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**SUBSIDIARY BODY FOR IMPLEMENTATION**

Twentieth session

Bonn, 16–25 June 2004

**Item 9 (d) of the provisional agenda**

**Arrangements for intergovernmental meetings**

**Effective participation in the Convention process**

**Promoting effective participation in the Convention process**

**Note by the secretariat\***

*Summary*

Factors affecting the participation of observers in sessions of Convention bodies, and at meetings and workshops, including the admission procedures for observer organizations, the imbalance in participation by non-governmental organizations from Parties not included in Annex I to the Convention and from Parties with economies in transition, and modalities for a more meaningful participation, are addressed. The Subsidiary Body for Implementation (SBI) may wish to endorse current approaches to the admission of organizations by the secretariat and to consider options for improving participation, including any financial implications. The SBI may also wish to consider recommendations of the Permanent Forum on Indigenous Issues concerning the participation of indigenous peoples in the Convention process, with a view to making an appropriate response.

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\* This document was submitted late due to the need for extensive consultations which took longer than anticipated.

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## **I. Introduction**

### **A. Mandate**

1. The Subsidiary Body for Implementation (SBI), at its sixteenth session, agreed to add an item entitled "Effective participation in the Convention process" to the agenda of its seventeenth session. (FCCC/SBI/2002/6, para. 5). The SBI, at its seventeenth session, requested the chairs of the subsidiary bodies, workshop chairs and the secretariat to make additional efforts to promote transparency and observer participation, while safeguarding the effectiveness of workshops, and to tailor the number of observer participants to the nature of each workshop. The SBI also requested the secretariat to improve the timeliness of the invitations and documentation, while recognizing that the availability of funding for workshops posed a constraint on these efforts (FCCC/SBI/2002/17, para. 50 (c)–(e)).
2. The SBI, at its eighteenth session, requested the secretariat to report to the SBI at its twentieth session on continued efforts by the chairs of the subsidiary bodies, the chairs of limited membership bodies and the secretariat to facilitate effective participation in the Convention process and promote transparency (FCCC/SBI/2003/8, para. 46 (c)).

### **B. Scope of the note**

3. This note describes the current admission procedures for observer organizations and proposals to further promote effective participation by non-governmental organizations (NGOs). It also transmits recommendations from the Permanent Forum on Indigenous Issues on the participation of indigenous peoples in the Convention process. The focus of the note is on matters relating to NGOs, with the exception of chapter II on admission procedures where intergovernmental organizations (IGOs) are also considered.

### **C. Possible action by the Subsidiary Body for Implementation**

4. Guidance from the SBI is invited on the matters raised in this note, in particular regarding:
  - (a) Confirmation that Parties are in general agreement with the present approach to the admission of observer organizations as outlined in chapter II;
  - (b) Whether it wishes any of the options detailed in chapter IV, or other actions that Parties or observer organizations may identify, to be undertaken to improve the participation of NGOs in the Convention process;
  - (c) Elements of a response to the recommendations of the Permanent Forum on Indigenous Issues and related issues, possibly including recommendations to the Conference of the Parties (COP), based on information in chapter V.
5. The SBI may wish to take account of views of NGOs when formulating its guidance.
6. Depending on the nature of the conclusions, some proposals may require that a draft decision be recommended to the COP for adoption.

## **II. Admission of observer organizations**

7. Admission of observer organizations in the Convention process is subject to Article 7, paragraph 6, of the Convention, and to the draft rules of procedure being applied (FCCC/CP/1996/2). Article 7, paragraph 6, of the Convention reads: "Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties as

an observer, may be so admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.”

8. In order to facilitate the implementation of Article 7, paragraph 6, working procedures have had to be developed. Mindful of the Convention, and drawing on general United Nations practice, the secretariat has developed procedures for the admission of IGOs and NGOs as observer organizations. These procedures are publicly available on the secretariat web site, and state that intending observer organizations shall provide, inter alia:

- (a) A statement of competence in Convention matters
- (b) Confirmation of independent juridical personality
- (c) Confirmation of non-profit and/or tax-exempt status in a State member of the United Nations, or of one of its specialized agencies or of the International Atomic Energy Agency, or in a State Party to the International Court of Justice.

9. Entities which cannot provide the necessary documentation are not considered eligible for admission as observer organizations. Organizations which fulfil the criteria are included in a list of organizations which the secretariat recommends, through the Bureau, to the COP for admission as observers.

10. The secretariat wishes to draw to the attention of the SBI a number of issues relating to the procedures for admission of observer organizations. For example:

- (a) Multilateral agreements that do not establish an independent juridical entity are not considered eligible for admission;
- (b) Organizations which have been established by, and report to, governments and carry out government-mandated activities, but which cannot provide evidence of independence from government, are not considered eligible for admission. They are encouraged to participate as part of government delegations;
- (c) Organizations which carry out functions on behalf of governments, including activities relating to the flexible mechanisms, provided that they meet the criteria listed in paragraph 8 above and that their governance structure is independent of governments, are considered eligible for admission.

11. **The secretariat seeks confirmation that Parties are in general agreement with the present approach to the admission of observer organizations.**

### **III. Participation by observers: current practice**

#### **A. Effective participation of civil society**

12. The participation of NGOs is a fundamental element of the Convention process. It helps to bring **transparency** to the workings of a complex intergovernmental process, facilitates **inputs** from geographically diverse sources and from a wide spectrum of expertise and perspectives, improves **popular understanding** of the issues, and promotes **accountability** to the societies served. The participation of NGOs in the Convention process is both flexible, and active, supporting the global trend towards more informed, participatory and responsible societies.

13. Within the intergovernmental process, enhancing the effective participation of NGOs poses a number of challenges, in view of their growing numbers and increasing structural complexity, diversity,

geographic distribution and influence in the 21st century. NGOs are willing to provide meaningful contributions to the climate change process and to enhance the engagement by civil society in the pursuit of sustainable development. Much progress has been made in opening the Convention process to such participation, but more could be done to build on current practice and to open new windows to promote the participation of NGOs, including in workshops.

14. The request by Parties to consider the issue of effective participation of NGOs in the Convention process is timely in view of two initiatives within the United Nations at large focusing on enhancing the relationship between the United Nations system and civil society: the **High Level Committee on Programmes**<sup>1</sup> (HLCP) and the **High Level Panel<sup>2</sup> of Eminent Persons on United Nations–Civil Society Relations** (HLP) created by the Secretary-General.

15. The HLCP will take stock of the current state of collaboration between United Nations system organizations and civil society organizations, highlighting policy dimensions. The HLP will formulate recommendations for enhancing interaction between the United Nations and civil society, the private sector and parliamentarians. The HLP was established in recognition of the growing interaction between the United Nations and civil society as shown by the rapid growth of organizations with consultative status and their influential and enriching contribution to discussions, in order to review the situation and to initiate new ways of organizing the relationship.

16. The HLP will take into account the stocktaking exercise of the HLCP and report to the Secretary-General in April 2004, with recommendations which may fall under the authority of the Secretary-General, or may require decisions by Member States.

17. The HLP has had discussions with NGOs within the climate change process, organized through the constituencies. Consequently, the report to the Secretary-General could include aspects of relevance to the Convention process and may need to be taken into account in further deliberations.

## **B. General arrangements for non-governmental organizations**

18. The COP has admitted 619 NGOs as observer organizations. More than 75 per cent of these are based in Annex I Parties. Peaks of admittance of NGOs from Parties not included in Annex I to the Convention occur when the COP holds its session in a developing country. However, these NGOs rarely attend subsequent sessions.

19. Observer organizations<sup>3</sup> are notified of the **date and venue** of sessions of the COP and/or its subsidiary bodies so that they may be represented at these sessions. In an effort to reinforce the responsibility of organizations for the participation of their representatives at sessions and to improve communications, NGOs have been requested to designate a **contact point** as the official channel for communication between the secretariat and the organization. This measure has been effective in safeguarding the authenticity of registrations and in ensuring accountability for activities.

20. The **constituency** system is an essential tool for the secretariat to manage its contacts with, and arrangements for participation by, the large and growing number of NGOs. There are currently five

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<sup>1</sup> The **High Level Committee on Programmes** advises the Chief Executives Board for Coordination (CEB).

<sup>2</sup> The **High Level Panel** was established in February 2003 as part of the process to reform the United Nations in response to the demands of the 21st century. The former president of Brazil, Mr. F. H. Cardoso, chairs the panel of 12 individuals from governmental and non-governmental sectors.

<sup>3</sup> IGOs and NGOs admitted at a session of the COP are invited to future sessions of the COP and its subsidiary bodies, unless an objection is raised to any particular organization in accordance with the Convention and the rules of procedure being applied (FCCC/CP/1995/7, para. 22).

constituencies.<sup>4</sup> Constituencies play a key role in facilitating the participation of their members in the Convention process and have established a functional and evolving working relationship with the secretariat, through focal points. Over and above their traditional role to provide logistic/coordination support to their members during sessions, constituencies facilitate representation at workshops, provide consolidated input and maintain contact with the secretariat between sessions.

21. On the occasions when NGOs have submitted information or views to the subsidiary bodies, the submissions have been made available only on the secretariat web site. In response to concerns by Parties, this practice has been followed to limit the volume of documentation and the associated costs, and to conserve paper. This has provided an accessible public platform with limited associated costs.

22. The secretariat communicates regularly with NGOs between sessions to provide regular updates on relevant activities, including workshops, and to maintain a database of current information on NGOs in the climate change process. The secretariat web site is also increasingly being used to facilitate interaction and information dissemination.

### C. Participation of non-governmental organizations during sessions of Convention bodies

23. During sessions of the COP or the subsidiary bodies, NGOs contribute to the process in a variety of ways, in addition to attending and following the formal debate as observers.

24. A representative group of NGOs is traditionally invited to make **statements** to the COP under its agenda item "Statements by NGOs". NGOs have also made interventions during high-level round-table discussions and in meetings of the subsidiary bodies. At COP 9, in response to the interest by Parties to promote effective participation, NGOs were given the opportunity, through the constituencies, to make interventions on two substantive agenda items in the COP plenary.

25. In accordance with decision 18/CP.4, representatives of observer organizations may be invited to attend meetings of open-ended **contact groups** as observers. This has now become the norm in the Convention process. On occasion, chairs of contact groups have allowed representatives of NGOs to take the floor in the group. NGOs do not, however, participate in negotiation of texts.

26. NGOs regularly organize meetings with Convention body officials, including the President of the COP and the chairs of the subsidiary bodies and contact groups, to discuss matters of concern to their members and to share their views.

27. The **side events and exhibits**, coordinated by the secretariat, further facilitate interaction between Parties, NGOs and other observers for the enrichment of the discussions. The secretariat has recently introduced web-based tools to streamline the application procedures and to create an information resource with an electronic archive of side event presentations and reports.

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<sup>4</sup> The constituencies are the business and industry organizations (BINGOs), environmental groups (ENGOs), indigenous peoples organizations (IPOs), local government and municipal authorities (LGMAs) and the research-oriented and independent organizations (RINGOs). The criteria for considering a group of organizations as a constituency include: a critical mass of member organizations; creation of an operative channel (focal point) for communication with the secretariat; distribution of information to members; provision of consolidated/coordinated inputs on issues; and regular participation of the member organizations at sessions. Individual organizations may choose which constituency, if any, they wish to belong to. This choice is neither official nor binding, does not preclude direct communication with the secretariat by any observer organization, and does not imply any 'sovereignty' over the constituency on the part of the focal point organization.

28. At COP 9, as in previous COP sessions, most of the side events were organized by NGOs, and all events included NGO participants. However, the side events are dominated by NGOs from developed countries; at COP 9, less than 6 per cent of the side events were organized by NGOs from developing countries.

#### **D. Participation of non-governmental organizations at meetings of expert groups**

29. The Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE), the Expert Group on Technology Transfer (EGTT) and the Least Developed Countries Expert Group (LEG) are limited-membership bodies whose meetings are normally closed to observers (FCCC/SBI/2002/13). They have specific mandates, primarily of a technical nature, and submit reports to the relevant subsidiary body for consideration and action. To date there has been no demand for informal meetings between expert group chairs and NGO representatives, although this remains a possibility.

#### **E. Participation of non-governmental organizations in the work of the Executive Board of the clean development mechanism**

30. The Executive Board of the clean development mechanism (CDM) is a body constituted by the COP to supervise the CDM and to ensure its efficient, cost-effective and transparent functioning. In this context, there is an important role for observers, as stipulated in the CDM modalities and procedures (decision 17/CP.7, annex) and in the rules of procedure of the Executive Board. The need for dialogue with constituencies and the exchange of information with the public are set out in decisions 21/CP.8 and 18/CP.9.

31. NGOs have various opportunities to participate, ranging from observing meetings of the Board in a listening room, to responding to calls for input on substantive and procedural matters. Since the inception of the Board, ample use has been made of these opportunities and important contributions and feedback to the CDM process have been forthcoming and taken into account by the Board.

32. In order to allow a global audience to witness the public part of deliberations of the Board, as well as briefings and discussions with observers, a live transmission via the Internet is arranged for each Board meeting; the transmission is also recorded and is subsequently available as an on-demand web cast. During sessions of the COP and the subsidiary bodies, the Executive Board of the CDM has established the practice of holding a question-and-answer session with Parties and other participants on issues under discussion by the Board.

33. The CDM pages of the secretariat web site are an additional tool for providing first-hand information on the CDM. In order to facilitate communication and interaction between the Board, NGOs and others, extensive use has been made of web-based and electronic systems. Also, there are currently some 1,200 subscribers to the UNFCCC CDM News facility, which provides up-to-date information on all relevant developments.

#### **F. Participation of non-governmental organizations in workshops**

34. The secretariat has made special efforts to implement the guidance given at SBI 17 concerning NGO participation in workshops. Fourteen workshops, including five pre-session workshops, were organized by the secretariat in 2003. The four existing NGO constituencies and the newly constituted research-oriented and independent organizations (RINGOs) were notified of the workshops and the information was made public on the secretariat web site. Each group was invited to inform the secretariat of the potential interest of its members to attend individual workshops. The relevant chairs were informed of their responses and the number of invitations was tailored accordingly.

35. Basic information was made available in advance, and the invitations were distributed 4–8 weeks before the workshops. Early confirmation of dates remains a difficulty, as a result of continuing problems in securing funds for workshops. Moreover, NGOs face challenges in raising funds and identifying participants.

36. All workshops, except one, had representation from NGOs, although not all constituencies were represented. The ENGOs and RINGOs attended 10 workshops each; the BINGOs attended eight workshops; the indigenous peoples organizations attended two workshops; and the local government and municipal authorities attended one workshop. The numbers attending were fewer than the number of invitations extended or the potential demand registered.

#### IV. Options for improving the participation of non-governmental organizations

37. NGOs play a pivotal role in the climate change intergovernmental process. Almost half of all registered participants at sessions of Convention bodies are from NGOs, with the share reaching 64 and 56 per cent in Kyoto and The Hague, respectively.

38. As outlined above, progress has been made in recent years in improving the extent and level of participation by NGOs in the climate change process. This is in the spirit of Article 7, paragraph 2 (1), of the Convention which requires the COP to “seek and utilize, where appropriate, the services and cooperation of, and information provided by ... non-governmental bodies”. Nevertheless, there is scope for additional efforts if Parties are interested and, where necessary, willing to meet the associated costs. Table 1 identifies possible actions and relevant considerations, based on requests from NGOs and practice in other United Nations forums, with the goal of a more meaningful and balanced participation of NGOs in sessions of the Convention bodies and in workshops, and for better mechanisms for information sharing. **The SBI is invited to provide guidance on whether it wishes any of these options, or other actions that Parties or observer organizations may identify, to be undertaken.**

**Table 1. Options for improving the participation of non-governmental organizations**

	Possible action	Considerations
<i>At sessions of the COP and subsidiary bodies</i>		
A	Provide more opportunities in formal meetings of the Convention bodies for <b>inputs</b> from NGOs on <b>substantive</b> items	<ul style="list-style-type: none"> <li>▪ Builds on the COP 9 experience where statements by a limited number of NGOs were positively received</li> <li>▪ Presiding officers would need to select appropriate agenda items</li> <li>▪ NGO interventions would follow those by Parties and would be limited in number</li> <li>▪ Implications for the time required for formal meetings during sessions</li> </ul>
B	Allow NGOs to make <b>contributions</b> in contact groups open to NGOs, when appropriate	<ul style="list-style-type: none"> <li>▪ Would be at the discretion of the chair of the contact group</li> <li>▪ Could provide a means of bringing new information or ideas into the discussion</li> <li>▪ Would foster meaningful participation by NGOs</li> <li>▪ Would need to be limited in view of time constraints</li> </ul>
C	Explore providing <b>funds</b> for the participation of NGOs from <b>developing countries and countries with economies in transition</b> (EIT countries) at <b>sessions</b> of Convention bodies, without affecting the level of support for eligible Parties	<ul style="list-style-type: none"> <li>▪ Frequently requested by NGOs</li> <li>▪ Parties (or other sources) would need to provide additional funds</li> <li>▪ Costs of about USD 6,500<sup>a</sup> per person for a two-week session in Bonn</li> <li>▪ Management of any funds would need to be in accordance with United Nations rules and regulations</li> <li>▪ Should this funding be available for all constituencies?</li> </ul>

D	Organize <b>multi-stakeholder dialogues</b> between governments and NGOs <sup>b</sup> or among NGOs only, on mutually agreed cross-cutting topics in the context of sessions, steered by a multi-stakeholder group and facilitated by an external entity	<ul style="list-style-type: none"> <li>▪ Initiated in other United Nations forums, although contexts may differ</li> <li>▪ Incur human resource and support costs; not provided for in current budget and work programme</li> <li>▪ Require intensive, meticulous planning, time and commitment by organizing partners</li> <li>▪ Introduce new time demands into sessional arrangements</li> <li>▪ Could build confidence between Parties and the different groups/observers and increase understanding between different positions</li> <li>▪ Could bring new ideas, dimensions and practical realism into the discussions</li> <li>▪ Contribute to more consolidated messages on issues from NGOs</li> </ul>
<i>At workshops</i>		
E	Provide <b>funds</b> to support attendance at workshops by NGOs from <b>developing countries and EIT countries</b> , without affecting the level of support for eligible Parties	<ul style="list-style-type: none"> <li>▪ Frequently suggested by NGOs</li> <li>▪ Would promote informal exchanges on issues of concern to developing country NGOs</li> <li>▪ Parties (or other sources such as the workshop sponsors) would need to provide additional funds</li> <li>▪ Costs of about USD 4,200 per person for a two-day workshop in Bonn; a fund of USD 63,000 could support one NGO from each of the five constituencies, at three workshops</li> <li>▪ Management of any funds would need to be in accordance with United Nations rules and regulations</li> <li>▪ Should this funding be available for all constituencies?</li> </ul>
<i>Other mechanisms</i>		
F	Expand practice of inviting <b>submissions</b> by NGOs	<ul style="list-style-type: none"> <li>▪ NGOs have periodically indicated their interest in submitting information to Parties on negotiating issues</li> <li>▪ Secretariat web site is increasingly being used as the definitive official source of information on the climate change process</li> <li>▪ Increased use of the web site could encompass submissions of information</li> <li>▪ Expanding the practice of inviting submissions from NGOs would be possible provided that these could be processed without the need to format as UNFCCC documents and that the volume did not become unmanageable</li> </ul>
G	Expand use of <b>web-based tools</b> to disseminate information and to provide a focus for NGO-related climate change exchanges and to provide NGO inputs	<ul style="list-style-type: none"> <li>▪ The web site currently provides general information on admission and participation of NGOs in the Convention process</li> <li>▪ The web site could provide more services and open new opportunities for the exchange of information between observers e.g. provision of more information on admitted NGOs and areas of interest</li> </ul>

<sup>a</sup> These costs are based on United Nations practice and rates.

<sup>b</sup> Multi-stakeholder dialogues have been incorporated as part of the Commission on Sustainable Development process to promote interaction between governments and the major groups, leading to a more meaningful participation of the major groups in the intergovernmental decision-making process. Topics are agreed on by a steering group of government and major group representatives, dialogue papers are prepared for discussion, and the outcome is included in the final report of the meeting.

## V. Participation of indigenous peoples

### A. Background within the Convention process

39. Indigenous peoples organizations have been admitted to the Convention process as NGOs. They participate actively at sessions, organize regular coordination meetings for their members and arrange meetings with the President of the COP and officials of the Convention process. They have convened six sessions of the International Indigenous Peoples' Forum on Climate Change prior to sessions of the COP.

40. Their concerns were noted by the Bureau of COP 6, which encouraged them to make full use of their status as observer organizations to attend sessions, organize side events and exhibits, organize press briefings and exchange views, ideas and information with other participants.

41. Since 2001, they have been acknowledged by the secretariat as a constituency and provided with the same privileges as the other constituencies, including a direct line of communication with the secretariat, invitations to workshops which are open to observers and an opportunity to provide a statement to the Plenary under the agenda item for NGOs.

42. Although the number of admitted indigenous peoples organizations is small (about five), they represent large and globally diverse communities. Their participation at sessions has been consistent and vigorous, despite a small delegation size (less than 2 per cent of the observer attendance at recent COP sessions). Their participation at workshops has been hampered by lack of funding.

### **B. Permanent Forum on Indigenous Issues**

43. The Permanent Forum on Indigenous Issues (hereinafter referred to as the Forum) was established as an advisory body to the United Nations Economic and Social Council (ECOSOC) by a resolution of the Commission on Human Rights in April 2000. It provides a unique, high-level forum within the United Nations system to discuss indigenous issues relating to economic and social development, culture, environment, education, health and human rights and to provide expert advice and recommendations to the ECOSOC and, through the ECOSOC, to programmes, funds and agencies of the United Nations. It provides information and raises awareness on indigenous issues and promotes the integration and coordination of activities relating to indigenous issues within the United Nations system.

44. The Forum has 16 members – eight nominated by governments and elected by ECOSOC, and eight appointed by the President of ECOSOC, following formal consultation with the Bureau of the ECOSOC and the regional groups through their coordinators, and the indigenous organizations themselves.

45. At its second session, in May 2003, the Forum made a number of recommendations; these were noted by ECOSOC in July 2003. Two of these recommendations relate to the UNFCCC (see annex for full text). The Secretariat of the Forum has asked which recommendations could be implemented by the UNFCCC process in the short (12 months), medium (three years) or long (five years) term. The secretariat has informed the Secretariat of the Forum that this matter would be considered by the SBI at its twentieth session.

46. The secretariat wishes to bring these recommendations to the attention of Parties because they have important policy and financial implications. They are summarized in Table 2, together with some comments. **The SBI is invited to consider the recommendations of the Forum and agree on elements of a response, possibly including recommendations to the COP where appropriate.**

### **C. Other requests from the indigenous peoples organizations**

47. Several additional requests have been made direct to the secretariat, the President of COP and other officials of the Convention process. These are also summarized in table 2. **Guidance from the SBI is also sought on these requests.**

**Table 2. Issues requiring guidance from Parties relating to indigenous peoples**

	Possible action	Considerations with political or financial implications
<i>Recommendations from the Permanent Forum on Indigenous Issues</i>		
A	Establish an <b>ad hoc, open-ended, intersessional working group</b> on indigenous peoples and local communities and climate change	<ul style="list-style-type: none"> <li>▪ Would require a COP decision</li> <li>▪ Would impose new and additional costs to those foreseen in the current biennial budget</li> <li>▪ No secretariat capacity is available to support such arrangements</li> <li>▪ Issues for consideration: <ul style="list-style-type: none"> <li>- the terms of reference</li> <li>- composition and modalities of membership</li> <li>- relationship with the subsidiary bodies</li> <li>- implications for the establishment of other possible working groups?</li> </ul> </li> </ul>
B	Guarantee <b>full and effective</b> participation of indigenous peoples in the climate change process	<ul style="list-style-type: none"> <li>▪ Indigenous peoples organizations are admitted as NGOs and may participate as observers (in accordance with Article 7, paragraph 6)</li> </ul>
<i>Requests from representatives of the indigenous peoples organizations to Convention officials</i>		
C	Create a <b>special status</b> for indigenous peoples in the Convention process	<ul style="list-style-type: none"> <li>▪ Status is determined by provisions of Article 7, paragraph 6, of the Convention</li> </ul>
D	Provide <b>funding support</b> to Forum members and indigenous peoples to attend sessions and workshops to guarantee and strengthen their participation	<ul style="list-style-type: none"> <li>▪ Secretariat could administer such support but would require additional resources from Parties or private sources</li> <li>▪ Any such funding should not affect the level of support for participation by eligible Parties</li> <li>▪ Selective funding may raise issues of equitable treatment by other constituencies (see table 1, options C and E)</li> </ul>
E	Include a <b>permanent agenda item</b> on indigenous peoples on the agendas of the COP and its subsidiary bodies	<ul style="list-style-type: none"> <li>▪ The provisional agendas of sessions are drafted by the secretariat in agreement with the President (draft rules of procedure being applied: FCCC/CP/1996/2, chapter VI)</li> <li>▪ The secretariat has traditionally counselled against permanent agenda items as this adds rigidity to the process and expands already lengthy agendas; periodic inclusion of such an item in agendas would depend on the interest of Parties (see FCCC/SBI/2004/4, paras. 21–25)</li> <li>▪ Indigenous peoples concerns could be addressed within the context of existing items (see also table 1, option A)</li> </ul>
F	Establish a post in the secretariat of <b>focal point for indigenous peoples</b>	<ul style="list-style-type: none"> <li>▪ No such post included in 2004–2005 budget</li> <li>▪ An NGO liaison officer, whose role includes liaison with the NGOs and their constituencies, including the indigenous peoples organizations, exists in the secretariat</li> </ul>

Annex

**Extract from the report of the second session of the  
Permanent Forum on Indigenous Issues held in New York on 12–23 May 2003  
(E/2003/43, E/C.19/2003/22)**

Recommendation 2

**United Nations Framework Convention on Climate Change**

47. The Forum recommends that the United Nations Framework Convention on Climate Change consider the possible establishment of an ad hoc open-ended intersessional working group on indigenous peoples and local communities and climate change, whose objectives would be to study and propose timely, effective and adequate solutions to respond to the urgent situations caused by climate change that indigenous peoples and local communities face. The Forum furthermore recommends that the Convention consider providing necessary funding support to Forum members and indigenous peoples to guarantee their participation and to strengthen their participation.

Recommendation 12

**Participation of indigenous peoples**

61. The Forum recommends to the Economic and Social Council that the United Nations system guarantee the full and effective participation of indigenous peoples in appropriate processes and environmental conventions, such as those on desertification, wetlands and climate change.

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