



Process to strengthen observer engagement in the UNFCCC process

Concept note

1) Background

Scale and diversity characterize the observer landscape of UNFCCC – no other annual meetings of UN processes attract as many observers as UNFCCC. In light of the urgency of climate action, this is a welcome and needed development as the observers bring a wealth of knowledge and expertise to assist Parties in implementing the Convention, Kyoto Protocol and Paris Agreement. Their engagement not only contributes to the acceleration of system transformation towards a 1.5-degree climate resilient world, but it also brings legitimacy to the intergovernmental process. Ensuring a meaningful, inclusive, fair and transparent engagement, however, requires a significant amount of consideration and resources given that the observers are so many and so diverse.

At COP 26, observers faced logistical difficulties and limited access to engagement opportunities. Some were due to technical problems, such as problems with the COP 26 Platform, but others were inherent to the process, such as the large number of observer participants and limited engagement opportunities. In response, the Executive Secretary decided that the secretariat would initiate in 2022 a holistic review process of observer engagement in UNFCCC process, in light of the linear increase of observer participation and the diversified engagement channels in the UNFCCC sessions and various challenges arising from these.

With the concluded Paris Agreement Work Programme, this review process is also an opportunity to reflect and identify observer engagement that better supports the implementation and assessment of collective progress.

In a similar manner of the open channel of communication that the ES launched in 2020, as reported in the Annual Report, this review process is informal in nature with no direct bearing on the negotiation process. It is an initiative of the secretariat to hold in-depth discussions with various stakeholders on this issue.

2) Objective

The objective of this review process is to collectively find solutions to address inherent challenges that the secretariat, observer organizations, and presiding officers are facing in ensuring meaningful, inclusive, fair and transparent observer engagement in the UNFCCC process within their respective responsibilities and mandates. In so doing, it is also important to include engagement of non-Party stakeholders, as they also play a significant role in the UNFCCC process. In the first phase of this process, the secretariat consulted with observer constituencies to develop concrete steps for how inclusiveness, fairness, and transparency will be implemented throughout the review process, and will make the modality and progress known to all participants through emails and webposts.

Although this review process originated from, and may gravitate mainly around, the question of observer engagement in the intergovernmental process, it is also recommended to have discussions on the engagement of non-structured stakeholders such as ‘citizens’ and ‘climate movements’ who wish to attend



COPs. Their engagement at sessions may not be part of the mandated work of the secretariat but their work contributes to the full implementation of the Paris Agreement. These discussions on multifaceted aspects of engagement would allow us to review and validate the purposes of UNFCCC COPs in the era of the Paris Agreement implementation and the assessment of collective progress.

3) Outcomes

The outcome of the review process should be: a shared understanding of the challenges, opportunities and the evolving contexts that the UNFCCC operates relating to the engagement with observer organizations and concrete ways forward to address these challenges and take the opportunities that meet the contexts. These action points are identified within the responsibility and capacity of participants and will have clear accountability (ownership and time frame) for implementation. All outcomes as a result of the process will be shared with Parties, admitted observer organizations, the UNFCCC secretariat staff and other stakeholders.

4) Methodology of the review process:

a) Principles

In a similar vein of the open channel mentioned above, this review process should be anchored in the spirit of open and collaborative co-creation with stakeholders, be it observer organizations particularly of the communities and NGO Constituencies representing those most adversely affected by climate change, the secretariat divisions or the presiding officers. Collaborative co-creation means that all participants are expected to actively think, consult, provide available support and useful information for the quality of discussions and the dissemination of the outcomes to relevant stakeholders.

This review process should enable the participants to actively listen to the goals/mandates and constraints of one another and to constructively find solutions based on the mutual understanding of the responsibility and constraints.

b) Governance

This process will be overseen by the Executive Secretary. For this review process to be comprehensive and robust, all 3,000 observer organizations including NGO Constituency Focal Points, COP Presidencies, High-Level Champions and SB Chairs as well as all divisions in the secretariat (be it divisions supporting various constituted bodies, programmes and the Bureau, or divisions supporting operations such as conference affairs, ICT and legal affairs) will be asked to contribute to the discussions and to finding ways forward.

Interested researchers and those recommended by Constituencies who have been publishing academic papers on stakeholder engagement in the UNFCCC process will be invited to observe the process to provide advice as relevant.

The secretariat will keep Parties informed of this process and engage interested Parties to participate. As mentioned earlier this process is informal in nature with no direct bearing on the formal UNFCCC process. As for the formal process, Parties regularly discuss ways to enhance observer engagement in the UNFCCC process under the SBI agenda item 'arrangements for intergovernmental meetings'. The secretariat will inform Parties of any changes to the secretariat's administrative measures, as appropriate, in the mandated biennium report concerning observer engagement in the UNFCCC process.



c) Phases

The process is broadly phased into three parts. The issues relating to observer engagement under the purview of the secretariat, observer organizations and presiding officers is co-created with focal points of observer constituencies. The second phase will consist of a series of substantive discussions on the agenda items through focus groups of stakeholder representatives. To set up the focus groups, the secretariat will invite all the admitted NGOs and IGOs (ca. 3,000) including the NGO Constituency Focal Points, the COP Presidencies, the SB Chairs and the High-Level Champions to express interest in being engaged in this phase. Interested Parties will also be invited to the focus group meetings. These consultations will be held either as virtual meetings or written inputs. It is foreseen to also include some regional approach to the consultations in order to conduct in-depth discussions tailored to the specific circumstances of respective regions.

The third phase will consist in the finalization of action points: the discussions from the virtual meetings and written inputs will be distilled into shared understanding of issues and specific action points, which will be implemented from COP 27 where feasible.

5) Issues to be discussed

In order to efficiently define the scope of issues, the secretariat prepared a background note that includes issues of concerns known to the secretariat and relevant statistics and/or mandates as an aide memoire for the readers to contextualize the issues and trigger their thinking. Good practices from other processes have been often reviewed in the UNFCCC process but the differing contexts (unparalleled size of UNFCCC COPs, the convention articles not referring to civil society, etc.) have often prevented the simple copying of good practices elsewhere into the UNFCCC process. This background note is intended to assist the readers to propose solutions that fit the contexts unique to the UNFCCC process or solutions that alter those contexts so that suitable measures can be found addressing the identified challenges.

Since there is a formal process for Parties to discuss observer engagement in the UNFCCC process, this informal process focuses only on the issues that are within the responsibilities and mandates of observer organizations, the secretariat, and the presiding officers. It is also important to use this as an opportunity to have a shared understanding of what roles each of us respectively play and why, as well as clear expectations of activities at sessions.
