

Agenda items for the process to strengthen observer engagement in the UNFCCC

1. Observer organizations

There are three types of observer organizations: UN (United Nations), IGOs (intergovernmental) and NGOs (non-governmental). Of these, many NGOs have formed themselves into loose groups with diverse but broadly clustered interests or perspectives called Constituencies. The nine NGO Constituencies mirror the nine Major Groups defined in the UN SDG (Sustainable Development Goals) process. Each constituency has its own coordination structures and focal point(s). Observer organizations are highly diverse, as are their reasons for participating in the UNFCCC process. It is imperative to identify the roles, responsibilities and goals of the various observer organizations and facilitate aspects that are fit for purpose to create alignment.

Role of Constituencies

- 1.1 What are the roles of Constituencies?
- 1.2 What are the different needs in terms of spaces of Constituencies/other non-state actors to coordinate, advocate and perform their roles?
- 1.3 How should the engagement of informal NGO groups be managed? Will new informal groups/caucus have the same access as the original nine NGO Constituencies? If so, how to do so without increasing the overall number of observers during COPs?
- 1.4 Whether to, and if yes, how to integrate observers that are not active inter-sessionally into Constituencies so that they can effectively operate during COPs (process to reach out, communication within constituencies)?

Status of Constituencies

- 1.5 Different Constituencies play different roles. Should there be a differentiation with regards to access and participation based on those roles?
- 1.6 Are there ways to elevate the role of Rights Holder Constituencies in the UNFCCC? How?

Purpose of participation (coordination of observers)

- 1.7 Should coordination of observers happen based on the purpose rather than their affiliation in the process?

2. Representation and equitable access

Observer participation is currently suffering from a number of representational deficits, most notably the lack of participation from stakeholders from developing countries. Proportionally and in absolute terms, which observer organizations are accredited to access the UNFCCC meetings, and on what basis? Can observer access be rendered more representative and/or equitable? An overarching consideration is to ensure that an increased level of representative and equitable access does not result in an overall increased number of observers attending the COPs.

Inclusion (developed-developing country balance)

2.1 How can the UNFCCC support a better balance between access to subsidiary body meetings (SBs) and COPs from representatives from developed and developing countries?

Representation

2.2 Can access be based on representation? How can an increased level of representative and equitable access not result in an overall increased number of observers during COPs?

Principles of participation

2.3 How can the UNFCCC serve as a safe place for people to raise their voices in diverse ways? How could principles of participation help build understanding around the respective roles played by different actors in the UNFCCC?

2.4 What should be the principles of participation for different stakeholders in the UNFCCC and how could they be applied? Should they be formalized and, if so, what would that entail?

2.5 Across all modes of observer engagement, what steps can be taken to help address the potential for or actualization of conflict of interest when engaging with or between observers, the secretariat, COP Presidencies, SB Chairs and the High-Level Champions (HLCs)?

3. Admission and registration

Admission takes up a significant amount of the secretariat's resources, particularly when the number of applications surges. On average, 27,000 registration requests have been made by observer organizations alone for each COP in the last 6 years. The daily badge system has been installed for greater flexibility. An average quota of 8,000 for a conference is significantly higher than other UN annual conferences and past UNFCCC conferences. Yet there is still the perception that UNFCCC is not inclusive of civil society participation, particularly those representing marginalized communities. At the same time, the admission process is rendered less meaningful when NGO Constituencies assign badges to non-affiliated individuals not affiliated with COP-admitted observers through the accreditation mechanism.

Inclusion (non-structured stakeholders)

3.1 Non-structured stakeholders such as 'citizens' and 'movements' without formal status in UNFCCC process (COP admission) have a role to play in their respective countries towards the implementation of the Paris Agreement but increasingly wish to attend UNFCCC COPs. UNFCCC COPs are not open to the public. Should there be a way for citizen movements register to participate at the COPs in the future? What is the optimal way to balance the participation needs of admitted organizations and that of non-admitted citizen movements?

Purpose of participation (differentiated badge system)

3.2 Would a differentiated system that assigns badges according to participants' access needs (i.e. to the negotiation process and/or side-event access) hold value? If so, would

such a system be workable? How could potential barriers to its implementation be overcome?

- 3.3 What measures can ease the burden of both the observer organizations needing more quota for side-event and exhibition access and the secretariat assessing for admission when applicants are not interested in following the negotiation process, while ensuring the representation of the widest possible stakeholders?

Revocation process

- 3.4 Given the growing number of admitted organizations, if the majority remains active in the UNFCCC process, it will eventually become difficult to allocate even a quota of one per organization at COPs. Could this prompt a revocation process (reapplication and expression of interest every five years) for administrative purposes?

4. Current modes of observer engagement

What are the existing modes of observer engagement during formal UNFCCC sessions (i.e. COPs, SBs) and throughout the rest of the year? What needs to be understood of an enabling environment for meaningful engagement for observers and what measures can be taken to this end by different actors?

Quality of engagement of observer organizations

- 4.1 How do you define quality engagement?
4.2 What are the criteria for meaningful engagement?
4.3 In addition to promoting a quantitatively representative engagement in the UNFCCC process, what steps can be taken to promote higher quality engagement for observers?
4.4 Are there ways for the UNFCCC to become more bottom-up?

Current modes of engagement

Throughout the year:

- 4.5 How could observers be more meaningfully engaged in the Global Climate Action (GCA) work of the secretariat (Climate Neutral Now - CNN, sectoral work), the Marrakech Partnership and any other work of the High-level Champions?
4.6 How could observers be more meaningfully engaged in the Global Stocktake?
4.7 How could observers be more meaningfully engaged in Regional Climate Weeks?
4.8 Non-structured stakeholders such as ‘citizens’ and ‘movements’ without formal status in the UNFCCC process have a role to play in respective countries towards the implementation of the Paris Agreement. Are there concrete measures that can be taken within the scope of this review process and respecting UNFCCC mandates (as explained in the background note) to support individuals to be engaged throughout the year, focusing on NDCs (Nationally Determined Contributions) and NAPs (National Adaptation Plans), rather than COP attendance?

During the sessions:

- 4.9 Statements made by observers in plenary are made after statements made by Parties. In practice, this often means that observer statements are delivered to an empty room in the middle of the night. Are there concrete measures to enhance the visibility of

observer statements within the scope of this review process and respecting UNFCCC mandates (as explained in the background note)?

- 4.10 What steps can be taken to enhance current dialogues with the Executive Secretary/COP President/SB Chairs/High-level Champions?
- 4.11 What steps can be taken to meaningfully engage observers in COP Presidency events?
- 4.12 Side events and exhibits – are there solutions to further facilitate interaction between Parties, NGOs and other observers for enrichment of discussions?

Inclusion (side event selection criteria)

- 4.13 Given the growing number of side event applications shown in the background information, could a regional rotation approach be applicable to side event eligibility or selection?
- 4.14 Which other solutions could be proposed to improve the selection of side events and exhibits in light of the mandate to enhance participation of observers from developing countries?

5. Constituted bodies and support team

The COPs and the meetings of the Subsidiary Bodies (SBs) are the most high-profile and well-attended UNFCCC sessions, yet the work of the UNFCCC is not limited to these bodies. There are fourteen Constituted Bodies that meet throughout the year to work on specific topics such as adaptation, finance, capacity building and loss and damage. Whereas the rules of procedure for observer participation at the COPs and SBs are set out in the Convention, the Constituted Bodies each have their own mandate and operate with different procedures for observer participation, many of which offer different opportunities for engagements on the specific thematic areas.

Quality of engagement with constituted bodies and support team

- 5.1 What are the good practices of modes of engagement from observers' perspective?
- 5.2 How can the mandates of each constituted body be more prominently shared and understood? How can interested stakeholders be directed to the relevant Constituted Body that most closely aligns with their area of activity and expertise?
- 5.3 What could be ways to coordinate/communicate not only with the COP Presidencies but also with HL Champions, GCA, UNFCCC Secretariat, SBs, Constituted Bodies?

6. Administrative and Operational Arrangements and Financial Support

Many observers have experienced administrative, operational or financial obstacles in their participation in the UNFCCC process, including at COP26. The SBI discussed financial support to observer participation and decided against setting up a trust fund but invited Parties in a position to provide support to do so. What other administrative and operational measures can be taken to enhance meaningful observer engagement at a COP?

Administrative and operational arrangements

- 6.1 What measures can be taken by the organizers of UNFCCC sessions to improve the administrative and operational arrangements in and around the event?

Financial support

6.2 What financial support can be mobilized to facilitate the participation and capacity building of groups with limited financial resources (especially from developing countries)? How can such support ensure the widest possible representation of observers, without resulting in an overall increase in the number of observers?

Remote participation and side events

6.3 What measures can be taken by the organizers of UNFCCC sessions to enhance the experience of virtual and/or hybrid participation?

6.4 What could be venue designs and logistical arrangements that could be implemented to help side events and pavilion events obtain more visibility and draw more audience (particularly from Parties)?