

Submission from Vermont Law School on the Paris Committee on Capacity Building's call for information and suggestions regarding the web-based capacity-building portal

July 31, 2017

The Vermont Law School (VLS) welcomes the opportunity to share information and suggestions regarding the web-based capacity-building portal. As an accredited observer to the UNFCCC since 2009, we have sought to use our faculty and students' knowledge and skills to build the capacity of a least developed country (LDC) party to engage in the climate change negotiations. As an active member of the Research and Independent Non-Governmental Organization (RINGO) constituency, VLS has encouraged other university delegations to use a similar service-learning model of capacity-building.

We regularly consult the capacity-building portal, in search of projects, models, and potential partners, both for learning and sharing best practices. To our surprise, we have found almost no examples of accredited university delegations like ours sharing their capacity-building work on the portal. Yet the RINGO constituency is the second largest body of observers, accounting for 25% of the more than 2000 currently accredited observers.¹ Of these approximately 500 RINGO members, over 100 are university-affiliated delegations.

VLS thus makes this submission in response to the Paris Committee on Capacity Building (PCCB)'s call for incorporating into the portal more capacity-building information that is in line with the PCCB's focus 2017/2018 on "capacity-building activities for the implementation of nationally determined contributions (NDCs) in the context of the Paris Agreement."² We specifically encourage the PCCB to:

1. modify the web-based capacity-building portal to consciously include information on university delegations who build capacity of LDCs to engage in the UNFCCC negotiations and thereby implement their NDCs;
2. organize the capacity-building portal to make this information easily searchable; and
3. work with the RINGO constituency to reach out to university delegations to encourage them to add their capacity-building activities to the enhanced portal.

This submission outlines the portal's role in providing opportunities for university delegations to visibly share their capacity-building efforts with others. University-led service learning projects provide relatively low cost ways of supporting LDCs to engage in the UNFCCC negotiations and implement their NDCs. Moreover, the recommendations below require few new resources to implement.

¹ Background information on SBI AIM in-session workshop, 9 May 2017, at p. 4, http://unfccc.int/files/parties_and_observers/observer_organizations/application/pdf/sbi_aim_workshop_background_information_for_participants.pdf.

² Call for submissions by PCCB, Topic 2.2, http://unfccc.int/files/cooperation_and_support/capacity_building/application/pdf/080617_pccb_call_for_submissions_constituted_bodies_final.pdf.

University delegation service learning as capacity-building projects for LDCs

Many LDCs lack the legal and policy capacity to actively engage in the UNFCCC negotiation process. Without these skills to inform the process, the implementation of their NDC may be limited. Several organizations have emerged to respond to LDCs' need for legal and policy capacity-building. For example, the Legal Response Initiative was created to meet the general need to help developing countries with the legal questions that arise during the UNFCCC negotiation sessions.³ Additionally, both the NYU School of Law's International Environmental Law Clinic⁴ and Lewis & Clark Law School's International Environmental Law Project⁵ use enrolled law students to support AOSIS in the UNFCCC negotiations. In a similar way, but with a specific focus on technology, the Technical University of Denmark has provided support for "improved decision-making, including assistance for participation in international negotiations" in partnership with UNEP.⁶

Yet more structured support is needed for LDC capacity-building, not only for engaging in negotiations but also for bringing that knowledge into their NDC implementation. University delegation service learning partnerships are one way to meet this need. Delegation professors and researchers can build LDC policy making capacity by working closely with LDC partners and precepting the legal and policy work of their student delegates. Building policy-making capacity through service learning can result in more informed and robust implementation of NDCs.

One example of this type of service learning comes from the Vermont Law School's partnership with the Myanmar State Party delegation. Since 2014, in its role supporting the Myanmar delegation, VLS has attended UNFCCC negotiations as an observer delegation, and VLS student delegates have worked with Myanmar within an accredited course on international climate change taught by a VLS professor. Throughout the fall semester, students develop the knowledge and skills needed to support the LDC delegation, including understanding of the UNFCCC governance process and the substantive issues that Myanmar prioritizes. Before attending the COP, VLS students write briefing memos for Myanmar on these selected issues, to prepare the LDC delegates to engage in the negotiations. During the COP, students attend plenaries, contact groups, and informal consultations, taking notes for the small Myanmar delegation that cannot attend all sessions of interest. The VLS delegation then regularly briefs Myanmar through daily meeting notes and regular in-person updates.⁷ During the four years of this service learning partnership, members of the Myanmar State Party delegation have built their capacity to find relevant COP decisions and track them over time to better understand their impact on subsidiary bodies and funding mechanisms. Through this work, the Myanmar delegation has developed its capacity to more actively participate in the negotiations through its negotiating groups, and to work nationally to implement its NDC.

³ <http://legalresponseinitiative.org/about-us/>.

⁴ <http://guarinicenter.org/about/people/rudyk/>.

⁵ https://law.lclark.edu/clinics/international_environmental_law_project/.

⁶ <http://www.unepdtu.org/> This partnership is the only one currently found on the capacity-building portal.

⁷ Tracy Bach, Minding the Gap: Teaching International Climate Change Law Through Service Learning, 18 *Vt.J.Env.L.* 173 (2016), http://vjel.vermontlaw.edu/files/2017/02/Bach_FP.pdf.

Recommendations for including service-learning partnerships on the portal

Vermont Law School encourages the PCCB to improve the capacity-building portal by:

- 1. Collecting information from accredited university delegations and including service learning partnerships on the portal.** Doing so will ensure that the capacity-building portal:
 - A. Reflects and makes visible the service learning support of LDCs that is currently taking place;
 - B. Provides LDCs opportunities to gain knowledge about governance, policy making, and the law of NDC implementation by exploring how other Party delegations are building this type of capacity through service learning projects;
 - C. Offers opportunities to catalyze capacity-building support from the delegations that are already engaged in UNFCCC; and
 - D. Plays a larger role in filling capacity-building gaps and needs

- 2. Providing opportunities for LDCs to connect with university delegations that can provide service learning support.** Doing so will ensure that the capacity-building portal:
 - A. Serves as the arena for connecting, sharing information, and partnering in an effort to build sustainable capacity akin to the suggestion made at the PCCB’s first meeting to mobilize research by creating a “one-stop-shop” to find funding and capacity-building support;⁸ and
 - B. Offers opportunities for LDCs and university researchers to network to facilitate capacity-building efforts akin to the Arrangements for Intergovernmental Meetings (AIM) in-session workshop participants’ call for channels to facilitate researchers inputs.⁹

⁸ Quoting a phrase used by Mohamed Nbou (Morocco) at the first meeting of the PCCB, May 11-13, 2017.

⁹ <http://unfccc.int/resource/docs/2017/sbi/eng/inf07.pdf>.