



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

Subject: Voluntary EU Submission ‘Future of UNFCCC process’ informing SBI discussion on Arrangements for Intergovernmental Meetings

Zagreb, 19 June 2020

Summary of key points for the EU

- **In the EU’s view, the role of the UNFCCC process is to facilitate enhanced ambition, transparency and action in line with relevant mandates and decisions. To do so it must provide an environment and a framework that are attractive for both governmental and non-governmental leaders, as well as being conducive for intergovernmental decision-making and negotiations. Our societies expect the UNFCCC process to be instrumental in responding in a credible way and increasing global ambition in line with what science tells us and to become a platform that connects all actors involved in achieving this.**
- **The SBI can play an instrumental role in making recommendations on the future arrangements for the UNFCCC intergovernmental process, but we should be fully aware that making the UNFCCC process live up to expectations and deliver enhanced climate action will require innovative thinking by all actors that give shape to the UNFCCC process.**
- **Discussion at the next session could inter alia start exploring the following issues in concrete terms:**
 - i) **Having a UNFCCC process that fulfils its role as described above;**
 - ii) **Putting the ambition cycle and the transparency framework at the centre of the UNFCCC process;**
 - iii) **Cooperation with a strengthened Global Climate Action Agenda (GCAA) and enhancing the role of non-Party stakeholders;**
 - iv) **Responding to the enhanced role of Constituted Bodies;**
 - v) **Providing space for interaction with other international organisations.**
- **This submission presents initial ideas to this end and we hope to engage on these ideas and on ideas from other Parties and non-Party stakeholders informally as well during the upcoming UNFCCC sessions.**

1. Introduction

With the adoption of the Paris Agreement and Katowice rulebook the role of UNFCCC process¹ is to facilitate enhanced ambition, transparency and action in line with relevant mandates and decisions. To do so, it must provide an environment and a framework that are attractive for both governmental and non-governmental leaders, as well as being conducive for intergovernmental decision-making and negotiations. Our societies expect the UNFCCC process to be instrumental in responding to climate change in a credible way and delivering increased global ambition and progression of NDCs in line with what science tells us and to become an attractive platform that connects all actors involved in achieving this. Connecting all actors, while keeping in mind the intergovernmental nature of the UNFCCC process will therefore be needed to deliver and to respond to the urgency of the climate change.

In our view, it is the right time to focus on ways to make the UNFCCC process more effective and efficient. We would welcome improvements in the management and procedures during the sessions to allow for a better political reflection on what has been done and what needs to happen. This means maximizing the efficient use of time, predictable scheduling and ensuring transparency and inclusiveness of the process for all Parties.

We would also expect a stronger focus on framing the facilitation of implementation. This means implementing what has been agreed under the Convention and the Paris Agreement rather than creating new instruments. Beyond its focus on intergovernmental aspects, the UNFCCC process should also facilitate, in particular via GCAA as well as ACE, interaction between actors that are active on the ground and follow up on progress on undertaking (collective) climate action.

The SBI 50 meeting in June 2019 launched a discussion on the future of the UNFCCC process. In its conclusions under the agenda item Arrangements for Intergovernmental Meetings SBI “*welcomed the exchange of views by Parties on approaches and initiatives to increase the efficiency of the UNFCCC process towards enhancing ambition and strengthening implementation and agreed to continue considering this matter at SBI52 (June 2020)*”. This provides for the necessary space to embark on a discussion on the future of the UNFCCC process.

Due to the interest from several Parties and non-Party stakeholders at SBI 50, the EU with this submission is presenting some initial ideas on how to move from regime building towards enhancing and facilitating cooperation that leads to stronger climate action. We are looking forward to hearing other views on this comprehensive topic.

While we think SBI can play an instrumental role in making concrete recommendations on the future arrangements for the UNFCCC intergovernmental process, we should be fully aware that making the UNFCCC regime significantly more effective and efficient will require innovative thinking by all actors that give shape to the UNFCCC process. Parties, COP Presidencies, the Bureau, the Secretariat, the Champions, the constituencies of the observer organisations will all have a role to play in improving the UNFCCC process.

¹ In this document the term “UNFCCC process” and “UNFCCC regime” refer not only to the United Nations Framework Convention on Climate Change, but to the process as a whole and so including the three treaties: the Convention, the Kyoto Protocol and the Paris Agreement.

2. The UNFCCC at the centre of the global response to climate change

The UNFCCC process has achieved a lot in the recent decades. The Paris Agreement and Katowice rulebook provide a robust framework for climate action. After nearly three decades of incremental growth of the UNFCCC process we have finally an opportunity to adapt the regimes' bodies and procedures and enable them to be fully effective and efficient and ultimately able to respond to the urgent threat of climate change.

The UNFCCC process is a unique framework within which we should enhance international cooperation, catalyse increased Party and non-Party stakeholder ambition, transparency and action, while providing a space to exchange experience in transitioning to low greenhouse gas emission and climate resilient economies and societies. The ambition cycle built upon the global stocktake and the regular submission of NDCs and adaptation communications, as well as information on finance flows and the enhanced transparency framework will be the central feature in driving enhanced climate action and support so as to achieve the long-term goals of the Paris Agreement. Mid-century long-term low greenhouse gas emission strategies will also be of high importance in informing and framing ambition and actions to achieve these goals.

For the EU, the UNFCCC is the primary forum for providing political steering and discussing the global response to the urgent threat of climate change. In order to be fully effective, and to provide a framework to facilitate implementation, it is needed to enhance the interaction between the UNFCCC regime including its Constituted Bodies, and other international organisations and processes as well as with non-Party stakeholders. The UNFCCC process needs to maximise its catalysing role for climate action and ambition and bring all stakeholders on board. Aligning finance flows towards climate-resilient and low greenhouse gas emission development and thus a stronger involvement of the private sector, multilateral actors, initiatives and institutions will require a particular attention.

3. Some suggestions for taking this work further

The success of the UNFCCC process should be measured by its ability to foster and maintain engagement and awareness from highest political levels, to catalyse higher ambition by governments and non-Party stakeholders, increased transparency as well as contributing to a much broader mobilisation to tackle the urgency of climate action in ways that are tangible and for which the progress can be measured.

As said in the introduction, however the EU does not think that the SBI in itself can achieve everything that is needed in terms of process improvements. This will require efforts by all actors and the EU is also open to other formats of consultations about necessary improvements, being fully aware that codification of process management might not be the most appropriate way forward in every case.

For instance, COP Presidencies in consultation with the Bureau and supported by the Secretariat can play a significant role in seeking improvements of the UNFCCC process. We would expect the COP Presidencies to continuously keep the agendas under review and to check with the proponents of certain long-standing agenda items that so far have failed to generate broad engagement by Parties, if the content has become redundant and thus could be taken forward under other agenda items or even dropped from the agenda (if agreed by the proponents). This by no means should question the Party driven nature and inclusive character of the process but rather open the door for a more efficient use of our time.

The EU is concerned that frequent use of Rule 16 sends a misleading message to society that Parties are incapable of having a conclusive dialogue among themselves. Therefore we suggest a conversation between Parties on how such outcomes could be avoided in the future.

We also think that COP Presidencies in consultation with the Bureau and supported by the Secretariat, as was successfully done during previous years, should seek to focus the UNFCCC process on particular challenges of implementation and enhanced ambition inter alia by making optimal use of the Marrakesh Partnership for Global Climate Action (MPGCA).

Without trying to be too restrictive, the EU sees a number of areas where further discussions with regards to the future UNFCCC process could have the most added value and that could be discussed already at SBs 52. These items are the following:

- A. Having a UNFCCC process that fulfils its role;
- B. Putting the ambition cycle and the transparency framework at the centre of the UNFCCC process;
- C. Cooperation with a strengthened Global Climate Action Agenda (GCAA) and enhancing the role of non-Party stakeholders;
- D. Responding to the enhanced role of Constituted Bodies;
- E. Providing space for interaction with other international organisations.

The proposals below imply adjustments but not additions to the present functions of the UNFCCC Secretariat on supporting the intergovernmental process and therefore should have low to no budgetary impacts as some proposals even lead to streamlining the process and thus could mean efficiency gains and cost savings. Specific attention should be paid to the avoidance of duplication of tasks, processes and mandates under the UNFCCC.

We also believe that the need of improvements in the efficiency of the process should be taken into account in the restructuring efforts in the UNFCCC Secretariat. The UNFCCC Secretariat should not turn into an implementing agency, as other organisations are more fit to perform such a role and the role of the UNFCCC secretariat is unique and should be in line with the mandates and activities as decided by the COP and the CMA.

A. Having a UNFCCC process that fulfils its role

In the EU's view, the role of the UNFCCC process is to facilitate enhanced ambition, transparency and action in line with relevant mandates and decisions. To do so, it must provide an environment and a framework that are attractive for both governmental and non-governmental leaders, as well as being conducive for intergovernmental decision-making and negotiations.

The success of the UNFCCC process should be measured by its ability to catalyse more ambition and more action in ways that are more inclusive, more tangible and more measurable.

COP25 showed that the outcome of the UNFCCC process often does not meet outside actors' expectations for more ambitious climate action as science tells us is required. This represents a strong signal to all Parties and non-Party stakeholders that we need to improve the process. It should not only enhance and focus action but also trigger a reflection on the perception of the UNFCCC process and its capacity to deliver action.

Expectation management also means that there is a good correlation between the length of sessions and the substance to be addressed. To this end the SBI could encourage the Secretariat to explore

possibilities of shortening future sessions, where appropriate, and to propose options in the Secretariat document on which basis SBI recommends future sessional periods.

When SBI provides recommendations on the organisation of the COP meetings, we should explore how regular High Level Segments could be organized in a more dynamic way by including different round table discussions of ministers together with the relevant High Level non-Party stakeholder representatives. For example, High Level Segment Statements could be shared through video or uploaded to the UNFCCC website before the session starts. SBI should invite COP Presidencies in consultation with the Bureau to seek ways to organize mandated High Level events in a way to make them interactive, politically relevant, attractive and engaging (e.g. by ministers acting as thematic co-facilitators), in particular shifting from statement reading to interaction with a view to enhanced ambition, implementation and action.

Another issue for consideration is the issue of when COP Presidencies take over/assume their Presidency functions. Under the present arrangement this takes place at the beginning of the COP for which they are the hosting Party. The EU would be interested to hear from previous COP Presidencies, during the upcoming SBI session, how they assess their experience with the current practice and if they would see merit in a system where COP Presidency would take function mid-year (at the SB meetings with different possibilities to explore).

The COVID-19 crisis also obliged all of us to maximise the use of virtual meetings. Responding to this crisis, meetings of some Constituted Bodies, as well as meetings of the UNFCCC Bureau are organized virtually. These good practices not only have proved to be effective, but also are significantly more environmentally friendly and so we strongly encourage continuing on a regular basis these good practices also in the future. However, the rules of data protection and restricted information need to be considered when organizing virtual meetings.

Summary of EU suggested actions for SBI52:

- *SBI could encourage the Secretariat to explore possibilities of shortening future sessions, where appropriate, and to propose options in the Secretariat document on which basis SBI recommends future sessional periods.*
- *When SBI provides recommendations on the organisation of the COP meetings, explore how regular High Level Segments could be organized in a more dynamic way.*
- *SBI to invite the previous COP Presidencies to share their experience on the issue of when COP Presidencies take over/assume their Presidency functions so as to consider reviewing this issue.*
- *SBI to recommend continuing the practices of virtual meetings within the UNFCCC process.*

B. Putting the ambition cycle and the transparency framework at the centre

The EU, while fully acknowledging the importance of other components of the UNFCCC process, considers the ambition cycle and the enhanced transparency framework (both on action and support) as the core components to foster political attention, raise global ambition and ensure the effective implementation of the Paris Agreement and thus should in future be put at the centre of the UNFCCC process.

The SBI could recommend for the intergovernmental process that within the scheduling of sessions both of the subsidiary bodies and of the CMA as well as of the Constituted Bodies the different phases and the preparation of inputs for the ambition cycle be provided with the space and the visibility as

required. This obviously needs to reflect the balance of the long-term goals and all the elements as agreed in decision 19/CMA.1 on the global stocktake.

Ensuring a central role for the ambition cycle also means ensuring the highest possible level of political involvement particularly during the years of the Global Stocktake at CMA level (2023 and every 5 years thereafter) and the years of communication of NDCs.

The enhanced transparency framework will include several processes, like the expert review and peer review to ensure Parties are both learning and holding each other accountable for implementing the Paris Agreement and these activities deserve to be recognized and attract public and political attention. Facilitative multilateral consideration will help in building confidence and learning from the best practices. SBI should request the Secretariat to explore the most appropriate formats for the meetings of different aspects of the enhanced transparency framework in order to generate a strong visibility of action and support, having impact beyond the technical level, and that would work best for mutually learning from each other's experiences.

Aligning finance flows towards climate-resilient and low greenhouse gas emission development remains fairly undeveloped in the Katowice rulebook, despite the fundamental role that the implementation of Article 2.1(c) plays for the successful achievement of the Paris Agreement mitigation and adaptation goals. The EU considers that a stronger involvement of the private sector, multilateral actors, initiatives and institutions will require a particular attention to ensure that for instance the Global Stocktake considers their relevant inputs.

Summary of EU suggested actions for SBI52:

- *The SBI could recommend that within the scheduling of sessions both of the subsidiary bodies and of the CMA as well as of the Constituted Bodies the different phases and the preparation of inputs for the ambition cycle be provided with the space and the visibility as required.*
- *SBI could request the Secretariat to explore the most appropriate formats for the meetings of different aspects of the enhanced transparency framework.*

C. Cooperation with a strengthened Global Climate Action Agenda (GCAA) and enhancing the role of non-Party stakeholders

In order to be effective in the achievement of the goals of the Paris Agreement, the UNFCCC process will need to catalyse cooperation with different government layers, with other international actors, private sector and non-Party stakeholders in fulfilling a transition towards a low greenhouse gas emission and climate-resilient development. This requires a process that connects the different actors, that is politically attractive and highly visible, sends clear signals to a wide range of actors and contributes to a broad mobilisation of climate finance. The negotiations within the UNFCCC have certainly a crucial role to play in achieving this expectation. But this will also be a matter of enhancing and making best use of the GCAA, seeking a much better interaction between the UNFCCC process and other processes and keeping a strong focus within the UNFCCC on the ambition cycle and the enhanced transparency framework.

Multi-stakeholder coalitions and Party – non-Party stakeholder dialogue have a key role to play in an ambitious Paris Agreement implementation. While the UNFCCC has a strong tradition of facilitating this interaction via accredited observer organisations and participation organised via the different stakeholder constituencies (mirroring the 9 major groups of UNCED Agenda 21), there is still some room for improvement.

The SBI should continue to invite Presiding Officers to enhance the participation of non-Party stakeholders particularly in terms of providing submissions and making interventions in line with previous agreed SBI conclusions on this matter.

As the EU, we also see the Open Dialogue, as most recently held at COP25, as well as early consultations by COP Presidencies with the non-Party stakeholders as useful new positive examples in enhancing the role of non-Party stakeholders in the UNFCCC process and so we would suggest to recommend these practices also for this and the coming years, with focused and well-prepared thematic discussions.

The EU would also like the SBI to encourage the Secretariat to seek ways to improve the communication between the UNFCCC and youth on climate action and invite Presiding Officers and Parties to explore ways of enhancing participation of youth in the UNFCCC process. This could usefully build on the outcome of the upcoming “Youth 4 Climate: Driving Ambition” event that Italy will organise back to back with the Pre-COP in the context of the UK – Italy partnership to host COP 26.

In addition, although not part of the SBI discussions, the EU sees the GCAA as an important platform to promote and enhance global climate action through enhanced collaboration for the implementation of the Paris Agreement and the promotion of higher ambition of all stakeholders to achieve the long-term goals of the Paris Agreement. This year will be very important in designing the future of the GCAA after Parties agreed in COP 25 to the continuation of the Marrakesh Partnership for Global Climate Action and the role of the High-Level Champions until 2025.

GCAA should catalyse and showcase new actions and initiatives focusing on those with high impact as well as multiply good practices of climate action, including those launched during the Climate Action Summit in 2019. It should continue to act as a bridging space between Parties and non-Party stakeholders. The EU sees a role for GCAA in improved tracking that has to bring elements of credibility on climate action s of different initiatives to enable full understanding of the progress made towards implementation of the long-term goals of the Paris Agreement.

As EU we will transmit the specific ideas on the GCAA and how to improve the Marrakesh Partnership for enhancing ambition in the upcoming consultations as organised by the Champions.

Summary of EU suggested actions for SBI52:

- *The SBI should continue to invite Presiding Officers to enhance the participation of non-Party stakeholders particularly in terms of providing submissions and making interventions in line with previous agreed SBI conclusions.*
- *The SBI could recommend to COP Presidencies to continue the practice of Open Dialogues and early consultations with the non-Party stakeholders.*
- *SBI could encourage the Secretariat to seek ways to improve the communication between the UNFCCC and youth on climate action and invite Presiding Officers and Parties to explore ways of enhancing participation of youth in the UNFCCC process.*

D. Responding to the enhanced role of Constituted Bodies

Constituted Bodies have a prominent role in the implementation of our work. In the past we mandated the Constituted Bodies with different tasks precisely because we felt that they could offer the best format, also in terms of expertise, to take the work forward in its next stage. The EU sees however

that the work of the Constituted Bodies should be made more visible both during sessions and intersessionally. Furthermore, we think that there is a need to further encourage cooperation and synergies between those Constituted Bodies as well as with non-Party stakeholders.

There could be regular in-session stocktake meetings with the representation of both the Subsidiary Bodies and the Constituted Bodies where the chairs of representatives of Constituted Bodies would present their work and be available for engagement in discussions. Constituted Bodies should be encouraged to continue presenting the outcomes of their work, for example different reports, at special side-events during the sessions. Constituted Bodies should also explore the possibilities of holding their meetings, to the extent possible, in the format of virtual meetings.

The work during sessions should be focused on providing guidance for future work in the Constituted Bodies, not duplicating work that the constituted bodies already have done.

Summary of EU suggested action for SBI52:

- *SBI could consider recommending regular in-session stocktake meetings with the representation of both the Subsidiary Bodies and the Constituted Bodies.*

E. Providing space for interaction with other international organisations

Other international organisations and processes² are taking up a more active role on climate action, which should be further encouraged. At the same time, we could think about how the UNFCCC should involve and strengthen the interaction with other international organisations, including the UN headquarters, and processes. It could be done in a number of ways.

First of all, better connecting the UNFCCC process with other international organisations and processes, which are often specialised to certain sectors, also means that we need to do more in mainstreaming climate and the achievement of the goals of the Paris Agreement as core activities in the agenda of other international organisations. The GCAA provides an avenue for launching such initiatives and avoid overburdening the UNFCCC agenda. For instance, recent initiatives like the ones from the UN Climate Action Summit, the Coalition of Finance Ministers for Climate Action or the High Ambition Coalition for Shipping offer useful examples captured at the Global Climate Action Portal.

Within the UNFCCC process, the SBI could encourage the Presiding Officers to make more meeting time available for the SBSTA agenda item on ‘Cooperation with other International Organizations’, by lifting it from a procedural item into a substantial item for presentation of the state of play of cooperation between UNFCCC and other international organisations to be followed by discussion and guidance, as appropriate, from SBSTA. The EU notes that the standing SBSTA agenda item ‘Cooperation with other International Organizations’³ provides for excellent opportunities to further enhance interaction between the UNFCCC process and other international organisations and processes which is essential for effective global climate actions.

² This relates in particular to organisations with a more sectoral scope such as FAO, IMO and ICAO, other Rio Conventions or Multilateral Environment Agreements, International Financial Institutions and Multilateral Development Banks as well organisations strengthening the scientific base for climate policies such as IPCC.

³ See a recent note on activities that the Secretariat has been involved in with other IGOs since SBSTA 48 at https://unfccc.int/sites/default/files/resource/sbsta2019_inf2.pdf.

The SBI could also encourage Presiding Officers to organize, when appropriate, special in-session events with representatives of other relevant international climate related processes so as to create space for interaction with Parties and non-Party stakeholders on particularly relevant international activities outside the UNFCCC process. This interaction would allow the UNFCCC and the international organisations to debrief on their on-going work and provide room for Parties and non-Party stakeholders to ask questions and engage in a dialogue. It would not create any formal guidance between the organisations involved but rather would serve as a way to both identify duplications or overlaps between the work and activities of the UNFCCC process and the various international organisations, processes and non-Party stakeholders as well as synergies and ways of cooperation among them, improving the basis for an informed decision-making. The SBSTA-IPCC special events could be seen as a good example for inspiration also since it strengthens the science-policy interface. We would expect for instance that the cooperation between the three Rio Conventions should be strengthened inter alia by organising special events.

Enhancing interaction between the UNFCCC process and other international organisations and processes for the EU also underlines that there is no need to establish within the UNFCCC process new work programmes or add agenda-items on sectoral issues. A better cooperation with other organisations, together with targeted, specific sectoral initiatives and events within the GCAA are more efficient ways of addressing sectoral challenges. This way the UNFCCC would be able to address politically sectoral issues during COP meetings without resulting in an overburdened UNFCCC agenda.

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- *The SBI could encourage the Presiding Officers to make more meeting time available for the SBSTA agenda item on ‘Cooperation with other International Organizations’.*
- *The SBI could encourage Presiding Officers to organize, when appropriate, special in-session events with representatives of other relevant international climate related processes.*