

4 October 2010

English only

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

Subsidiary Body for Implementation

Thirty-third session

Cancun, 30 November to 4 December 2010

Item 15 of the provisional agenda

Arrangements for intergovernmental meetings

Ways to enhance the engagement of observer organizations

Submissions from Parties

1. The Subsidiary Body for Implementation, at its thirty-second session, invited Parties and observer organizations to submit to the secretariat, by 16 August 2010, their views on ways to enhance the engagement of observer organizations (FCCC/SBI/2010/10, para. 167).
2. The secretariat has received 21 such submissions. In accordance with the procedure for miscellaneous documents, the five submissions from four Parties are attached and reproduced* in the language in which they were received and without formal editing.
3. Submissions received from accredited intergovernmental organizations¹ and non-governmental organizations² have been posted on the UNFCCC website.

¹ <http://unfccc.int/parties_observers/igo/submissions/items/3714.php>.

² <http://unfccc.int/parties_observers/ngo/submissions/items/3689.php>.

* These submissions have been electronically imported in order to make them available on electronic systems, including the World Wide Web. The secretariat has made every effort to ensure the correct reproduction of the texts as submitted.

FCCC/SBI/2010/MISC.8

GE.10-62890

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* This submission is supported by Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and Turkey.

Paper no. 1: Belgium and the European Commission on behalf of the European Union
and its member States

**SUBMISSION BY BELGIUM AND THE EUROPEAN COMMISSION ON BEHALF OF THE
EUROPEAN UNION AND ITS MEMBER STATES**

**This submission is supported by Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia
and Turkey**

Brussels, 20 July 2010

**Subject: Views on ways to enhance the engagement of observer organizations
As requested in paragraph 19 of the draft conclusions on SBI agenda item 16 –
arrangements for intergovernmental meetings**

Introduction

The EU welcomes the opportunity to submit its views on possible ways to enhance the engagement of observer organisations in the UNFCCC process. This process is a continuation of the discussions held in the Contact Group on arrangements for intergovernmental meetings during the 32nd session of the SBI in Bonn. The EU looks forward to the continued discussions on this issue during the 33rd session of the SBI.

The EU appreciates the long-standing dialogue and discussion with observer organisations and civil society in the UNFCCC process. Observer organisations contribute to the strength of this process, both by keeping the issue of climate change high on the agenda and by bringing forward their knowledge for decision-making and implementation. The EU has continuously supported the important role of observer organisations in the UNFCCC process and engages itself to continue to do so.

The EU is aware of the difficulties faced by some observer organisations during COP15 and welcomes the initiatives undertaken by the UNFCCC Secretariat to find solutions to the problems encountered. The EU also supports the incoming COP Presidency in the dialogue it is undertaking with observer organisations to accommodate their participation in COP16 and encourages future COP Presidencies to continue considering and discussing the needs of observer organisations in their preparations.

The views of Parties on this issue should contribute to a rich debate in Cancun about ways to enhance participation of observer organisations that delivers practical solutions to the benefit of these participants in the UNFCCC process.

Views on ways to enhance the engagement of observer organisations

The EU is convinced that ways to enhance the engagement of observer organisations should be conducted in the closest collaboration and dialogue with the UNFCCC Secretariat and the observer organisations themselves. Therefore, the EU greatly appreciates the attention awarded to this dialogue by the UNFCCC Secretariat, both during the first half of this year as well as in the past. During SBI32 in Bonn, the Parties were informed of a reinforced dialogue taking place between the UNFCCC Secretariat and observer organisations in order to find practical solutions to some of the problems encountered, which is strongly welcomed and encouraged by the EU.

The EU also took note, with great interest, of the initiatives of the UNFCCC Secretariat to find pragmatic solutions to some of the problems encountered, such as the development a system of on-line registration for observer organisation for the sessions. This would allow shorter deadlines for registration and would facilitate changes in the delegations of observer organisations. The EU is aware of the technical complexities of such a system, but hopes the setting-up of such a system can take place as soon as possible.

The EU observes that some difficulties are due to the exponential increase in participants from observer organisations in the UNFCCC process over the past years. In finding solutions for these difficulties, a number of factors have to be taken into account. For instance, the broad participation of observer organisations at all levels should be ensured and dialogue with observer organisation should be continued when looking for solutions. The European Union wishes to reaffirm its support for a maximum of transparency of the UNFCCC process, while preserving its effectiveness.

The EU also insists that any revision of practices with regard to participation of observer organisations at COP16 should be conducted in close dialogue with the observer organisations and should be disseminated sufficiently in advance of their application. When reviewing such practices and discussing ways to enhance the participation of observer organisations, it is important to look at best practices in other multilateral fora, both within the UN system and elsewhere, in order to find solutions for problems and develop improvements in a pro-active manner. The EU therefore welcomes the initiative of the Secretariat to study best practices in other multilateral fora and is looking forward to the outcomes. The EU also welcomes the initiatives in UNEP with respect to Principle 10 of the 1992 Rio Declaration on Environment and Development and further recent regional initiatives¹.

Finally, the EU encourages observer organisations to share their knowledge with the Parties of the UNFCCC also in the run-up to negotiations.

¹ Such as a workshop on public participation in international fora and other initiatives organized within the context of the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Paper no. 2: Bolivia (Plurinational State of)

Submission regarding arrangements for Intergovernmental Meetings on ways to enhance the engagement of observer organizations

We welcome the opportunity to make submissions to the SBI on ways to enhance the engagement of observer organizations in the negotiation process. We believe to be of crucial importance to the progress of the negotiations.

We recognize the Civil society serves as an extremely valuable, to assure transparency and to enhance the involvement of the public in general with climate change, as well as the input of technical and political resource in this process and for the Parties.

We urge to recognize, implement and integrate in climate change actions the full participation of the global society, under the principles of solidarity, reciprocity, respect, complementarity, harmony, transparency, balance.

We urge Parties to respect and commit to public access to information on climate change and its effects and public participation in addressing climate change and its effects and developing adequate responses;

To encourage and strengthen the catalytic role of the Convention to the full participation of civil society, building synergies between activities and process, as way to support to address of climate change;

Recognizing that is essential to carry out a global participation about determining decisions that implies the impact of climate change.

Reaffirming the legal support related to the importance of civil society participation, its recognised in Article 4.1(i) of the UNFCCC.

In the view of Bolivia, the participation of civil society in the negotiations is crucial and essential to give clarity and transparency to this important process.

We need take care and ensure this participation, avoid any similar situation or unfortunate experience of Copenhagen whith the arbitrary restriction of civil society from the negotiations.

In order to ensure that the full spectrum of civil society views on the negotiations is heard, we believe that:

- Full and effective participation of observer organizations (civil society, NGOs, social organization, indigenous people, women workers, climate migrants, climate damages, among others) on process related and about determining decisions that imply climate change.
- The ordinary rule should be for all negotiating sessions to be held in open session, with the participation of observer organizations.
- Timely access to all documents to observers organizations, including the negotiations texts.
- Observer organizations should always have an amount of slots to make interventions in all sessions and during negotiating meetings.
- Observer organizations should have the opportunity to present inputs for the negotiation process.
- All negotiation sessions should be webcasted and shown on CCTV. This should not be a substitute for attendance by observer organizations at negotiating sessions

- In the exceptional circumstance that it becomes necessary to impose restrictions on access to the negotiating area because of capacity reasons, these should guarantee a minimum percentage of civil society participation.
- The process of registry of observer organizations should be more expedite.

Paper no. 3A: Mexico

SUBMISSION BY MEXICO TO THE SUBSIDIARY BODY FOR IMPLEMENTATION

Ways to enhance the engagement of observer organizations

August 2010

In the framework of the discussion on Arrangements for Intergovernmental Meetings, the Subsidiary Body for Implementation (SBI) invited Parties to submit to the Secretariat views on ways to enhance the engagement of observer organizations (FCCC/SBI/2010/L.21, paragraph 19). This submission by the government of Mexico is presented in accordance with the said invitation.

Observers have been present since the early stages of the climate change discussions and constitute an irreplaceable collaborator within the intergovernmental process. Throughout the years, intergovernmental organizations, specialized agencies, non-governmental groups and other institutions have enhanced their participation and different constituencies are now recognized and institutionalized, enriching the discussions and growing-up together with the climate regime itself.

Achieving the ultimate objective of the Convention requires an enhanced participation of stakeholders, not only in the discussions, but also in the implementation of the measures deemed necessary to face the challenge of climate change. Without any prejudice to the Party-driven nature of the process of negotiation enshrined in the United Nations Framework Convention on Climate Change (UNFCCC), Mexico supports a discussion on ways to have an enhanced participation and collaboration of observer organizations.

Several activities and provisions allow nowadays for observers participation in the process. Such activities include the delivery of statements; the organization of and participation in side events, exhibits or demonstrations; the access to documentation; the opportunity to present submissions; the attendance of meetings, and the possibility of making available their own documents, but those activities are not enough to guarantee a real dialogue. We, as Parties and decision makers, need to provide the space where observer organizations have the possibility of engaging with Parties.

In order to achieve that objective, we should take advantage of the existing experience for observers participation in the UNFCCC and learn from several other international fora, where observers organization have a more active engagement in the discussions. We should strive to establish a platform for dialogue among governments and observer groups, which could be organized by the UNFCCC Secretariat and may include:

- A regular timing slot (e.g. an entire day/a morning session/an afternoon session, possibly one day before ordinary sessions (mainly for SBs and COPs/CMPs));
- A well-structured agenda of specific issues for discussion, based on the provisional agenda for negotiation in the corresponding sessions;
- A specific format (roundtables/public debate/workshop) to promote an open dialogue among participants.

Different constituencies are officially recognized by the UNFCCC Secretariat, namely IGOs, ENGOs, BINGOs, RINGOs, Indigenous Peoples, Local Government and Municipal Authorities, Trade Unions, Women and Gender and Youth. The dialogue platform could be organized in such a way as to allow for an orderly discussion and open to different constituencies depending of the specific subject. What is important is to ensure that each constituency, through their designated representatives, will have a possibility to interact with Parties.

To exemplify the relevance of an enhanced participation of observer organizations and without prejudice to the importance of all recognized constituencies, the Mexican government would like to highlight, two groups of interest whose engagement in the process have a positive impact in action by parties: legislators and private sector.

We have seen all around the world the relevance of legislators engaged in climate change particularly for their role in the approval of treaties, budgets and national laws and regulations.

Private sectors groups, on the other hand, are also key to enhance action on climate change by promoting investment, providing resources and facilitating the technological change we need to move to a low-carbon development path. Although Parties set the rules and framework for implementation of climate change action, a strengthened dialogue and engagement with private sector will enhance their ability to deliver the kind of action we need from them.

We know that Parties have a crucial task in providing our respective national constituencies the information they need on the international negotiation process and their implications. However, this responsibility does not prevent us from enhancing an international dialogue with observer groups that maximizes the benefits of any action we adopt to achieve the ultimate objective of the Convention. We have a great challenge before us in setting a long-term regime where transparency and confidence are at its core.

Paper no. 3B: Mexico

SUBMISSION BY MEXICO TO THE SUBSIDIARY BODY FOR IMPLEMENTATION

Ways to enhance the participation of legislators

August 2010

During its June 2010 session, the Subsidiary Body for Implementation (SBI) invited Parties and observer organizations to submit to the Secretariat views on ways to enhance the engagement of observers (FCCC/SBI/2010/L.21, paragraph 19) in the UNFCCC process. This submission by the government of Mexico is presented in accordance with the said invitation.

Observer organizations have been present in the climate change process since its early stages. With the inclusion of Youths this year, the nine constituencies recognized under Agenda 21 now participate in the climate change negotiations (IGOs, BINGOs, ENGOs, RINGOs, Indigenous Peoples, Local Government and Municipal Authorities, Trade Unions, Women and Gender and Youth). All these constituencies have contributed to the process and presented their views to Governments over the years.

We consider it is worth discussing whether the current state of affairs is sufficient to engage observers and to enhance their participation in the design and implementation of climate change actions at the international, national and local levels, due to the relevance of climate change and its impacts in all areas of human activity.

In Mexico's opinion, there is a need to do more to build coherent responses and to promote enhanced participation of all relevant stakeholders. At the end, it is the cumulative effect of different actions which will enable us to achieve our temperature stabilization goals.

Among all stakeholders and without any prejudice to the importance and enhanced participation of all recognized constituencies; we believe parliamentarians deserve specific recognition and a proper space to voice their concerns and provide contributions to the UNFCCC process. Due to their role in the approval of treaties, budgets and national laws and regulations, parliamentarians can contribute to a better understanding of the challenges that climate change poses to development and to the well being of States and their populations.

Climate change is a cross-cutting issue in the national agendas of all countries and a strengthened participation of parliamentarians in the process would have a positive impact in our discussions and in the implementation of climate actions at country level. It is for all these reasons that Mexico proposes the official recognition of parliamentarians as a separate constituency of the UNFCCC.

The attendance of parliamentarians has increased and was particularly high at COP-15. Nevertheless, we lacked the capacity to further engage them in the discussions. We must be able to strengthen the participation structures we need to consolidate a real dialogue with observers.

We look forward for a substantive discussion of this issue at SBI 20th in Cancun.

Paper no. 4: United States of America

Submission by the United States of America Participation of Observer Organizations FCCC/SBI/2010/L.21

We are pleased to provide views on the participation of observer organizations in the UNFCCC. It is important that civil society, which brings considerable knowledge and expertise to specific issues, be able to provide input to our intergovernmental decision-making process. It is important that this process be transparent, and that it allow adequate opportunities for input and exchange of information and views from observers.

There are a few areas in which the United States sees opportunity to further improve the process through which observers participate in the Convention.

Information Exchange

The United States strongly supports improved measures to enhance information exchange between observer organizations and the Parties. By themselves, two-minute plenary interventions from observers do not allow the kind of thoughtful and in-depth information exchange from which Parties learn. Whether through regular workshops or formal dialogues, Parties benefit from the input of stakeholders. There are many means by which this can be done; below are a few initial suggestions for consideration:

- We would welcome increased use of the practice of inviting views from observer organizations on matters under discussion.
- To the extent practicable, we would support discussing key agenda items in open contact groups before moving to informal consultations.
- Workshops provide a particularly important opportunity for the in-depth exchange of substantive information. We recommend ensuring that relevant observer organizations have opportunities to present and respond in workshops.
- We support keeping observer organizations informed of the issues being discussed and progress being made in the informal discussions. The Secretariat might request chairs and facilitators of groups that are meeting in informal consultations to brief observer organizations when possible.

Attendance

The large and growing number of participants in the UNFCCC negotiations in recent years has created challenges for hosts and for participants, and has strained the capacity of the venues in which we meet. Simply put, we are outgrowing the facilities that have housed us. Our objective is to accommodate a growing number of observer organizations, while maintaining appropriate working arrangements for Parties to the UNFCCC. It is important for future negotiation sessions, and in particular for the Conference of the Parties, that venues can accommodate significant observer participation, and that the process of determining arrangements remains open and transparent. Observer organizations should have reasonable accommodation to speak with government delegates and the media. Among other things, this requires them to be able to access the venue where negotiations are being held.

In particular, the capacity of a venue in a potential host country to accommodate observers and allow them to attend the negotiating venue should be an important consideration in the discussions between the Secretariat and a potential host country. Before any final decision is made to confirm a host country, observer organizations and Parties should be notified as early as possible of any challenges or limitations to participation that might exist.