



**Fifth Programme for the Development and
Periodic Review of Environmental Law
(Montevideo Programme V):
delivering for people and the planet
Second global meeting of national focal points
Nairobi, 3–5 June 2024
Item 5 of the provisional agenda***

Partnerships and stakeholder engagement

Partnerships and stakeholder engagement strategy

Note by the secretariat

1. In the framework of the Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme V), and as requested and agreed by the national focal points for Montevideo Programme V, the United Nations Environment Programme (UNEP) has developed the Partnerships and Stakeholder Engagement Strategy set out in the annex to the present note. The Strategy was adopted by the steering committee for implementation at its seventh meeting, held on 26 and 27 February 2024.
2. The purpose of the Strategy is to support the successful implementation of Montevideo Programme V by providing a framework for incorporating partnerships and stakeholder engagement in the implementation of the Programme and related activities. The Programme's objectives are to promote the development and implementation of environmental rule of law, strengthen related capacity at the national level, and contribute to the environmental dimension of the 2030 Agenda for Sustainable Development by working with national focal points, United Nations entities, intergovernmental organizations, civil society organizations, the private sector and academia.
3. 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 misalignment, United Nations system-wide and UNEP-wide policies, procedures, guidelines and strategies will prevail. The Strategy does not alter the requirements of any United Nations or UNEP processes or other policies, procedures or strategies.

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I. Background

A. Development of the Partnerships and Stakeholder Engagement Strategy

1. Montevideo Programme V was adopted by the United Nations Environment Assembly in its resolution 4/20 of 15 March 2019. Within the scope of its current mandate and of available resources, UNEP serves as the secretariat of the Programme. The Programme is designed to guide the identification and implementation of priority actions in the field of environmental law to be carried out by UNEP, in collaboration with relevant stakeholders, for the decade beginning in 2020. Building on the successes of and lessons learned from past iterations of the Programme, partnerships and stakeholder engagement have been identified as an important feature of the Programme.

2. During the online segment of the first global meeting of national focal points for Montevideo Programme V, held from 2 to 4 June 2021, the national focal points emphasized the central role and importance of partnerships and stakeholder engagement in the delivery of the Programme (see UNEP/Env.Law/MTV5/GNFP.1/6). At the in-person segment of the resumed first global meeting, held in hybrid format in Nairobi from 6 to 9 June 2022, the secretariat of the Programme presented a working paper containing a set of guiding questions to assist national focal points and other participants in their consideration of partnerships and stakeholder engagement (UNEP/Env.Law/MTV5/GNFP.1/7). Following discussions, the national focal points agreed that, on the basis of their feedback, the secretariat would prepare a draft strategy on partnerships and stakeholder engagement (UNEP/Env.Law/MTV5/GNFP.1/6/Add.1, para. 52).

3. After the first global meeting, the secretariat carried out an extensive mapping exercise to identify key stakeholders and potential partners. A survey was conducted among United Nations staff to collect information on which organizations already worked with UNEP. To complement the results of the survey, the list of organizations accredited with the Environment Assembly was reviewed and assessed, with consideration given to their mandate, mission, objectives and projects. The mapping and analysis comprised a very broad group of more than 1,000 entities, including organizations accredited with the United Nations Environment Assembly, environmental law organizations, universities and research institutions, secretariats of multilateral environmental agreements, and United Nations entities and other intergovernmental organizations.

4. Following the mapping exercise, an annotated outline of the draft strategy was prepared by the secretariat and shared with national focal points and stakeholders for feedback in the second quarter of 2023. In total, the secretariat received feedback from over 30 stakeholders and national focal points. On the basis of the feedback received, the secretariat developed a draft strategy, which was presented for consideration during the sixth meeting of the steering committee for implementation, held in Nairobi on 13 November 2023. Following that meeting, the draft strategy was revised to integrate feedback received from members of the steering committee. The updated strategy was subsequently presented to and adopted by the steering committee at its seventh meeting, held in Nairobi on 26 and 27 February 2024.

B. Relevant provisions, frameworks and other guidance

5. 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 in various UNEP-wide policies, procedures and strategies. The Partnerships and Stakeholder Engagement Strategy must therefore be considered in conjunction with relevant provisions, frameworks and other guidance applicable to the United Nations and UNEP.

6. 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)–(e), 5 (g), 6 (a) (vi), 6 (a) (vii) and 6 (d) (see document UNEP/EA.4/19, annex).

7. Regarding partners, the UNEP partnership policy and procedures (Policy outline No.1/2011) ensures that there is a consistent UNEP-wide approach to entering into partnerships. The policy complements relevant United Nations regulations, rules, guidelines and initiatives relating to United Nations 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 due diligence procedures. UNEP is currently updating the policy and, once adopted, the updated version will be reflected in the present Strategy.

8. Regarding stakeholders, the current stakeholder engagement policy of UNEP is rooted in rule 70 of the rules of procedure of the Environment Assembly and in decisions of the Governing Council of UNEP. The implementation of rule 70 is reflected in the *Handbook for Stakeholder Engagement at*

the United Nations Environment Programme. This handbook guides major groups and stakeholders' engagement with UNEP, setting out relevant rules, mechanisms and practices for their engagement in the organization's work.

9. In addition, UNEP has in place various overarching strategies, policies and guidelines that guide its work and engagement with stakeholders, as well as with regard to partnerships. These include the policy guidance of 2012¹ entitled "UNEP and Indigenous Peoples: a partnership in caring for the environment", its 2018 strategy on engaging with faith-based organizations, its 2019 strategy for private sector engagement, its policy on promoting greater protection for environmental defenders and its 2020 environmental and social sustainability framework.

C. Goals of the Partnerships and Stakeholder Engagement Strategy

10. The goals that UNEP aims to achieve through implementation of the Strategy include:

- (a) Raising awareness of the Programme;
- (b) Generating support for the Programme from potential partners and stakeholders;
- (c) Facilitating synergies, complementarity and information exchange to avoid duplicating existing initiatives and activities;
- (d) Promoting innovation, capacity-building and cooperation;
- (e) Mobilizing resources to deliver technical legal assistance projects.

D. Objectives of the Partnerships and Stakeholder Engagement Strategy

11. To achieve the goals outlined in paragraph 14 above, the Strategy contains the following four key objectives to be implemented by 2029:

- (a) Objective 1 to attain 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 to ensure the promotion of experience, knowledge and information-sharing in environmental law and the establishment of networks;
- (c) Objective 3 to achieve a transparent decision-making process to which partners and stakeholders could contribute;
- (d) Objective 4 to build mutual supportiveness between the Programme, partners and stakeholders, including multilateral environmental agreement secretariats, while avoiding duplication.

E. Guiding principles of the Partnerships and Stakeholder Engagement Strategy

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

- (a) *Ensuring alignment with the objectives, mandate and mission of UNEP.* 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 the objectives, mandate and mission of UNEP, 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 on implementation of the Programme;
- (c) *Fostering inclusion and transparency.* The Strategy and its implementation provide a platform that enables and promotes the engagement of the secretariat of the Programme, partners and stakeholders in an open and transparent manner;

¹ Available at https://wedocs.unep.org/bitstream/handle/20.500.11822/11202/UNEP_Indigenous_Peoples_Policy_Guidance_endorsed_by_SMT_26_11_12.pdf?sequence=1&3BisAllowed=y%2C%20French%7C%7Chttps%3A/wedocs.unep.org/bitstream/handle/20.500.11822/11202/indigenous_peoples_fr.pdf%3Fsequence.

(d) *Promoting environmental research, innovation and technology.* The Strategy is designed to support and promote research and innovation in the field of environmental law, including in the digital sphere, as well as support the use of new technologies to make advancements in the field.

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

II. Stakeholder engagement for the development and progressive review of environmental law

A. Definition of stakeholders

14. 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, secretariats of multilateral environmental agreements and other United Nations entities.

15. UNEP welcomes and encourages a wide variety of stakeholders. This is reflected in the various strategies, policies and guidelines that govern the work of UNEP and its engagement with major groups and stakeholders. In those documents, it is recognized that stakeholders play a central role in providing a wide range of expertise and knowledge and informing Governments of local needs and opinions. The principles that guide UNEP in terms of stakeholder engagement include acknowledgment of the intergovernmental nature of UNEP processes, access to information, transparency and accountability for mutual benefit, and respect for diversity of views and self-organization.

B. Roles and responsibilities of stakeholders in the implementation of Montevideo Programme V

16. Given the broad nature and diversity of potential stakeholders, it is expected that stakeholders will have differing priorities, values and attributes and will contribute different competencies and resources to the Programme. Nevertheless, through successful engagement, all stakeholders can contribute towards the purpose, goals and objectives of the Strategy. The role of stakeholders is crucial to achieving the vision of the Programme.

17. Examples of the roles and responsibilities that stakeholders may adopt under the Programme are set out in table 1 below. These are indicative, non-exhaustive and subject to the context of each stakeholder. Stakeholders are encouraged to consider what their potential contribution might be on the basis of their expertise and resources in a multi-stakeholder approach.

Table 1
Examples of roles and responsibilities under Montevideo Programme V, by type of stakeholder

<i>Type of stakeholder</i>	<i>Roles and responsibilities</i>
Public administration	<p>Provide a stable and regulated environment to engage in advancing the vision of the Programme</p> <p>Raise awareness of the Programme at the national, regional and international levels</p> <p>Provide support through capacity-building and technical knowledge</p> <p>Facilitate the provision of resources to deliver technical legal assistance projects</p> <p>Assist with monitoring, evaluation, learning and reporting</p>
Parliaments and other legislative bodies	<p>Identify legislative and institutional gaps and priority areas for focus and raise awareness thereof at the local, national and regional levels</p> <p>Initiate processes to strengthen environmental rule of law at the local, national and regional levels</p>
Judiciary	<p>Provide specialized knowledge on the implementation, development and enforcement of environmental law, including compliance challenges</p> <p>Provide support for strengthening and advancing environmental rule of law</p> <p>Share experiences and best practices regarding environmental litigation and judicial processes</p>

<i>Type of stakeholder</i>	<i>Roles and responsibilities</i>
Civil society	<p>Provide access to international, regional, national and local knowledge and resources relevant to the implementation of the Programme</p> <p>Provide support through capacity-building and technical knowledge</p> <p>Assist with monitoring, evaluation, learning and reporting</p> <p>Engage in advocacy and awareness-raising efforts to promote the Programme's objectives and mobilize public support</p> <p>Implement grass-roots initiatives and community-based projects that align with the Programme's goals, with a focus on empowering local communities</p> <p>Provide expertise and technical assistance in areas relevant to the Programme's activities, such as environmental education, community engagement and capacity-building</p>
Private sector	<p>Demonstrate a clear contribution to the implementation of the Programme and the attainment of the Sustainable Development Goals, while respecting United Nations values</p> <p>Provide support and insights into technical innovation, advanced technologies and artificial intelligence, and research in the field of environmental law</p> <p>Ensure that the organization's neutrality, impartiality, integrity, independence, credibility and reputation are not compromised and avoid conflicts of interest or other risks to the organization</p>
Academia	<p>Share research and data relevant to the implementation of the Programme and its activities</p> <p>Provide expertise and technical assistance in areas relevant to the Programme's activities</p>
Legal professionals	<p>Provide specialized knowledge regarding the key challenges and best practices within the field of environmental law</p> <p>Provide input regarding key gaps when it comes to the implementation of environmental law at the national and regional levels</p>
Environmental defenders	<p>Support the upholding of environmental rights by assisting the Programme to address crucial issues related to environmental rights</p> <p>Promote and support the role of citizens in environmental protection, with a special emphasis on Indigenous Peoples</p>
Indigenous Peoples	<p>Seek full and effective engagement at all stages of the Programme</p> <p>Facilitate traditional, Indigenous and expert knowledge relevant to the implementation of the Programme and its activities</p>
Faith-based organizations	<p>Encourage enhancement of the role of spiritual and cultural values in achieving the Programme's vision and objectives</p> <p>Facilitate the integration of spiritual or faith-led values and cultural values within the Programme's activities</p>
Youth organizations or groups	<p>Seek full and effective engagement at all stages of the Programme</p> <p>Promote intergenerational dialogue at all stages of the Programme</p> <p>Raise awareness of the views, needs and perspectives of young people</p>
Women organizations or groups	<p>Seek full and effective engagement at all stages of the Programme</p> <p>Facilitate consideration of the gender aspects relevant to the implementation of the Programme and its activities</p>
Secretariats of multilateral environmental agreements	<p>Promote synergies, complementarity and information-sharing to avoid duplicating other initiatives and activities in the field of environmental law</p> <p>Provide a pool of resources and experiences relevant to the Programme's activities</p>
United Nations	<p>Support the successful implementation of the Programme, while promoting the achievement of the Sustainable Development Goals</p> <p>Provide a pool of resources and experiences relevant to the Programme's activities</p> <p>Provide technical support, knowledge and capacity</p> <p>Provide access to global, regional and national networks and connections</p>
Media	<p>Support rights holders in claiming rights related to the environment</p> <p>Hold duty bearers accountable for the fulfilment of their environmental obligations and responsibilities</p> <p>Disseminate tools and guidance materials produced under the Programme</p>

C. Modalities for engagement

18. There are various ways in which stakeholders can engage with Montevideo Programme V. In addition to the overarching modalities of engagement with stakeholders, such as those outlined in the *Handbook for Stakeholder Engagement*, different modalities, such as those shown in table 2 below, may serve to complement how UNEP and the secretariat of the Programme engage with stakeholders for the effective implementation of the Programme.

Table 2

Examples of modalities of stakeholder engagement

<i>Modality of engagement</i>	<i>Overview</i>
Information dissemination	Stakeholders can sign up to the stakeholder mailing list of the secretariat of the Programme by contacting the secretariat, either through the UNEP Law and Environment Assistance Platform or via email (unep-montevideo@un.org) to express interest in receiving Programme-related information. This information may include updates on activities and projects contributing to the implementation of the Programme and relevant upcoming meetings. 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 contact strategic stakeholders and invite them to sign up to the mailing list, which the secretariat will keep up-to-date in order to communicate with stakeholders who express an interest in the Programme.
Stakeholder representation in the global meetings of national focal points	Joining the stakeholder mailing list of the secretariat does not guarantee participation as an observer in the global meetings of national focal points, which are held every two years. Interested parties should refer to the <i>Handbook for Stakeholder Engagement</i> for details of the accreditation process and engagement in intergovernmental meetings.
Montevideo Environmental Law Programme Networks	The secretariat encourages the self-organization of inclusive, open-ended networks and communities of practice among 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.
Knowledge-sharing through the UNEP Law and Environment Assistance Platform	The UNEP Law and Environment Assistance Platform supports the delivery of the Programme's objectives and strategic activities by providing a platform to enable exchange information and knowledge on environmental rule of law. Stakeholders also contribute to the Programme's strategic and programmatic documents by reviewing and providing comments and participating in consultations on the delivery of activities (e.g. participation 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).

III. Partnerships for the development and progressive review of environmental law

A. Definition of partners

19. According to the UNEP partnership policy and procedures, within the United Nations, 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. Two or more parties may constitute a partnership.

20. For the purposes of the present Strategy, partners include individuals, organizations and groups, such as universities, research centres and other experts in environmental law, that agree to partner with UNEP by entering into a memorandum of understanding or a financing agreement, with the aim of jointly delivering activities or products that contribute to the development of environmental rule of law, in accordance with existing or future UNEP partnership policy and procedures.

B. Considerations to be taken into account in the establishment of environmental law partnerships

21. As noted in the UNEP partnership policy and procedures, determining the reasons for engaging in a partnership is a key and initial step to be taken in the process of forming a partnership. Partners will be identified and selected on the basis of their specific expertise in subject areas related to the field of environmental rule of law.
22. When establishing partnerships, the secretariat will take account of various key considerations, while building on and establishing new collaborations. These considerations include:
- (a) The need to ensure that potential partners share the UNEP vision with regard to advancing environmental law and the 2030 Agenda for Sustainable Development;
 - (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;
 - (d) The knowledge and expertise of the potential partner.
23. In addition, other UNEP-wide policies and strategies may include further considerations that also need to be taken into account. In particular, in accordance with the UNEP partnership policy and procedures, the integrity, impartiality and independence of the United Nations are key principles to be considered when forming partnerships, as is the character of the United Nations as an international organization of Member States. It is also important to ensure that mutual benefits are conferred on all parties involved and that 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 into partnerships:
- (a) Having a common purpose;
 - (b) Ensuring trust, transparency and accountability;
 - (c) Bestowing no unfair advantage upon any partner of the United Nations;
 - (d) Emphasizing mutual benefit and respect;
 - (e) Respecting the modalities of the United Nations;
 - (f) Achieving sectoral and geographical balance among partners from developed and developing countries and countries with economies in transition;
 - (g) Ensuring that the independence and neutrality of the United Nations are not compromised.

C. Roles and responsibilities of partners of Montevideo Programme V

24. As is stated in the 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.
25. As with stakeholders, partners are expected to have differing priorities, values and attributes and will contribute different competencies and resources to the Programme. Their potential roles and responsibilities, in particular for the implementation of specific activities, as set out below, are indicative and subject to the context of each partner.
26. Partners may have several important roles, including the following:
- (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) Carrying out monitoring, evaluation, learning and reporting tasks for the purposes of ensuring the effective and robust implementation of the Strategy;
 - (d) Drawing out lessons learned and considering best practices to support the vision of the Programme;

- (e) Empowering stakeholders and non-stakeholders with the knowledge and tools to contribute to the vision of the Programme and the achievement of the Sustainable Development Goals;
- (f) Contributing to the assessment of requests for and implementation of technical legal assistance;
- (g) Creating new avenues for fostering collaboration;
- (h) Promoting sustainable environmental protection;
- (i) Assisting with capacity-building and the preparation and conduct of Programme events, training and campaigns;
- (j) Providing access to strong local, regional and global networks.

D. Environmental law partnerships and technical assistance

27. The UNEP Law and Environment Assistance Platform – the digital backbone of the Programme – includes a clearing-house mechanism,² through which countries can request technical assistance, and a menu of services connected to the core objectives of the Programme. Technical assistance requests can also be submitted offline.

28. In accordance with the objectives of the Programme, the secretariat will deliver technical legal assistance for those 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;
- (c) Support enhanced capacity-building for increased effectiveness of environmental law.

29. Prospective partners are encouraged to review the objectives of the Programme, the UNEP Law and Environment Assistance Platform and its clearing-house mechanism and relevant information.

IV. Measuring progress and risk management

A. Monitoring, evaluation, learning and reporting

30. Engagement with stakeholders and partners is monitored on a continuous basis, taking into account strategies, policies and procedures that guide the work of UNEP. Monitoring is mainly carried out by staff members responsible for managing the day-to-day activities required for 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.* In accordance with paragraph 6 (a) (x) of Montevideo Programme V and as requested by national focal points at the in-person segment of the resumed first global meeting, the secretariat prepares and submits progress reports on a biennial basis on the Programme's implementation, activities and funding;

(b) *Steering committee for implementation and global meetings of national focal points.* While the global meeting is held once every two years, the steering committee for implementation meets twice a year. The committee works with the secretariat in the implementation of the Programme, on the basis of the recommendations and overall guidance received from the meetings of national focal points (paragraph 6 (c) of the Programme);

(c) *Regular updates to stakeholders and partners.* Updates are provided through the Montevideo Mailbox and the UNEP Law and Environment Assistance Platform.

31. 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.

² More information is available at <https://leap.unep.org/en/technical-assistance>.

B. Risk management

32. 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.

33. Regarding partners, the 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 and procedures also contain 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 enable 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 accuracy 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.

34. For stakeholders, UNEP has an accreditation process, as outlined in its *Handbook for Stakeholder Engagement*. The requirements that must be successfully completed in order to be granted accreditation are a key mechanism for mitigating risk. Such requirements include the submission of a letter, on the organization's letterhead, requesting accreditation; a certified copy of the organization's constitution, charter or statutes and 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 rule of law. In addition, and as previously stated in paragraph 7, above, for the purposes of mapping stakeholders, the secretariat reviews the list of stakeholders accredited with the Environment Assembly, considering their mandate, mission, objectives and projects.