition of the need to engage other stakeholders and ensure the dialogue feeds into decision-making more formally.
- Linking informal and formal processes leads to cross-fertilisation of processes. This could be through informal discussions between officials and MSP stakeholders or formal reporting mechanisms.
- Trade-offs and differing interests of officials and stakeholders need to be made transparent.
- There is a need to address how to deal with bribery and corruption which could undermine the legitimacy of an MSP.
- There is no "one size fits all" model for an MSP.

Group 2: Natural Resources Extraction at Local / Sub-national Levels (Energy Resources)

Speaker 1: Sean Southey, ICLEI, Canada

Speaker 2: Gary Lawrence, Sustainable Strategies and Solutions, US

Chair: Paul Whiffen, Tearfund, UK

Rapporteur: Toby Middleton, UNED Forum

Sean Southey drew from experiences with ICLEI's "Cities for Climate Campaign" (Local Agenda 21 MSPs). Steps taken in this process include:

- Local Authority decides it wants to reduce emissions;
- undertakes a review of energy usage to establish benchmarks;
- sets appropriate reduction targets;

- sets emissions reduction plans;
- implements plans;
- monitors outcomes.

Five tensions frequently arise in this process:

- Participation Vs Representation;
- Campaign against Vs Working for;
- Conflict Vs Consensus;
- Environmental Management Vs Consensus;
- Process Vs Real change.

Gary Lawrence drew from experience with the “Seattle Environmental Priorities Project” (comparative risk analysis). The project recognised planning as a political exercise with technical attributes, which grew from public and scientific anxiety; and the city that needed a comprehensive plan upon which to make decisions.

The steering committee of the process, consisting of government, business (all sizes), key organisations, neighbourhoods and scientists, needs to run its own MSP before outreaching for a public MSP. Participants have to accept obligations linked to the process, e.g. to communicate with their own constituents, organise press conferences, etc.

In the **discussion** the following points were made:

- Many politicians will resist the notion of MSPs at the international level as they can be viewed as increasing political pressure, whereas at the local level there is an acceptance that you can't avoid public participation.
- Addressing the issue of natural resource extraction: the process comes down to whose environment it is and who needs the resource and for what? Has there been full disclosure by and to all parties?
- Process vs. scientific legitimacy. The legal interface ends up shaping the debate around which stakeholders can operate.
- Power of voice is determined by power held. Therefore, there can be a problem with 'false stakeholders' (bought interests). Who legitimises those involved?
- Legitimacy: stakeholders need to set standards for participation, and have to be prepared to walk away (if the process is undemocratic / lip-service).

1. Which aspects of the issues under discussion have been or should be addressed with an MSP?

- UNED's report doesn't address Environmental Impact Assessments (EIAs). These are critical tools to inform the process. EIAs are a legislative requirement in the EU which could be very valuable if legitimate.
- All parties need to operate on equal footing.
- Effects of conflict on the value of the process: Trust is essential to the process. Participating groups need to be able to compromise. MSPs are models to address new issues for the 21st Century.
- MSPs can eliminate mis-comprehension and perceptions unfounded. This is a value beyond decision-making, and is more related to relationship building. MSPs are perhaps a process of conflict prevention.
- MSPs are a tool to mitigate conflicts. Thus there is a need to ensure that whoever is convening the MSP is un-biased.

2. What are the key principal components and conditions of a successful MSP?

- We have been looking at MSPs in isolation. We need to take a more integrative perspective.

- Fatigue of processes vs. benchmarking / standard setting for future processes.
- A checklist might be necessary to know the right time to walk away.

3. What should be principles and practical components of linkages between MSPs and official decision-making processes?

- At the CSD, stakeholders have no input on the issues being dialogued. Preparations need to be transparent and participatory and timelines / structures should be progressive in incremental steps.
- Start the process off with a clean sheet of paper. There needs to be a level playing field for all participants.
- The way you conceptualise MSPs determines the outcomes. There is no fact that can counter a really good myth. Sound political commitments are important.

Group 3: Bio-society Issues at the Global Level

Speaker 1: Jack Whelan, ICC Working Party on Bio-society Issues, France

Speaker 2: Harsh Jaitli, Society for Participatory Research in Asia, India

Chair: Annik Dollacker, Bayer, Germany

Rapporteur: Jasmin Enayati, UNED Forum

Jack Whelan gave a brief definition of the term “bio-society”: Two years ago, business involved in biology and bio-technology first started addressing the issue. Agricultural, industrial and pharmaceutical applications and their effects on society should be looked at equally. The issues are as follows:

- limits/ boundaries to society’s acceptance;
- innovation as a disruptive element;
- access to benefits;
- role of patents;
- links between information;
- need for consensus of acceptable business model;
- role of leadership – role of stakeholders;
- peer pressure, e.g. through the Global Compact.

Companies are becoming more transparent and invite stakeholder dialogues. ICC developed a roadmap for electronic commerce that gives policy options for policy-makers. MSPs should be more than mere dialogue sessions, but rather happen on a continuous basis, which would enable the creation of continuously evolving documents. To ensure reaching stakeholders, one needs to rely on the multiplier effects by sending out drafts to networks, and rely on them distributing these to their constituencies (thereby relying on electronic means).

ICC can take on a broker role, e.g. starting MSPs with a blank piece of paper, and then have drafts and comments to create ownership.

Harsh Jaitli talked about occupational health and safety and identification of occupational diseases - issues in which the communities have a large stake. However, in the planning stages of developments they usually have no say. It is the government’s role to act as regulator / inspector of industry’s practices.

One important challenge for successful MSPs is to develop the capacity of communities by giving them the necessary information. Communities need to start understanding their role in MSPs. Harsh Jaitli finished his presentation by emphasising that everyone has a piece of the puzzle and has their own solutions. MSPs are only a vehicle to improve sustainability. MSPs

usually start when harm has already been done and compromises have been made. People need to be involved in the basic designing phase.

1. Which aspects of the issue area under discussion has been / should be addressed with an MSP – and what would such a process ideally look like?

- Issue of value disputes (where fundamental conflicts are inherently a stake) versus distribution disputes (who gets access to medicine / land). In order to build trust, value discussions need to happen first. There is a need for a structured process of information exchange to talk beyond values even though it might be conflictual.
- Make the value debate explicit and start where you can identify common ground.

2. What are the key principles, components, and conditions of successful MSPs?

- Major Groups need the space to select their leadership. Different styles of leadership, of reaching out to constituencies, and different ways to write statements have to be respected. Every group needs their own roadmap.
- Secretariat: Neutral facilitation of the process is necessary. It needs to address the power (im)balances. The process should take place on neutral territory.
- Major Groups often contribute to the capacity-building of the secretariat. Major Groups have to mandate somebody to become their focal point (coordinator).
- Create credibility of the chair. Highest mandate should be secured where possible.
- Principle of multiple mandate (internal mandate for who represents Major Group).
- Broad spectrum approach: Need for regionally / culturally specific approaches.
- Bio-society issues: the principle of equity is very important. Create win/win situations.
- Chair determines overlaps and high friction places.
- Focus on clear output is often missing but very important.

3. What should be principles and practical components of linkages between MSPs and official decision-making processes?

- Proceedings should be recorded on publicly available websites, so future roadmaps / processes have reference points.
- Improve participatory governance – e.g. governments inviting stakeholders on delegation.
- Commitment from decision-makers to take outcome of MSPs into account.
- Mainstream MSP into official decision-making process.
- System of accountability within MSP linked to decision-making.

Group 4: Global Energy Policies

Speaker 1: Jane Paxman, BP, US

Speaker 2: Miguel Schloss, Transparency International

Speaker 3: Arjun Dutta, Consumer Unity & Trust Society, India

Chair: Daniel Wiener, Journalist

Rapporteur: Beth Hiblin, UNED Forum

Jane Paxman described how BP, deciding on its climate change policy to cut 10% of CO₂ emissions, had an 18-month in-house process before it announced this unilateral action on climate change. In the process, BP held central control but consulted other organisations. Now they are advising others on emissions trading and other practices they themselves have instigated to achieve the reductions.

Miguel Schloss discussed work with oil companies, regional institutions and multilateral development / finance institutions on oil trade in sub-Saharan Africa. He highlighted three fundamental elements of the dialogue: 1) targeting to strategic concerns, 2) aiming for high and measurable impact, 3) having to benefit those that need change the most. This example also raised queries over the potential impact on the process of a vital grouping that is resistant to change (e.g. corrupt officials).

Arjun Dutta emphasised that it is vital to have action plans with a timeframe, as well as to identify bottlenecks. To achieve international targets we must have local, national and regional cooperation and action plans.

The **discussion** centred on whether it is possible for MSPs to work at the international level at all, if it is a goal to have MSPs about global energy policies, and how we can empower the process.

It is key to define the goal, a 'common vision', to which all the participant groups are working. Then all participants have an interest in achieving this vision, thus limiting the chances of a group pulling out of the MSP and irrevocably damaging it. As benefits are subjective finding this commonality can be hard, but time spent on this will strengthen the process later on. This is also true of defining the common context and background – then everyone is 'working from the same page' and the dialogue is built on good foundations. However, with one of the strengths of MSPs being that they allow for thinking 'outside of the box' the framework should not be set too rigidly as this may stifle innovation. The dialogue then becomes a negotiating instrument for achieving the vision through solving specifics within the dialogue. It was noted that MSPs may be culturally biased and the potential for this to impact upon the process, either positively or negatively, should be considered.

The dialogue should include all relevant stakeholders and cannot exclude major players in the process. In fact, it should be open to any group with an interest in the outcome. However, it was realised that some stakeholder groups would need financial support to be involved in MSPs as they do not have the same level of resources as others (e.g. NGOs versus corporations), and that a level of independence of the major groups is also necessary.

The BP case study presented led the participants to discuss the concept of in-house MSPs for big business, in light of the role many of the world's largest corporations have to play in achieving CO₂ emission cuts. If businesses make a sea change in their operating policy it must be done in consultation to ensure a competent, workable solution. This could be encouraged by the fact that it is good business to ensure they 'get it right' and they have this vested interest in making it as viable as possible. However, the company would have to be an enlightened one in order to make true use of an MSP determining its goals, and also if letting stakeholders monitor compliance to these new goals. Even if companies were convinced of the value added in involving stakeholders in this manner, they may be reluctant to make sweeping changes that place them ahead of the game. With conventions and laws taking much longer to develop and implement, many corporations want to remain neutral until the consequences of new legal conditions are clear.

It was suggested that a global MSP on climate change is urgently needed to ensure that governments are making demonstrable progress on this issue by 2005. However, the current situation of many groups being involved in the process in an unstructured manner has in fact not helped the process – with the US and other activists promoting the progress of the international negotiations without putting in the groundwork to change public attitudes. Hence, there is not enough domestic support for politicians to commit to the international agenda and implement change at home. The global level MSP must be legitimised by voters, or else the rhetoric won't ever become reality.

MSPs were also seen as a means to transcend the old Rio and NGO concept of "thinking globally and acting locally". Sometimes you need to act globally as well since international frameworks and the policies of corporations aim at the international or even global level, too. Together with the networking-potential of new information technologies it has become

possible to cooperate and communicate successfully over long distances without having to spend too much time or money for travel. These new technologies can facilitate a pre- or post MSP dialogue process that still has to be conducted by real persons representing real stakeholders at real tables.

Group 5: Water & Energy: Policy Development and Decision-Making on Large Dams

Speaker: Emad Adly, Arab Network for Environment & Development, Egypt

Chair: Danielle Morley, UNED Forum

Rapporteur: Charles Nouhan, UNED Forum

Emad Adly started off the session with a presentation on large dams using Egypt as an example. In the 1960's, the Aswan 'high' dam was built which reflected the principles applied at that time. Concerns of today were not apparent then. The issues of water and energy are so lively now that it might be difficult to reach consensus. Even if MSPs were used, it might be difficult to influence / change perceived political needs.

1. What are the key principal components and conditions of a successful MSP?

General theoretical principles of MSPs may not be as well suited to some national processes. Some experience has shown that it is harder to apply MSPs at the national level where there is more of a direct connection to peoples lives and vested interests. Therefore the objectivity / neutrality of an MSP can be lost.

The group discussed some of the key principles of MSPs:

- Ownership of the process is at the centre of an MSP - it must be clearly defined and agreed upon.
- Transparency can be politically risky and may lead to unexpected interpretations e.g. in Russia, transparency is very elusive and is easily manipulated by those in power.
- Dialogue must be used in the context of process, not just as a tool for superficial consensus-building.
- Power gaps are a barrier to the process and create a sense of being disempowered from the real decision-making. Again, defining ownership would be helpful here.

Power Gaps: The World Commission on Dams addressed the issue of power gaps by letting all members engage as individuals rather than as representatives of their organisations. If efforts are made to give all players a voice, and if all participate equally (perhaps with a chair drawing in all participants), all would feel that they could make a meaningful contribution. The credibility of the participants within their community and in what capacity they come will often influence the power gap.

The question was asked whether we prefer enlightened dictatorship or unenlightened democracy? If the process is open-ended, and if more stakeholders become involved, the capacity to solve the problem increases. This could then circumvent a great deal of unnecessary debate. Notions of democracy are very different around the world: Vote vs. voice – representative vs. participatory democracy.

Ownership: MSPs at the regional level are easier, but at the national level the power gaps appear more extreme. Subtle differences in interest magnify the problems and barriers; conflict often ensues. The principle of *co-ownership* is important; but when some groups are perceived to possess '*more*' (power, resources, information) than others, conflicts arise. Such perceptions determine one's angle of engagement.

Equity: How is the framework for risk assessment determined? The degree of risk for one stakeholder group vis-à-vis another is, to some extent, a determinant of that group's equity – the number of issues at stake for a given group. Sometimes the cultural and ecological factors

in group equity are not fully considered and appreciated. One way to determine the level of a groups equity is to have complete sets of the right information. Also, it is important to define if the impact is at the local, national, regional and/or global level. The higher the level, the greater the universe of participants, so more 'help' could be drawn in to solve problems.

Stakeholder perception: The body managing the process must consider the pre-project information made available to the public and the media. This could avoid misconceptions and initial resistance derived from ignorance.

As one of the main points, it was suggested that MSPs are harder for single issues (e.g. a one-off project) as compared to ongoing processes such as river basin management or other institutionalised policy / agreed procedures. Trust builds up over time and the process becomes more effective. The differences need to be further explored in the current draft of the MSP Framework.

2. What should be principles and practical components of linkages between MSPs and official decision-making processes?

The WCD has not been able to greatly influence decisions made by sovereign countries. However,

- Each stakeholder group can take up outcomes.
- One ongoing goal and task of the World Commission on Dams is to identify national level issues and partners in order to take the debate forward.

There must be more depth in practice in dealing with decision-making. Most MSPs are advisory and do not result in implementation.

All people should have the right to participate. It should not be assumed that in a democracy, all people can participate in decisions in a meaningful way – in a way that actually has an influence on the process that effects them.

UNED Forum International Workshop on Multi-stakeholder Processes

New York, 28/29 April 2001

Co-chairs Summary

Hesphina Rukato & Derek Osborn, UNED Forum Co-Chairs

Count Us In. Count On Us.

85 representatives of stakeholder groups (including UN agencies, governments, business, trade unions, local government, NGOs, women, youth, farmers, the education community, faith communities and the media) from around the world met in New York for a workshop on multi-stakeholder processes on 28-29 April 2001 arranged by UNED Forum.

The workshop was primarily intended to provide an opportunity for sharing experience and exchange views about the ways in which multi-stakeholder involvement and collaboration could best contribute to enriching decision-taking processes and promoting better outcomes and implementation in many different contexts. It reviewed a forthcoming report on multi-stakeholder processes by UNED Forum, recent work by the Global Public Policy Networks Project, and several presentations on specific examples of multi-stakeholder engagement in international, regional, national and local processes.

A number of points were widely supported by the meeting as follows:

Why involve stakeholders?

Many issues today cannot be addressed or resolved by a single set of governmental or other decision-makers but require co-operation between many different actors and stakeholders. Such issues will be incapable of successful resolution unless all parties are fully involved in working out the solutions, their implementation and the monitoring of results. Global engagement of all stakeholders is crucial to making progress on global issues.

Stakeholders from all major groups are strongly supportive of reinforcing ways of bringing stakeholder input into important processes at the international and other levels. Stakeholders have a wealth of relevant experience and knowledge to contribute, and their interests are often strongly affected by the issues of international concern and the solutions that are agreed and implemented (or not agreed or not implemented). So they have every reason to want to contribute. By the same token governments and other decision-makers have much to gain from ensuring that they make themselves open to hearing and taking into account the contributions of stakeholders so that they can achieve more balanced and relevant decisions.

Stakeholder input to international decision-making processes can be achieved in a number of different ways. Input can be made at local, national, regional or international level or at any combination. It can take the form of written or oral submissions or more informal lobbying or demonstration. Each group or interest can press its own views separately, or they can seek to collaborate in multi-stakeholder process in which the different groups and stakeholders seek to interact with each other and seek to establish common ground and compromises as well as interacting with the governments directly.

Sometimes the different stakeholders outside government may be able to make significant progress and agree useful actions between themselves independently from governmental processes. Such independent processes can have a vitality and a capacity for innovation that can advance sustainable solutions even before governments have been able to establish more general frameworks.

Multi-stakeholder engagement in an official international process is the most complex form of engagement but is potentially one of the most fruitful since it can be the means of bridging gulfs between widely different viewpoints and achieving real learning and changes of mind

leading to new syntheses and solutions to intractable problems. It is therefore particularly well suited to assisting in some of the more long-standing and intractable cross-sectoral issues such as those that are at the heart of many of the international debates about sustainable development.

Consult all stakeholders at the outset in planning a multi-stakeholder process.

Multi-stakeholder processes are however complicated to organize, and can fail to deliver positive results if they are not properly planned, structured, managed, led and supported, and if there is insufficient common vision. The meeting agreed that it is crucially important that those considering multi-stakeholder engagement in an international process should plan how it is to be structured and organized at the outset. The stakeholders themselves should be fully consulted about the way in which they are to be involved. They need transparent and predictable mechanisms of engagement. Independent facilitation by respected and experienced persons is crucial to empower participants, resolve conflicts and achieve successful outcomes.

Provide enough time and resources.

Particular attention should be given to the time and resources they will need to make a worthwhile contribution including securing adequate involvement and contribution from all parts of their own networks. Effective multi-stakeholder processes can be expensive and time-consuming, but the cost of failing to engage interested parties can be orders of magnitude greater.

Identify stakeholders through a transparent and legitimate process.

The selection of stakeholders to participate is also crucially important. Difficult questions of legitimacy can arise in this context. Key requirements are that the process should be transparent and inclusive. It could be useful to develop more of a normative framework for the identification of stakeholders through their own legitimate channels and within their culture of leadership.

Build the capacity of stakeholders.

The different capacities and resources of different stakeholders need to be taken into account, and measures to ensure good support and funding for less well-endowed groups need to be secured. Training and capacity-building are important for many stakeholder groups; conversely, the secretariats and official structures of many processes may also need to develop their understanding of what multi-stakeholder processes can offer.

Set goals for the process.

It is very important that there should be a clear and agreed view at the outset as to how the multi-stakeholder contribution is to be received and fed into the main process it is designed to support in time to have a significant influence. There must be good faith and a real intention on the part of the main process to build trust between all parties, to identify and dialogue about fundamental conflicts of value and interest, and to take serious notice of the stakeholder input to their own deliberations, and to be open to being influenced by it. A purely artificial process in which it becomes clear that the main decision-makers have closed minds or have already made their decisions and are not taking any serious notice of the stakeholder contribution is counter-productive. It can cause frustration amongst stakeholders, leading to disengagement and alienation.

Communicate with the public.

Communication with the wider public is crucial at all stages. Organizers should plan how to involve the media at all stages, and how to present and disseminate messages in ways that will engage popular attention.

Build on the Step-by-Step approach.

On all these issues the meeting gave general endorsement for further development of the step-by step approach to organizing multi-stakeholder processes identified in UNED Forum's

report. Participants agreed that the report provides a useful resource to anyone planning such processes while recognizing that every process is unique and will find its own solutions to the various questions to be addressed. There needs to be better communication between those engaged in different processes so that learning and experience can be shared and duplication and re-invention of wheels can be avoided.

Engage in the Earth Summit 2002 Process.

In the immediate future the report has valuable elements for the planning of multi-stakeholder engagement in the process leading up to the 2002 Earth Summit. All stakeholders present expressed enthusiasm for creating and participating in an active multi-stakeholder engagement in the Earth Summit 2002 process.

COUNT US IN. COUNT ON US.

Annex I Workshop Programme

Multi-Stakeholder Processes

UNED Forum International Workshop

April 28-29 2001

BP Amoco plc Conference Facilities, 535 Madison Avenue, New York

Programme

April 28, 2001

13.30 Arrival of participants / registration / coffee

14.00 – 16.00 Opening session

14.00 – 14.10 Welcome by Derek Osborn, UNED Forum Co-Chair

Tribute to Chip Lindner by Felix Dodds, UNED Forum Director

14.30 - 15.00 Multi-Stakeholder Processes. A Methodological Framework

Minu Hemmati, UNED Forum

15.00 - 15.15 Multi-Stakeholder Processes: Why, and Where Next?

Paul Hohnen, Former Director Greenpeace International and Advisor to international NGOs, organisations and corporations

15.15 - 15.30 Innovation in Governance. The Role of Global Public Policy Networks

Jan Martin Witte & Thorsten Benner, Global Public Policy Project

15.30 - 16.00 Discussion

16.00 - 16.30 Coffee Break

16.30 - 18.30 Multi-stakeholder Processes in Practice: Examples and Experiences

- Bio-Society Issues and Related Processes
Andreas Seiter, Novartis (Switzerland)
- You Have Been Consulted! Climate Change Multi-Stakeholder Processes in South Africa
Richard Sherman, EarthLife South Africa
- The World Commission on Dams
Saneeya Hussain, World Commission on Dams

18.30 Wine reception at BP

19.30 Dinner / Party at "Casa della Pescatore", 955 E Second Avenue

An audio-webcast of the sessions on 28 April is available at www.earthsummit2002.org/msp until July 2001; sponsored by Unit.Net, Germany.

April 29, 2001

9.00 Breakfast at workshop venue

10.00 – 12.30 Parallel Workshops

- **Group 1: Biodiversity, bio-prospecting and access to health**
Speaker 1: Alejandro Argumedo, Indigenous Peoples Biodiversity Network, Peru
Speaker 2: Michael Dorsey, Justice & Sustainability Associates, US
Chair: Lynne Joiner, Journalist, US
Rapporteur: Rosalie Gardiner, UNED Forum
- **Group 2: Natural Resources Extraction at Local / Sub-national Levels (Energy Resources)**
Speaker 1: Gary Lawrence, Sustainable Strategies and Solutions, US
Speaker 2: Sean Southey, ICLEI, Canada
Chair: Paul Whiffen, Tearfund, UK
Rapporteur: Toby Middleton, UNED Forum
- **Group 3: Bio-society Issues at the Global Level**
Speaker 1: Jack Whelan, ICC Working Party on Bio-society Issues, France
Speaker 2: Harsh Jaitli, Society for Participatory Research in Asia, India
Chair: Annik Dollacker, Bayer, Germany
Rapporteur: Jasmin Enayati, UNED Forum
- **Group 4: Global Energy Policies**
Speaker 1: Jane Paxman, BP, US
Speaker 2: Arjun Dutta, Consumer Unity & Trust Society, India
Chair: Daniel Wiener, Journalist
Rapporteur: Beth Hiblin, UNED Forum
- **Group 5: Water & Energy: Policy Development and Decision-Making on Large Dams**
Speaker: Emad Adly, Arab Network for Environment & Development, Egypt
Chair: Danielle Morley, UNED Forum
Rapporteur: Charles Nouhan, UNED Forum

Speakers gave brief introductions (5 minutes); groups were facilitated to discuss problems / experiences at the various stages of an MSP, based on the draft framework and develop recommendations, guided by key questions.

12.30 – 14.00 Lunch break

(during which key points from the break-out groups were incorporated into the co-chair's summary)

14.00 – 15.00 Conclusions

Presentation and discussion of the Co-Chair's Summary of the workshop presentations and discussions

15.00 Coffee and end of Meeting

ANNEX II

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