

**Fifth Montevideo Programme for the Development and Periodic Review of  
Environmental Law (Montevideo Programme V)  
Partnerships and Stakeholder Engagement Strategy  
DRAFT (6 February 2024)**

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## SECTION I: BACKGROUND

### Introduction

1. Under the framework of the Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme V or Programme), and as requested and agreed by the National Focal Points (NFPs) for the Programme, the United Nations Environment Programme (UNEP) developed the present Partnerships and Stakeholder Engagement Strategy (Strategy).
2. The **purpose** of the Strategy is to support the successful implementation of the Montevideo Programme V by providing a framework for incorporating partnerships and stakeholder engagement in the implementation of the Programme and related activities. The implementation of the Strategy will also facilitate a better understanding of partners' and stakeholders' concerns and perceptions about the Programme.
3. This purpose is in line with the Programme's vision to promote the development and implementation of environmental rule of law, strengthen the related capacity in countries and contribute to the environmental dimension of the 2030 Agenda for Sustainable Development. The Programme aims to achieve these objectives by working with national government focal points, UN agencies and intergovernmental organizations, civil-society organizations, the private sector, and academia.
4. In engaging with stakeholders and partners the secretariat of the Programme needs to ensure that the Strategy is aligned with UNEP-wide policies, procedures, guidelines and strategies. In case of conflict, UN and UNEP-wide policies, procedures, guidelines, and strategies shall prevail. The Strategy does not alter the requirements of any UN and UNEP process or other policies, procedures, and strategies.

### Development of the Strategy

5. The Montevideo Programme was adopted in March 2019 by the United Nations Environment Assembly (UNEA), through Resolution 4/20. UNEP serves, within its current mandate and within available resources, as the secretariat for the Programme. The Programme is designed to guide the identification and implementation of priority actions in the field of environmental law to be undertaken by UNEP, in collaboration with relevant stakeholders, for the decade beginning in 2020. Building on the successes and lessons learned from past iterations of the Programme, partnerships and stakeholder engagement has been identified as an important feature of the Programme.
6. At the online segment of the First Global Meeting of NFPs for Montevideo Programme V, held from 2 to 4 June 2021, the NFPs emphasized the central role and importance of partnerships and stakeholder engagement in the delivery of the Programme (UNEP/Env.Law/MTV5/GNFP.1/6). At the resumed, in-person (hybrid) segment of the First Global Meeting, held in Nairobi from 6 to 9 June 2022, the secretariat of the Programme presented a working paper that provided a set of guiding questions to assist NFPs and other participants in their consideration of partnerships and stakeholder engagement (UNEP/Env.Law/MTV5/GNFP.1/7). Following discussions, the NFPs agreed that, on the basis of their feedback, the secretariat would prepare a draft strategy on partnerships and stakeholder engagement (the Strategy) (UNEP/Env.Law/MTV5/GNFP.1/6/Add.1, para. 52).
7. After the First Global Meeting, the secretariat undertook an extensive mapping exercise to identify key stakeholders and potential partners. A survey was conducted among UN staff to collect information as to

which organizations already work with UNEP. To complement the results from the survey, the list of UNEA accredited organizations was reviewed and assessed, considering their mandate, mission, objectives, and projects. The mapping and analysis comprised a very broad group of over 1000 entities. These stakeholders can be clustered under the following key groups: UNEA accredited organizations, environmental law organizations, universities and research institutions, MEA and UNEP focal points, and UN agencies and other international organizations.

8. Following the mapping exercise, an annotated outline of the draft strategy was prepared by the secretariat and shared with NFPs and stakeholders for feedback throughout the second quarter of 2023. In total, the secretariat received feedback from over 30 stakeholders and NFPs. Based on the feedback received, the secretariat developed a draft strategy, which was presented for consideration during the sixth meeting of the Steering Committee for Implementation, that took place in Nairobi on 13 November 2023.

#### **Relevant provisions, frameworks and other guidance**

9. Partners and stakeholders are key contributors to implementing the mandate of UNEP and the Programme. This is reflected in the Programme's strategic activities and institutional arrangements, as well as various UNEP-wide policies, procedures and strategies. The Strategy must be considered in conjunction with relevant provisions, frameworks, and other guidance applicable to the UN and UNEP.
10. The core provisions of the Programme that are related to partnerships and stakeholder engagement include paragraphs 1, 4(b), 4(c), 4(e), 4(f), 4(i), 5(c), 5(d), 5(e), 5(g), 6(a)(vi), 6(vi) and 6(d) of the [Programme](#).
11. Regarding partners, the [2011 UNEP Partnership Policy and Procedures](#) ensures there is a consistent UNEP-wide approach to entering into partnerships. The Policy complements relevant UN regulations, rules, guidelines, and initiatives relating to the UN's cooperation with partners. The Policy sets out, among other matters, the considerations that must be addressed prior to initiating a partnership, workflows and responsibilities, and the due diligence procedures. UNEP is currently updating the existing Partnership Policy and once adopted, the updated Policy will be reflected in the present Strategy.
12. Regarding stakeholders, UNEP's current stakeholder engagement policy is rooted in Rule 70 of the Rules of Procedure of UNEA and Governing Council Decisions. The implementation of Rule 70 is reflected in [UNEP's Stakeholder Engagement Handbook](#). This handbook guides major groups and stakeholders' engagement with UNEP, detailing relevant rules, mechanisms, and practices for their engagement in UNEP's work.
13. In addition, UNEP has in place various overarching strategies, policies and guidelines that guide its work and engagement with stakeholders, as well as partnerships. These include the [2012 UNEP Policy Guidance on Indigenous Peoples](#), the [2015 Gender Equality and the Environment Policy and Strategy](#), the [2018 Strategy for engaging with Faith-Based Organizations](#), the [2019 UNEP Private Sector Engagement Strategy](#), the [UNEP Defenders Policy](#) and the [2020 UNEP Environmental and Social Sustainability Framework](#).

#### **Goals**

14. The goals that the Strategy seeks to achieve include:
  - a. Raising awareness about the Programme;
  - b. Generating support for the Programme from potential partners and stakeholders;

- c. Facilitating synergies, complementarity and information exchange between NFPs, partners and stakeholders to - among other purposes - avoid the duplication of other initiatives and activities in the field of environmental law;
- d. Promoting innovation, capacity-building, and cooperation; and
- e. Mobilizing resources to deliver technical legal assistance projects.

### **Objectives**

15. To achieve these goals, the Strategy has four key objectives to be implemented by 2029:

- a. *Objective 1:* The effective delivery of the Programme by facilitating the inclusive participation and engagement of all relevant partners and stakeholders, at all levels.
- b. *Objective 2:* The promotion of experience, knowledge and information sharing in environmental law and establishment of networks.
- c. *Objective 3:* The achievement of a transparent decision-making process to which partners and stakeholders could contribute.
- d. *Objective 4:* The building of mutual supportiveness between the Programme and the work of partners and stakeholders, including MEA secretariats, while avoiding duplication.

### **Guiding Principles**

16. The following four principles guide the implementation of the goals and objectives of the Strategy:

- a. *Alignment with UNEP's objectives, mandate, and mission:* for over 50 years, UNEP has linked science to policy and decision-making, coordinated responses to global environmental challenges and supported countries in delivering their environmental mandates. The Strategy must align with UNEP's objectives, mandate, and mission, as outlined in its periodic Medium-Term Strategies and Programmes of Work.
- b. *Adding value through cooperation:* the Strategy provides a platform for the secretariat of the Programme and its partners and stakeholders to cooperate, increase collective knowledge, share ideas and lessons learned, and increase dialogue about the implementation of the Programme.
- c. *Fostering inclusion and transparency:* the Strategy and its implementation provide a platform that allows and promotes the engagement of the secretariat of the Programme, partners, and stakeholders in an open and transparent manner.
- d. *Promoting environmental research, innovation, and technology:* the Strategy intends to support and promote research and innovation in the field of environmental law, including in the digital sphere, as well as supporting the use of new technologies to advance in the field.

17. In addition, the Strategy is informed by, and needs to adhere to, the principles guiding the relevant UNEP strategies, policies and guidelines that guide its work and engagement with stakeholders and implementing partners.

## SECTION II: STAKEHOLDER ENGAGEMENT FOR THE DEVELOPMENT AND PROGRESSIVE REVIEW OF ENVIRONMENTAL LAW

### Definition of Stakeholders

18. For the purposes of the Strategy, **stakeholders** are defined as individuals, organizations and groups working in, or contributing to, the field of environmental rule of law. These may include public administrations, academics, legal professionals, environmental human rights defenders, Indigenous Peoples, faith-based organizations, youth organizations or groups, civil society organizations, the private sector, as well as secretariats of MEAs and other UN agencies.
19. UNEP welcomes and encourages a wide variety of stakeholders. This is reflected in the range of strategies, policies and guidelines that guide UNEP's work and engagement with major groups and stakeholders. These documents recognize the central role played by stakeholders in providing a wide range of expertise and knowledge, as well as informing governments of local needs and opinions. Of particular relevance are the principles that guide UNEP in terms of stakeholder engagement. These principles include acknowledgment of intergovernmental nature of UNEP processes, access to information, transparency and accountability for mutual benefit, and respect for diversity of views and self-organization.

### Roles and responsibilities of stakeholders in the implementation of the Programme

20. Given the broad nature and diversity of potential stakeholders, it is expected that stakeholders will have different priorities, values and attributes and will contribute different competencies and resources to the Programme. That said, through successful engagement, all stakeholders can contribute towards the Strategy's purpose, goals, and objectives. The stakeholders' role is crucial for achieving the vision of the Programme.
21. The table below sets out examples of the roles and responsibilities that stakeholders may adopt under the Programme. These are indicative, non-exhaustive and subject to the context of each stakeholder. Stakeholders are encouraged to consider what they might potentially bring to the table based on their expertise and resources in a multi-stakeholder approach.

Type of Stakeholder	Roles and responsibilities
Public administration	<ul style="list-style-type: none"> <li>• Provide a stable and regulated environment to engage in advancing the Programme's vision</li> <li>• Raise-awareness at the national, regional and international level about the Programme</li> <li>• Provide support with capacity-building and technical knowledge</li> <li>• Facilitate resources to deliver technical legal assistance projects</li> <li>• Assist with monitoring, evaluation, learning and reporting</li> </ul>
Parliaments and other legislative bodies	<ul style="list-style-type: none"> <li>• Identify legislative, institutional gaps, and priority areas for focus and raise-awareness at the local, national and regional level about any identified gaps</li> <li>• Initiate processes to strengthen environmental rule of law at the local, national, and regional level</li> </ul>
Judiciary	<ul style="list-style-type: none"> <li>• Provide specialized knowledge regarding the implementation, development and enforcement of environmental law, including compliance challenges</li> <li>• Provide support in strengthening and advancing environmental rule of law</li> <li>• Share experiences and best practices regarding environmental litigation and</li> </ul>

	judicial processes
Civil Society	<ul style="list-style-type: none"> <li>• Provide access to international, regional, national and local knowledge and resources relevant to the implementation of the Programme</li> <li>• Provide support with capacity-building and technical knowledge</li> <li>• Assist with monitoring, evaluation, learning and reporting</li> <li>• Engage in advocacy and awareness-raising efforts to promote the Programme's objectives and mobilize public support</li> <li>• Implement grassroots initiatives and community-based projects that align with the Programme's goals - with a focus on empowering local communities</li> <li>• Provide expertise and technical assistance in areas relevant to the Programme's activities, such as environmental education, community engagement and capacity building</li> </ul>
Private Sector	<ul style="list-style-type: none"> <li>• Demonstrate a clear contribution to the implementation of the Programme and the attainment of SDGs, while respecting the UN values</li> <li>• Provide support and insights into technical innovation, advanced technologies and artificial intelligence, and research in the field of environmental law</li> <li>• Do not compromise the organization's neutrality, impartiality, integrity, independence, credibility, or reputation and avoid conflicts of interest or other risks to the organization</li> </ul>
Academia	<ul style="list-style-type: none"> <li>• Share research and data relevant to the implementation of the Programme and its activities</li> <li>• Provide expertise and technical assistance in areas relevant to the Programme's activities</li> </ul>
Legal professionals	<ul style="list-style-type: none"> <li>• Provide specialized knowledge regarding the key challenges and best practices within the field of environmental law</li> <li>• Provide input regarding the key gaps when it comes to the implementation of environmental law at the national and regional level</li> </ul>
Environmental defenders	<ul style="list-style-type: none"> <li>• Support the upholding of environmental rights by assisting the Programme to address crucial issues related to environmental rights</li> <li>• Encourage the recognition and support provided by citizens in environmental protection, in particular Indigenous Peoples</li> </ul>
Indigenous Peoples	<ul style="list-style-type: none"> <li>• Seek full and effective engagement at all stages of the Programme</li> <li>• Facilitate traditional, indigenous, and expert knowledge relevant to the implementation of the Programme and its activities</li> </ul>
Faith-based organizations	<ul style="list-style-type: none"> <li>• Encourage the enhancement of the role of spiritual and cultural values in achieving the Programme's vision and objectives</li> <li>• Facilitate the integration of spiritual or faith led values and cultural values within the Programme's activities</li> </ul>
Youth organizations or groups	<ul style="list-style-type: none"> <li>• Seek full and effective engagement at all stages of the Programme</li> <li>• Promote intergenerational dialogue at all stages of the Programme</li> <li>• Raising awareness about the views, needs and perspectives of young people</li> </ul>
Women organizations or groups	<ul style="list-style-type: none"> <li>• Seek full and effective engagement at all stages of the Programme</li> <li>• Facilitate consideration of the gender aspects relevant to the implementation of the Programme and its activities</li> </ul>
Secretariats of MEAs	<ul style="list-style-type: none"> <li>• Promote synergies, complementarity and information sharing to avoid duplication with other initiatives and activities in the field of environmental law</li> </ul>

	<ul style="list-style-type: none"> <li>• Provide a resource pool of experiences relevant to the Programme's activities</li> </ul>
United Nations	<ul style="list-style-type: none"> <li>• Support the successful implementation of the Programme, while promoting the achievement of the SDGs</li> <li>• Provide a resource pool of experiences relevant to the Programme's activities</li> <li>• Provide technical support, knowledge and capacity</li> <li>• Provide access to global, regional, and national networks and connections</li> </ul>
Media	<ul style="list-style-type: none"> <li>• Support to rights holders in claiming rights related to the environment</li> <li>• Hold duty bearers accountable to the fulfillment of their environmental obligations and responsibilities</li> <li>• Dissemination of tools and guidance materials produced under the Programme</li> </ul>

### Modalities for engagement

22. There are a range of ways in which stakeholders can engage with the Programme. In addition to the overarching modalities of UNEP engagement with stakeholders, such as those outlined in UNEP's [Stakeholder Engagement Handbook](#), the following modalities may complement the way UNEP and the secretariat engages with stakeholders for the effective implementation of the Programme. Examples of the different modalities for engagement are set out in the table below.

Modality for engagement	Overview
Information dissemination	<p>Stakeholders can sign up to the stakeholder mailing list of the secretariat of the Programme by contacting the secretariat through UNEP's Law and Environment Assistance Platform (<a href="#">UNEP-LEAP</a>) or via e-mail (<a href="mailto:unep-montevideo@un.org">unep-montevideo@un.org</a>) and expressing their interest in receiving information relevant to the Programme. This information may include updates on activities and projects contributing to the implementation of the Programme, as well as upcoming meetings relevant to the Programme.</p> <p>Interested stakeholders should be able to demonstrate how their area of work relates to one or more objectives of the Programme. The secretariat may also reach out to strategic stakeholders and invite them to sign up. The secretariat will keep an up-to-date mailing list to communicate with stakeholders who express interest in the Programme.</p>
Stakeholder representation in the Global Meetings of NFPs	<p>Joining the stakeholder mailing list of the secretariat does not guarantee participation as an observer in the Global Meetings of NFPs, which occur every two years. Interested parties should refer to <a href="#">UNEP's Stakeholder Engagement Handbook</a> for details about the accreditation process and engagement in intergovernmental meetings.</p>
Montevideo Environmental Law Programme Networks	<p>The secretariat encourages the self-organization of inclusive, open-ended networks and communities of practice of stakeholders representing their respective major group or stakeholder category. Stakeholders may also engage with the secretariat in open networks, one-off meetings and public processes hosted or convened by UNEP.</p>
Knowledge sharing through UNEP's Law and Environment Assistance Platform ( <a href="#">UNEP-LEAP</a> )	<p>UNEP-LEAP supports the delivery of the Programme's objectives and strategic activities by providing a platform to exchange information and knowledge on environmental rule of law. Stakeholders also contribute to the Programme's strategic or programmatic documents by reviewing and providing comments, as well as by participating in consultations for the delivery of activities (e.g.</p>

	participation of representatives of academia and the private sector in consultations organized by the secretariat on legal reforms, in the context of technical legal assistance provided to a country).
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**SECTION III: PARTNERSHIPS FOR THE DEVELOPMENT AND PROGRESSIVE REVIEW OF ENVIRONMENTAL LAW**

**Definition of Partners**

- 23. Within the UN, partnerships are commonly defined as “voluntary and collaborative relationships between various parties, both public and non-public, in which all participants agree to work together to achieve a common purpose or undertake a specific task, and to share risks, responsibilities, resources and benefits” ([2011 UNEP Partnership Policy and Procedures](#), pages 3-4). Two or more parties may comprise a partnership.
- 24. For the purposes of the Strategy, **partners** include individuals, organizations, and groups, such as universities, research centers and other experts in environmental law, that agree to partner together with UNEP, by entering into a memorandum of understanding or a financing agreement, aiming to jointly deliver activities/products that contribute to the development of environmental rule of law, according to existing and any future UNEP partnership policy and procedures.

**Considerations to be taken into account in establishing environmental law partnerships**

- 25. As noted in the [2011 UNEP Partnership Policy and Procedures](#), determining why to partner is a key and first initial step to take in the process of forming partnerships. Partners will be identified and selected based on their specific expertise in subject areas within the field of environmental rule of law.
- 26. When establishing partnerships, the secretariat will consider a range of key considerations, while building on, and establishing new, collaborations. These considerations include:
  - a. the need to ensure that potential partners share UNEP’s vision to advancing environmental law and the 2030 Agenda;
  - b. the capability of the potential partner to address gaps in the design and implementation of the Programme;
  - c. the need to promote diversity, inclusivity, and representation; and
  - d. the knowledge and expertise of the potential partner.
- 27. In addition, other UNEP-wide policies and strategies may include further considerations that also need to be given due consideration. In particular, the [2011 UNEP Partnership Policy and Procedures](#) provides that the integrity, impartiality and independence of the UN are key principles when undertaking partnerships, as well as the UN’s character as an international organization of Member States. It is also important to ensure that mutual benefits are conferred to all parties involved, and the use of resources should strive to uphold UN’s principles of effectiveness, efficiency, and economy. To this end, due consideration should also be given to the following principles when entering partnerships:
  - a. common purpose;
  - b. trust, transparency and accountability;
  - c. bestowing no unfair advantage upon any partner of the UN;
  - d. mutual benefit and respect;



- e. respect for modalities of the UN;
- f. sectoral and geographic balance: striving for balanced representation of partners from developed and developing countries and countries with economies in transition; and
- g. not compromising the independence and neutrality of the UN.

#### **Roles and responsibilities of partners of the Programme**

28. As recognized in the [2011 UNEP Partnership Policy and Procedures](#), the potential benefits of forging partnerships are manifold. These benefits include enhancing capacities and policy support and targeting transformational change.
29. As in the case of stakeholders, partners are expected to have different priorities, values and attributes and will contribute different competencies and resources to the Programme. This section sets out below potential roles and responsibilities of partners, particularly for the implementation of specific activities. These are indicative and subject to the context of each partner.
30. Partners may have several important roles, including:
- a. undertaking research and analysis, including case studies, on topics within the field of environmental law and for the development and progressive review of environmental law;
  - b. collecting and sharing key information and essential data relevant to the implementation of the Strategy;
  - c. undertaking monitoring, evaluation, learning and reporting tasks for the purposes of ensuring the effective and robust implementation of the Strategy;
  - d. drawing out learning lessons and considering best practices to support the Programme's vision;
  - e. empowering both stakeholders and non-stakeholders with the knowledge and tools to contribute to the Programme's vision and the achievement of the SDGs;
  - f. contributing to the assessment and implementation of technical legal assistance requests;
  - g. creating new avenues to foster collaboration;
  - h. promoting sustainable environmental protection;
  - i. assisting with capacity-building, and the preparation and undertaking of Programme events, trainings and campaigns; and
  - j. providing access to strong local, regional, and global networks.

#### **Environmental law partnerships and technical assistance**

31. UNEP-LEAP – the digital backbone of the Programme - includes a [clearing-house mechanism](#) (CHM) for countries to request technical assistance and a menu of services connected to the core objectives of the Programme. Technical assistance requests can also be submitted offline.
32. In line with the Programme's objectives, the Programme will deliver technical legal assistance for requests that:
- a. support the development of adequate and effective environmental legislation and legal frameworks to address environmental issues;
  - b. strengthen the effective implementation of environmental law; and
  - c. support enhanced capacity building for increased effectiveness of environmental law.

33. Prospective partners are encouraged to review the objectives of the Programme and [UNEP-LEAP's CHM platform](#) and information.

## **SECTION IV: MEASURING PROGRESS AND RISK MANAGEMENT**

### **Monitoring, Evaluation, Learning and Reporting**

34. Engagement with stakeholders and partners is monitored on a continuous basis taking into account strategies, policies and procedures that guide UNEP's work. Monitoring is mainly undertaken by the responsible staff members managing the day-to-day activities required for the successful engagement with stakeholders and partners under the Programme. In addition, the progress made towards achieving the goals and objectives set out in the Strategy will be evaluated and reported through the following existing tools:
- a. *Progress Reports* – as required by paragraph 6(a)(x) of the Montevideo Programme V and requested by NFPs at the resumed in-person (hybrid) First Global Meeting, the secretariat prepares and submits progress reports on a biennial basis to report on the Programme's implementation, activities, and funding.
  - b. *Steering Committee and Global Focal Point meetings* – while the Global Meeting takes place every 2 years, the Steering Committee for Implementation meets twice a year. The Committee works with the secretariat in the implementation of the Programme, based on recommendations and overall guidance from the meetings of NFPs (paragraph 6(c) of the Programme).
  - c. *Regular updates to stakeholders and partners through the Montevideo Mailbox and UNEP-LEAP.*
35. Furthermore, reporting on progress should be integrated into contractual agreements with implementing partners. These may include requirements for partners to submit substantive interim and/or final project reports.

### **Risk Management**

36. UNEP acknowledges the potential risks, including failure to engage, financial impropriety and reputational risks, that arise from engaging with third parties. UNEP has developed policies and guidelines to prevent and mitigate these risks. These policies and guidelines must be taken into due consideration when engaging with stakeholders and partners under the Programme.
37. Regarding partners, the [2011 UNEP Partnership Policy and Procedures](#) sets out a due diligence process for selecting partners. This process is a key step in risk management. Due diligence procedures may differ depending on the type of partner. These procedures include a screening of the prospective partner according to set criteria. The UNEP Partnership Policy also provides guidance on the management and oversight of partnerships. The procedures in place to mitigate potential risks include the development of implementation plans and budgets to allow for the effective financial oversight and monitoring of resources. Under partnership agreements, budgets should be prepared for each activity agreed to be undertaken with sufficient detail and as accurate as possible. Implementing partners under contractual agreements are also expected to submit financial reports, which should be certified by an authorized

official from the partner institution. In addition, for agreements of a higher financial value, financial statements should also be audited by an external and independent auditor.

38. For stakeholders, UNEP has an accreditation process as outlined in its [Stakeholder Engagement Handbook](#). The requirements that need to be successfully completed to be granted accreditation are a key mechanism to mitigate risk. These requirements include the submission of a letter requesting accreditation on the organization's letterhead, a certified copy of the constitution/charter and/or statutes/by-laws, a certified copy of the certificate of registration which must include a stamp of the government authority that issued it, and proof of engagement in the field of environment. As previously noted, for the purposes of mapping stakeholders, the secretariat reviews the list of UNEA accredited stakeholders, considering their mandate, mission, objectives, and projects.

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