



# Methane to Markets

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## Update on UNFCCC Observer Status

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# Update on UNFCCC Observer Status

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- Background
  - UNFCCC Observer Status Process
  - Partnership Efforts to Obtain Observer Status
- Options Moving Forward
- Next Steps

# UNFCCC Observer Status

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- Non-governmental and intergovernmental organizations (NGOs and IGOs) can participate in UNFCCC sessions as official “observers.”

*“Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties as an observer, may be so admitted unless at least one third of the Parties present object.”*

—Article 7, paragraph 6, of the Convention

- Once admitted, observers can:
  - Be actively involved in UNFCCC meetings, including the annual Conference of the Parties (COP).
  - Have a booth and display material inside the official meeting areas.
  - Host side events inside the official meeting areas.
  - Provide badges to members and guests of their organization to enter the official meeting area.
- Currently, Methane to Markets cannot do these things without the direct sponsorship by one of its Partners, ***which has limited the ASG’s ability to raise awareness of the Partnership amongst this important stakeholder community.***

# Background on Partnership Efforts to Obtain Observer Status

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- Observer applications are typically reviewed by the Secretariat twice a year, in advance of:
  - Interim negotiating sessions (application due Feb-Mar)
  - Conference of Parties (COP) meeting (application due July-August).
- The ASG applied on behalf of the Partnership in February 2009 as a result of directions from the Steering Committee at the Monterrey meeting to raise awareness of the Partnership among the international climate change community, especially the UNFCCC.
- The UNFCCC Secretariat rejected the application in April 2009, due to lack of:
  - “Juridical personality,” which the UNFCCC Secretariat defines as non-profit status in a member country, in the absence of proof from Government authorities (e.g., IRS).
  - A consolidated reporting mechanism for participating Partners conducting activities at their respective own costs
- At the Washington meeting in September 2009, the Steering Committee indicated it would support further efforts to achieve observer status.

# ASG Recommendation

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- Since the September 2009 Steering Committee meeting, the ASG has reviewed the Secretariat's decision and has consulted with multiple stakeholders with good knowledge of the Convention. While the Secretariat claims that the guidelines have been endorsed by the Parties, in fact, the Parties only "took note" of them. Therefore, there is some legal uncertainty regarding the ability to use these guidelines as a basis for rejecting the Partnership.
- The best option moving forward appears to be an attempt to have the guidelines modified to allow for the inclusion of organizations like M2M (i.e., international partnerships with formal terms of reference negotiated/agreed upon by multiple countries, but lacking Secretariats with non-profit status).

# Next Steps: UNFCCC SBI Meeting in May 2010

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- The next opportunity to modify the guidelines is at the UNFCCC Subsidiary Body for Implementation (SBI) meeting in Bonn, Germany from 31 May – 11 June 2010.
- The ASG could circulate proposed revised guideline text and language supporting interventions before next SBI meeting. A Partner country would need to make a proposal during the SBI opening session to add guideline revisions to the SBI agenda under “Other Matters.” Supporting interventions from other Partners would be very useful.
- Steering Committee members would need to ensure their country delegates are aware of the issue and prepared to support the proposed guideline changes.

# Items for Consideration

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- Approach
  - Does the Steering Committee wish to make an attempt to modify the guidelines governing UNFCCC observer status in the manner outlined by the ASG?
- Identification of Partner(s)
  - If so, which Partner should make the initial proposal? Are there other countries willing to make supportive interventions?
- Language in the TOR
  - Do the Steering Committee delegates agree to arrange the necessary support for this process amongst the UNFCCC negotiators from their respective governments?