

## **2<sup>nd</sup> Dialogue on Article 6 of the Convention**

### **Session I: Public participation in climate change policy decision-making and action**

Thursday, 5 June 2014, 11:00-13:00

#### **Panel Contribution by Achim Halpaap, Senior Manager, Environment and Green Development, UNITAR**

UNITAR is pleased to offer the following reflections, lessons-learned, and suggestions to inform the Dialogue, taking into account experience gained from supporting developing countries in strengthening participatory environment and climate change governance, insights from the UNITAR/Yale University Environment and Democracy initiative, and various partnerships to support implementation of Principle 10 of the Rio Declaration, the 2010 UNEP Bali Guidelines and participatory approaches in the areas of climate change learning (UN CC:Learn).

#### **1. There is an opportunity for generating additional policy-relevant knowledge and lessons learned concerning public participation in climate change that can inform the UNFCCC process**

- Article 6 Dialogue on the public participation shows significant progress made in the implementation of public participation provisions of Article 6, including activities directly related to Article 6, such as National Learning Strategies supported by UN CC:Learn. Yet, there is only so much knowledge that a two hour dialogue can generate.
- Given the growing interest in the matter, UNITAR suggests the development of an international research framework and action to systematically identify policy relevant lessons-learned and good practices from participatory climate change governance
- If of interest to Parties, such research could receive guidance from and inform the deliberations of the SBI and involve interested research institutions in Member States with the goal to provide value added to the Article 6 Dialogues
- The Framework would need to take into account the complex nature of public participation in climate change governance, such as:
  - National and local decisions vs. international decision processes
  - Different public approaches (e.g. from participatory research, to notice and comments in policy making)
  - Different nature of adaptation and mitigation decision-making processes
  - Sector specific policy-making and administrative processes that are guided by general administrative law and procedures
  - Etc.
- An important aspect of the research framework could be to better understand what constitutes effective public participation, i.e. how to organize and ensure public participation to achieve the objectives of the UNFCCC.
- Upcoming UNITAR/Yale Conference of Human Rights, Environment and Climate Change in September 2014 provides an opportunity to discuss this suggestion further. Initial research generated through the CISDL/Yale/GEM Working paper Series on Public Participation and Climate Governance can be taken into account.

## **2. Governance issues merit a prominent role in the future climate change regime as they are moving from the periphery to the heart of UNFCCC implementation**

- Article 6 of the UNFCCC was developed more than 20 years ago. Main focus has been on awareness raising and informing the public, rather than focusing on empowerment of the public in shaping policy-making
- Consensus is emerging that addressing climate change is becoming an integral dimension of development and affecting the rights and development choices of people, in particular those of vulnerable groups and countries
- It is important that public participation in climate governance moves from “nice to have” to “essential to have”
- Opportunities to strengthen public participation provisions of Article 6 and integrate more detailed public participation provisions into the new climate change regime, e.g.
  - CDM, NAMA, REDD+, NDCs, NAPs, etc.
  - Providing further guidance/guidelines about good public participation practices

## **3. It is important to address capacity development gaps and needs for effective participation**

- Capacities in government (supply side), e.g. effective procedural laws, facilitation skills, consultation websites, etc.)
- Capacity in civil society (demand side), e.g. overcoming mobilization and collective action problems, development of capacities to design technical studies, etc.)
- Important to provide funding windows to support effective climate governance (e.g. under GEF, GCF)

## **4. Potential for synergies exist with global, regional and national initiatives to strengthen participatory rights in matters of environment, climate change and development**

- Principle 10 of the Rio Declaration
- Latin American “Declaration on the application of Principle 10 of the Rio Declaration on Environment and Development” (country driven process supported by ECLAC)
- UNECE Aarhus Convention
- UNEP Bali Guidelines (2010) to support countries in developing national legislation on access to information, public participation and access to justice in environmental matters
- UNEP/UNDP/UNITAR Bali Guidelines capacity development partnership
- 2015 Report of UN Council Independent Expert on Human Rights and the Environment