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## **PROPOSAL FOR A POLICY AND PROCESS FOR ADMITTING OBSERVER ORGANIZATIONS**

**Compilation of Comments by Governments and Organizations**

(Submitted by the Secretariat)

# PROPOSAL FOR A POLICY AND PROCESS FOR ADMITTING OBSERVER ORGANIZATIONS

## Compilation of Comments by Governments and Organizations

### Introduction

At its 24<sup>th</sup> Session of the IPCC, the Panel considered and discussed a proposal for admitting observer organizations to the IPCC (IPCC-XXIV/Doc. 10). Several governments expressed interest to provide further comments on the proposal to the Secretariat. On 15 November 2005 the Secretariat sent a letter to governments inviting comments on the proposal (No. 7790-05/IPCC/Outreach, paragraph 2.).

Comments were received from the following eight governments and from one organization:

- Austria
- Belgium
- Canada
- China
- Japan
- Russian Federation
- Switzerland
- The Netherlands
- International Petroleum Industry Environmental Conservation Association (IPIECA)

The full text of the submissions from governments and the organization are provided below.

### Austria

In response to the letter from 15 November 2005 Austria would like to indicate that it has no concerns in accepting participation of observer organizations in meetings of the IPCC Plenary and plenary session of Working Groups I, II and III. Austria feels that it would be less appropriate to accept participation of observer organizations in specific Task Groups or Contact Groups as this might be a barrier to sort out controversial issues. Austria would also raise concerns if observer organizations would request to participate in meetings of any bureau.

The right to participate should be valid for all those organizations that have already been registered by the UNFCCC secretariat and the COP. If organizations other than those already registered ask for an observer status some criteria need to be specified that should be based on those of the UNFCCC secretariat.

It is hoped that those suggestions are helpful and Austria is looking forward to reach agreement on that issue at the next IPCC plenary meeting.

### Belgium

The number of IGO's and NGO's is already about 25 % of the total number of countries. The number of Observers should be limited not to hinder the working of the IPCC. The guidelines proposed by the secretariat should be further developed, approved as soon as possible and applied strictly.

Within these proposed guidelines it is not clear what national organizations are meant and what the signification is of "bringing those to the attention of the IPCC focal point". With the proposed guidelines, still too many organizations can apply and cannot easily be refused. So maybe the required qualifications could be more developed.

### Canada

The Government of Canada thanks the Secretary for the "Proposal for a Policy and Process for Admitting Observer Organizations." We are concerned that the Principles Governing IPCC Work does not provide for the admittance of Observers and it is not obvious how the Principles will be helpful in determining whether

an organization is “qualified in matters covered by the IPCC”. We have no concerns regarding Observers themselves and in general, the policy and process is fairly consistent with other organizations such as the UNFCCC. We would like to see the proposal amended to provide clarity and transparency by identifying specific criteria by which it will determine whether an organization is “qualified in matters covered by the IPCC.”

Amend the third line in the first paragraph to be more accurate: “The Principles Governing IPCC Work and their Appendix A contain references to “international, intergovernmental or non-governmental organizations and to “participating organizations” but **does not make specific provision for a category of “observers” to the IPCC and** the IPCC has never agreed on a policy and process for admitting observer organizations.”

We feel that bullets 2 and 4 seem to ask for excessive amounts of information and are unsure as to why the IPCC feels this is necessary. Please ensure that this portion of the proposed process is consistent with the process for admitting Observers in WMO and UNEP.

We also recommend deletion of bullet 5 (6?) in the first point on the Process of admitting observer organizations that asks for applicants to send “brochures, newsletters and other publications related to IPCC process”. This request seems to run the risk of bias. We do not feel such material would add significant information not already covered in bullet 2 as “supporting material that indicates the competence of the organization in matters related to the IPCC”.

## **China**

The Chinese government has realized the importance of establishing simple, clear and feasible policy and process for admitting observer organizations, and welcomes the proposal for this issue made by the IPCC Secretariat. It is suggested that the issue of policy and process for admitting observer organizations should be submitted to the IPCC plenary session for consideration and decision.

Regarding to the policy and process for admitting observer organizations, we put forward the following comments:

I. In the part of “Proposed admission policy for observer organizations”, the current proposal by the secretariat mentioned that, “Applications from national organizations will be brought to the attention of the IPCC Focal Point of that IPCC Member.” We think this policy is not enough. We suggest that this policy should be corrected as “Applications from national organizations will be brought to the attention of, and met with a written approval from the IPCC Focal Point of that IPCC Member.” This is because the IPCC is an intergovernmental organization. Therefore, we think any national organizations, which wish to be represented at the IPCC session as observer organizations, should get the permission by its government.

II. In the part of “Process of admitting observer organizations,” the current proposal mentioned that:  
“2. The Secretariat will screen the submissions and make a proposal to be considered by the IPCC Bureau. Following consideration by the IPCC Bureau, at a Session of the IPCC Bureau or by correspondence, an observer organization may be admitted on a provisional basis to a Session of the Panel or a Working Group.”

“3. The list of observer organizations as agreed by the IPCC Bureau will be presented to the next Session of Panel for acceptance.”

We think a provisional decision by the IPCC Bureau would compromise the ultimate judgement of the IPCC plenary session. Therefore, we suggest these processes should be corrected as follows:

“2. The Secretariat will screen the submissions and make a proposal to be considered by the IPCC Bureau.”

“3. Following consideration by the IPCC Bureau, the list of observer organization as agreed by the IPCC Bureau will be presented to the next Session of Panel for approval.”

## **Japan**

Japan welcomes the opportunity to submit comments on the proposal for the policy and process for admitting observer organizations.

By the Secretariat's proposal, a process of admitting observer organizations could be expected to become more transparent. On the other hand, there is a concern that the Secretariat's workload will become heavier. Japan proposes to reduce the workload by simplifying the process of admitting observer organizations by automatically admitting NGOs that have Consultative Status with Economic and Social Council (ECOSOC) as IPCC observer.

## **Russia**

I would propose that the IPCC may involve international organizations having substantial environmental component in their activity as Observers. Their technical opportunities and willingness to disseminate the IPCC publications should also be taken into account. Has IAEA observer status in the IPCC? If not, I propose to consider.

## **Switzerland**

1. The rules and the practice established under the United Nations Framework Convention on Climate Change (UNFCCC) on the admission of Observers constitute a good reference for the IPCC on these matters. Our present submission makes extensive use of this practice and experience.
2. The IPCC is a body of the UN system and as such it has to follow the general guidance provided by the UN on matters relating to the participation of observers organizations.
3. Nevertheless, the specific nature of the IPCC and of its work request adapting this general guidance to the particular circumstances of the IPCC.
4. A possible definition of "Observers" in the context of the IPCC may be:

Agencies, non-governmental organizations, and Governments not Members of the IPCC which are permitted to attend, but not vote, at meetings of the IPCC and its Working Groups, Task Force and to other IPCC activities such as workshops and expert meetings. Observers may include the United Nations and its specialized agencies and other intergovernmental and non-governmental organizations.

5. In order to have the status of "Observer" an organization has to undergo an admission process established by the IPCC, for which explicit rules have to be adopted by the IPCC. Elements for such procedures are the following:
  - A formal request to be Observer under the IPCC has to be submitted to the IPCC, through its Secretariat, in due form
  - An organization requesting the IPCC Observer status has to be "Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the IPCC
  - The procedures for dealing with the request of Observer have to be made publicly available on the web site of the Secretariat of the IPCC, and state that intending Observer organizations shall provide, inter alia:
    - a) A statement of competence in IPCC matters
    - b) Confirmation of independent juridical personality
    - c) Confirmation of non-profit and/or tax-exempt status in a State member of the United Nations, or of one of its specialized agencies
  - Entities which cannot provide the necessary documentation are not considered eligible for admission as observer organizations
  - Organizations which fulfill the criteria are included in a list of organizations which the Secretariat recommends, through the Bureau, to the IPCC for admission as Observers

- Multilateral agreements that do not establish an independent juridical entity should not be considered eligible for admission
  - Organizations, which have been established by, and report to, governments and carry out government-mandated activities, but which cannot provide evidence of independence from government, should not be considered eligible for admission. They are encouraged to participate as part of government delegations
  - Organizations, which carry out functions on behalf of governments, provided that they meet the criteria listed above and that their governance structure is independent of governments, are considered eligible for admission.
6. The Secretariat of the IPCC communicates regularly with Observers and maintains a database of current information on Observers.
  7. Observer organizations are notified of the date and venue of sessions, work and activities of the IPCC so that they may be represented in them.
  8. Observer organizations should be requested to designate a contact point as the official channel for communication between the IPCC and the organization.
  9. If the IPCC considers it appropriate, it may establish a constituency system in order to manage its contacts with, and arrangements for participation by Observers.
  10. Examples of such constituencies are :
    - the business and industry organizations (BINGOs)
    - environmental groups (ENGOs)
    - indigenous peoples organizations (IPOs)
    - local government and municipal authorities (LGMAs)
    - research-oriented and independent organizations (RINGOs).
  11. The criteria for considering a group of organizations as a constituency include :
    - a critical mass of member organizations
    - creation of an operative channel (focal point) for communication with the secretariat
    - distribution of information to members
    - provision of consolidated/coordinated inputs on issues
    - regular participation of the member organizations at sessions.
  12. Individual observer organizations may choose which constituency, if any, they wish to belong to. This choice is neither official nor binding, does not preclude direct communication with the IPCC by any observer organization, and does not imply any 'sovereignty' over the constituency on the part of the focal point organization.
  13. The IPCC decides on which occasions the Observers may submit information or views to the IPCC and how this information is made available.
  14. The participation of Observers during the sessions of the IPCC, its Working Groups, Task Forces, workshops and expert meetings has to be explicitly done through rules, for which we provide some elements:
    - Sessions of the IPCC, its Working Groups and Task Forces
      - Observers may attend meetings of open-ended contact groups as Observers, if IPCC Members do not object, but should not participate in negotiation of texts or financial matters
      - Observers attending and following the debate may be authorized to take the floor and make statements
    - IPCC Bureau
      - Observers should not be authorized to participate in the meetings of the IPCC Bureau
    - Workshops and meetings of expert groups
      - Observers organizations may attend workshops and meetings of expert groups

15. The IPCC should not provide financial assistance to the Observers for participating in the IPCC process.

### **The Netherlands**

As a response to your invitation for comments (No. 7790-05/IPCC/Outreach) I would like to express the Netherlands' support for the proposal for admitting observer organizations, we took notice of the "Proposal for a policy and process for admitting observer organizations" (IPCC-XXIV/Doc 10), and agree on the contents.

### **International Petroleum Industry Environmental Conservation Association (IPIECA)**

I am writing to express the International Petroleum Industry Environmental Conservation Association (IPIECA)'s dismay at the policy and process for admitting observer organizations to IPCC Plenary sessions you proposed in IPCC-XXIV/Doc. 10. IPIECA believes that, if implemented, this proposal would be counterproductive, making IPCC less transparent and making it more difficult for NGOs to participate in IPCC activities, at the very time when IPCC is trying to become more transparent and seeking greater participation from stakeholders.

IPIECA has been an observer of, and active participant in, IPCC since the First Assessment Report, supplying authors and reviewers for IPCC reports and experts for IPCC meetings. We are one of the very few NGOs that regularly sends observers to IPCC plenary sessions. Having attended IPCC-XXIV, our understanding is that you have two motivations for the proposed policy and process:

1. there currently are no guidelines for deciding which organizations should be admitted to IPCC as observers, and
2. the IPCC Secretariat has no way of determining which of the observer organizations on your mailing list are still actively interested in IPCC.

These are legitimate concerns, but the policy and process you have proposed to address them is far more complex and burdensome to observer organizations than necessary to address them. We believe it would actively discourage some potentially helpful organizations from attending IPCC plenary sessions, and, because there is often confusion as to when observer status is needed, from participating in other IPCC activities.

We start from the premise that IPCC should be as open and inviting to observers as it can within its mandate. Observers help the IPCC in two ways: as providers of expertise for its reports and as facilitators of outreach efforts. While international organizations, such as IPIECA, can learn about and comply with complex procedures, many smaller, local organizations, especially those from developing nations, cannot. IPCC should be encouraging such organizations to attend its plenary sessions when they are held in their country. The procedure you have proposed would actively discourage local participation.

There should be only two criteria for observer status at IPCC meetings: NGO status, and expertise in an area of interest to IPCC. These criteria are met by all organizations accepted as observers to the UNFCCC or to IPCC's parent organizations, WMO and UNEP. We propose that any organization accepted as an observer to one of these three bodies be accepted as an observer at IPCC meetings without having to provide further information. There may be other bodies, e.g. CSD, that should be added to the list.

Should an NGO that is not accredited by one of these other organizations seek observer status with IPCC, the information requirements should be far simpler than outlined in your proposal.

Organizations should be asked to provide contact information, some evidence that they have nonprofit *and/or* tax-exempt status, and evidence that they have expertise in an area of interest to IPCC. There should be no need to provide official documents containing the mandate, scope and governing structure or the organization; or a recent annual report including a funding statement and funding sources; or the other items enumerated in IPCC-XXIV/Doc. 10. The need to compile a dossier of such information will act as a deterrent

to the small organizations, particularly those in developing nations, that could be of great help in IPCC's outreach effort. We also question whether the IPCC Secretariat should spend its limited resources reviewing such information.

Addressing the second concern, the validity of your mailing list, should be equally simple. We propose that the IPCC Secretariat write or e-mail each of the organizations on its mailing list asking whether they wish to continue to be on the mailing list. If they wish to continue on the mailing list, they should be required to update their contact information, attest that they have been accepted as observers by UNFCCC, WMO, UNEP or a similar relevant organization, or provide the simplified set of information suggested above.

One final note, at IPCC-XXIV you said a soccer team had requested observer status at an IPCC Plenary. This is an amusing story, but we don't think that IPCC needs to develop a policy and process to handle such situations. The IPCC Secretariat should feel empowered to make decisions in such obvious cases without resorting to a formal policy or process. In marginal cases, we advocate erring on the side of inclusiveness. While it is possible that this will allow one or two inappropriate organizations to become observers, the problems caused by such inclusiveness will be far less than the problems caused by creating hurdles that prevent legitimate, potentially helpful, organizations from becoming observers at IPCC Plenary sessions.