

# *Informal Friendly States and Indigenous Peoples' representatives meeting in Helsinki 27.-28.2.2018*

*Workshop report (Final report to NCM/NOAK 21.3.2018)*



Workshop participants in Helsinki 27.2.2018 (picture Jenni Mikkola, Gaia Consulting Oy)

## *Introduction*

### **Aim of the workshop**

The aim of the Helsinki workshop was to further advance the operationalization of the Local Communities and Indigenous Peoples (LCIP) Platform (hereinafter “the Platform”) of the UNFCCC, by gathering friendly experts and negotiators involved in the Platform negotiations to an informal meeting. The participants of the workshop are presented in Annex 1.

### **Structure and content of this summary report**

This report is structured according to the workshop programme (Annex 2), with the first day conducted in an “interactive plenary mode”, setting the agenda and addressing key concerns of indigenous peoples in light of the constantly increasing impacts of climate change. The second day was conducted in “working group mode” with the aim to contribute to the operationalization of the platform, with a particular focus on potential work programme components and activities as well as governance structures and options for the platform.

This workshop report has been prepared by Gaia Consulting Oy, who was tasked by the Nordic Council of Ministers (NOAK) to moderate the event and facilitate the working sessions. The report is intended to serve as an internal report, in particular to serve the workshop participants in subsequent considerations and steps in light of operationalization of the platform. The notes do not necessarily reflect the views of the Nordic Council of Ministers, and the consultant bears full responsibility of any omissions or misinterpretations in the report. In addition to these workshop notes, a one-page workshop highlights brief has been prepared for public information, highlighting shortly the key outcomes from the workshop.

## *Day 1: Setting the agenda and addressing key concerns of indigenous peoples*

### **I. Welcome words**

*Outi Honkatukia, Chief negotiator for climate change, Finland*

The Nordic Council of Minister's NOAK group wants to focus on the operationalization of the Platform this year, as it is one of the key issues in the Paris Agreement and one of the concrete deliverables from COP23. This informal meeting, and the related report on potential governance structures of the Platform by Ecologic Institute, have no official status, but can be useful in bringing the work forward. This meeting provides a space for exploring ideas for the work programme and the governance structure of the Platform, and governments look for indigenous peoples' and local communities' valuable input regarding these issues.

*Runar Myrnes Balto, IIPFCCC Co-Chair, Norway*

The Arctic region is home to indigenous peoples (IPs). The International Indigenous Peoples' Forum on Climate Change (IIPFCCC, caucus) organizes its work through 7 regions, and it serves to represent indigenous peoples, not local communities (LC). IPs need time for the process to build a solid consensus. There needs to be room and adequate funding for IPs to meet as a caucus, e.g. in conjunction with the SBSTA meetings.

### **II. Indigenous peoples' participation in the UN process**

*Presentation by Benjamin Schachter, OHCHR: Human rights perspective to indigenous peoples' participation*

The adverse effects of climate change are felt most by vulnerable peoples, such as IPs, and it is important that the UN Human Rights Council has also noted this. Mitigation and adaptation efforts by states also affect IP and it is important also to note that indigenous knowledge systems and practices form a major resource for adapting to climate change. Simultaneously IPs also have rights to control their knowledge, and this is also affirmed in international environmental law. The Platform should strengthen IPs connection to and participation in the UNFCCC process, while protecting their rights and principles. IP should be able to determine their own destiny on an equal footing with others, and therefore effective consultations are needed in all decision-making processes. Consultations should be respectful of the IP's processes. At UN level there is incremental progress, but not yet enough. The matter will also continue to be discussed at the 75<sup>th</sup> General Assembly (GA75) of the UN.

### *Discussion on the presentation*

A question on recommendations to improve human rights recognition in environmental processes was raised. According to the presenter, there are a number of potential mechanisms for this, such as the special rapporteur, and annual resolutions on human rights on environment or climate change. As an example, the French government is working on a Global Pact for the Environment, which has a focus on human rights (but likely not on the special rights of IPs).

A question was raised on the role of local communities in the Platform, and if there are specifications for local communities from the human rights perspective. According to the presenter, the definition of local communities is somewhat unclear, but the intention in UNFCCC negotiations is to include communities, which may have some similar characteristics, such as self-organization, but which are not identified or recognized as IPs. A way needs to be found to capture and include local communities in the Platform, without negative implications for the IP's rights framework. It was also noted that at UN GA75, we should get a concrete decision on IP representation in UN processes. The GA71 decision can lead the way.

### *Presentation by Sébastien Duyck, CIEL: Indigenous peoples' participation in international environmental and climate governance*

The role of IP and their rights to participate in UNFCCC processes has been already noted in the Rio Declaration from 1992, and the role has substantially increased over the years. IP are mentioned in the preamble, adaptation and REDD+ articles of the Paris Agreement. In total, IPs and traditional knowledge are mentioned in UNFCCC decisions and conclusions 61 times, of which most regarding adaptation (23), deforestation (12) or participation (7). IPs and traditional knowledge are mentioned in 25 NDCs (15 % of NDCs) and 15 NAPAs (30 % of NAPAs), hopefully in the next round this number will increase. Hence, it is useful to look at a broader perspective, how the operationalization of Platform can, beyond and in addition to the three main functions adopted at COP23, make use of and harness all the existing decisions and mandates under the UNFCCC.

### *Discussion on the presentation*

The audience commended the analysis presented. A question was raised on potential future trends. The presenter answered, that if we look at historic trends, main decisions (mentioning IPs) have been focused on adaptation, and traditional knowledge for adaptation and deforestation, and only very recently do we see a thematic broadening to e.g. technology and loss & damage. References to IPs rights have grown rather recently, since 2010. Since the Cancun COP in 2010 the importance of full and effective participation of IPs in deforestation issues has emerged. An IPs representative reminded that indigenous peoples should systematically be taken into account in NDCs and national climate change activities such as NAMAs and NAPAs. It was highlighted that states will be working extensively on NDCs in the next months, and the potential to influence them should be actively made use of.

The discussion continued onto the challenge of moving from participation to decision making, and what are the best ways for IPs to influence the processes. It was highlighted that it is important to operationalize the Platform in an effective way that respects IPs' rights. International decisions should inform national policies, and participatory processes are critical everywhere. A question was also raised on the need of a "roadmap" for the Platform, and potential compromises and/or incremental approaches that might be needed for the Platform to be rapidly functional. It was stated that the status quo is not nearly enough to start addressing climate change as it affects and involves IPs, and the

Platform can actually have an important catalyzing role in accelerating science-based climate action more broadly. The need for adequate funding was discussed, and noted that IPs can't exercise their rights if they don't have possibilities to participate in meetings in person, and be selected according to the IPs priorities and processes. Also the need to get UNFCCC Secretariat's capacity to support these efforts was stressed.

*Presentation by Inka-Saara Arttijeff, Sámi Parliament of Finland: Participation in multilateral fora*

The presentation gave an overview on IPs participation in multilateral fora from the perspective of the Finnish Sámi parliament. The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) provides expertise and advice regarding the declaration of IP rights. EMRIP undertook its first country engagement this month, with a mission to Finland. The Special Rapporteur helps with laws and practices, implementing standards etc. The rapporteur also did a country visit to Finland in 2015. Sámi people participate in drafting the National Communication of Finland, and participate in the NC reviews, and lately they have also given shadow/alternate reports. With the Convention on Biological Diversity (CBD) process Sámi have been pioneers, and have a long participation history with the state and also on international level. The Sámi council represents all Sámi in the Arctic council, where Finland has now the chairmanship. The World Intellectual Property Organisation's Intergovernmental Committee (WIPO IGC), however, was noted as a negative example on what may happen if IPs don't have enough capacities and funding to participate on equal footing. The Finnish constitution gives Sámi the right to cultural self-government. In Finnish law there is an Act on the Sámi Parliament, which contains a Section 9 on the obligation for the state to negotiate with the Sámi Parliament in all important issues that may directly affect the status of the Sámi as an indigenous people<sup>1</sup>.

### **III. Principles of International Indigenous Peoples' Forum on Climate Change (IIPFCC)**

During this session IP' representatives presented and discussed the principles of IIPFCC, which are taken into account in COP23 draft decision paragraph 8. For the caucus it is important that the preamble of the Paris Agreement mentions IP's rights, and therefore all articles of the agreement should be read taking this preamble into account. IIPFCC principles include full and effective participation, equal status, self-selection, and adequate funding from the Secretariat as well as voluntary contributions to enable the implementation of the functions of the platform. IPs representatives noted that one of the main challenges for the Platform is securing adequate funding. The requirement of funding is supported by the UNDRIP<sup>2</sup> Article 41, hence it is already decided at UN level. As an immediate next step, a request for funding a 2-day meeting for the caucus before the forthcoming Bonn negotiation session was presented. It should also be made sure that there is enough quota for Indigenous Peoples' Organizations (IPOs) as observer organizations in negotiations.

For IPs, full and effective participation means having influence over policy direction and decisions, both informal and formal, respecting the principles of free, prior and informed consent. Equal status does not only mean equal numbers of people, but real participation in decision-making, development of agendas and providing technical input. As things have been up to now, IPs are only informed after decisions have been taken. IPs also have the right to safeguard their intellectual property (traditional

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<sup>1</sup> <https://www.finlex.fi/fi/laki/kaannokset/1995/en19950974.pdf>

<sup>2</sup> [http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

knowledge), and this needs to be taken into account in the operationalization of the Platform. IPs need access to spaces and “closed rooms”, where information relevant to them is shared and discussed. Transparency and access to information, and influence on process, policy, and reporting are also key issues. It was also highlighted that IPs need a communication channel to the Secretariat. Furthermore, it is important to note the diversity among IPs, hence voicing a common view within tight timeframes is difficult, underlining the need for time and resources to coordinate.

#### *Discussion on IIPFCC principles*

IPs wished to hear states’ views on how they foresee to move forward on taking the principles into account. Canada’s representative noted on-going discussions and that Canada already promotes e.g. capacity building in both directions (IP and state representatives) and works on the principles for treatment of indigenous knowledge and property rights. The Platform could provide concrete guidance and direction e.g. on how to build capacity, and how property rights can be safeguarded. Finland’s representative stated that they have involved IP representatives in the previous COP negotiations, and look forward to continuing the negotiations in May in Bonn and COP24. Ideally there would already be a decision text on the LCIP Platform prepared in Bonn to be brought to Katowice.

It was also noted that UNFCCC negotiations are a party-driven process, and now Parties will need to find a solution for the IPs and LCs to have a real dialogue that can influence the UNFCCC decision-making, taking into account that the Platform is not a negotiation body. The role of LCs is a sensitive issue and represents also a legitimate concern both for IPs who have special rights, and for Parties who are now experiencing that LCs are not well represented by the Platform. A pragmatic approach was hence suggested, starting with IPs, who have been a driving force in the creation of the Platform, without closing the door to local communities.

Other states noted that consultations on the COP23 results are ongoing in their country, and it is now important to concentrate on the work programme of the Platform and how it will be entered into UNFCCC processes. A widely shared view was that the Platform should be more comprehensive and practical than just information on a webpage. It was also pointed out that it is easier to have a common basis in this workshop setting with friendly states, but the participants should be prepared to convince also other Parties to contribute positively and/or participate in this Platform. Bolivia highlighted the need for a bold and ambitious Platform, but recognized the importance to ensure diversity of ways for all countries to participate.

It was also highlighted that while the Platform is born within the UNFCCC process, it has the potential to contribute beyond it, making it an interface with other processes that can contribute to climate compatible development and help advance other relevant conventions. The need of IPs to be more involved in the further development and implementation of NDCs was stressed, and the need of resources to establish their own projects, while securing the protection of IPs immaterial property rights. The discussion also raised the issue of indicators, in particular the need to define proper indicators for the Platform to guide evaluations on how the Platform is working and how it could be further developed and strengthened in the future. The importance of the Platform serving as an interactive, two-way channel of information, not only for IPs, but for governments and other stakeholders was highlighted.

***Intervention by Mr Kimmo Tiilikainen, Minister of the Environment, Energy and Housing, Finland***

The Minister stressed the value of the COP23 outcome as a good start, but noted the need for committed work to ensure successful operationalization of the Platform, in line with the agreed incremental approach. The Minister acknowledged that reaching convergence on some issues may take longer than on others. E.g. the governance structure of the Platform may require more analytical work as well as further, in-depth discussions. Within this process it is essential to accommodate the concerns of LCs and IPs as well as contribute to the overall effectiveness and inclusiveness of climate action, the Minister pointed out. Workshop participants thanked the Minister for his positive contribution in the negotiations on the Platform from the early stage onwards. The Minister reiterated his commitment to support the operationalization of the Platform also in COP24 with other Nordic ministers.

***Focusing on the negotiations***

*Angela Anger-Kraavi, SBSTA co-chair*

The SBSTA chair Paul Watkinson sends his regards and has provided input for this meeting. The Platform has potential to become impactful in building a resilient future for people worldwide. SBSTA48 will consider the further operationalization of the Platform, e.g. the establishment of a facilitative working group, which is not a negotiating body under the Convention, as well as the modalities for the development of the work plan. SBSTA will send its recommendations on these issues for the consideration of COP24. In order for COP24 to make the Platform fully operational, there is however a lot of work still to be accomplished. It is important to take both Parties' and IPs' input into account, and have a balanced representation of both in the Platform. Governance structures should fit the functions of the Platform. The governance structure and work plan together can help IP to contribute in the implementation of the Paris Agreement.

*Koko Warner and Tiffany Hodgson, UNFCCC Secretariat*

The UNFCCC staff noted views by the Secretariat on the Platform and its operationalization. Various relevant institutional arrangements under the UNFCCC, and their structures were presented and shed light upon. Several governance structure models of relevant other bodies, such as the Technology Executive Committee (TEC), the Nairobi Work Programme (NWP) on adaptation and the Consultative Group of Experts on National Communications (CGE) were presented with a particular view on their potential suitability and lessons learned from the perspective of the Platform functions and principles. Flexibility and following an incremental approach, allowing it to evolve over time, were highlighted as important factors in the design of the Platform.

***Discussion following the presentations***

In response to a question on how to include LCs in the balanced representation of the Platform, the presenters noted that Parties need to discuss with IPOs in the negotiations on how to bring LCs in, and how to have their representatives involved in the process. It was also discussed, what is the deadline for naming the co-chair representing IPs in the platform. The presenters informed that there is no set deadline for the nomination, but only after the nomination of the co-chair, the organization of the workshop can start with the SBSTA chair. Some participants also highlighted the need to look beyond the examples covered by the UNFCCC presentation, in order to identify optimal ways for the operationalization of the Platform, for example looking at examples on IPOs participation in other UN processes, not only UNFCCC.

*Matilda Månsson & Per-Olof Nutti (Sametinget): Participation of the Swedish Sámi parliament in the implementation of the Convention on Biodiversity (CBD)*

The presenters provided a preview of the results from a study related to the CBD, prepared by the Swedish Sámi parliament and the Environmental Protection Agency. There are possible synergies between the CBD and the UNFCCC worth considering in the implementation of the Platform. The study recommends establishing a Thematic Focal Point on national level, which in the case of Sweden and the CBD would be the Swedish Sámi Parliament, to assist the national government and provide input for the climate negotiations, and to facilitate exchange and cooperation between Government Agencies, Sámi and other stakeholders. The study also suggests setting targets and developing indicators to follow-up the implementation.

*Josep Gari (UNDP): Experiences on national platforms for dialogue between governments and indigenous peoples on environmental matters*

In an introductory note, the presenter informed of the successful adoption of the Green Climate Fund Indigenous Peoples Policy (GCF/B.19/05) at GCF's Board Meeting in South Korea the same day (27.2.2018).

The speaker highlighted that there are already numerous (referring to approximately a dozen) good experiences on the dialogue between IPs and governments, but there are also many failures that should be carefully taken into account in the operationalization of the Platform. The two key aspects and lessons learned relate to structure and substance. For example, in countries where dialogue did not work, national platforms were often complicated in structure and thin on substance. In good examples the outcome was the opposite, i.e. the structure was rather un-complicated while strong in substance. The speaker suggested that as the Platform deals with sensitive issues, so the structure should be rather light to be able to deal with this. The role of LCs is a topic of controversy, as we are talking about associations, networks and structures that don't identify as IPs but face similar challenges. The speaker suggested that Platform should not fear LCs, but incorporate them. While the speaker acknowledged benefits with the incremental approach, he also suggested to proactively identify aspects that need to be planted into the Platform operationalization process early on, to enable their full integration and operationalization later on.

## *Day 2: Operationalization of the LCIP Platform - work programme and governance issues*

*Minutes of the meeting according to the daily programme:*

*Start of day 2*

*Carlos Fuller (previous SBSTA chair)* shared some views related to the work programme of the Platform. It is important to recognize what IPs and LCs want from the process. There is now a mandate for negotiating the modalities for the development of the work programme. Negotiators also need to be careful, in order not to get stuck in the modalities when the Platform gets more attention. The Platform co-chairs can create linkages with other relevant bodies, e.g. the TEC, the Climate Technology Centre & Network (CTCN) and loss & damage, and also ask them to take into account the IPs and LCs in their

respective work. The Talanoa process by the Fiji presidency, using traditional Pacific ways of resolving conflicts, is to inform the new NDCs in 2020. We should aim this year for the Platform to become a part of the Talanoa process for NDCs, and the regional meetings for the Talanoa dialogue. Parties like to use agreed language in the negotiations, hence relevant old decisions and language should be actively utilized to help operationalize the Platform. Overall, there are two main options for securing Platform funding, the UNFCCC core budget and voluntary contributions. Generally voluntary contributions have become more important, as the core budget is dependent on the Parties' priorities.

#### *Discussion following the presentation*

Participants appreciated Carlos Fuller's leadership in the Platform negotiations and expressed a strong wish for his continued involvement in the further operationalization of the Platform. The discussion highlighted the importance of relying upon and harnessing IPs traditional knowledge for their survival, also noting their still limited access to newer, climate compatible technologies. The importance of ensuring broad sustainability was also highlighted, as we are building platform for community members who are impacted by climate change, but who are not familiar with the UNFCCC. The Platform criteria should not block IPs and LCs from benefiting from the activities. Funding was noted by several participants as the most important driver of implementation and for ensuring peoples' access to the Platform. It was also stated, that bringing indigenous traditional knowledge to this arena is difficult, as traditional communities use a different language than UN negotiators, and have a very holistic world view. Even IPO representatives sometimes have challenges in translating grassroots IP knowledge to a language that is understood and agreed upon in the international arena. Still, strengthening and revitalization of IPs knowledge were considered important functions of the Platform. It was also stressed that IPs around the world have by nature embraced sustainable lifestyles, which are at the very core of 21<sup>st</sup> century development challenges /SDGs, and many countries could be inspired and learn from approaches and experiences by IPs.

#### ***Work programme of the LCIP (group work + open discussions)***

Participants were divided into six groups, for brainstorming potential elements of the Platform work programme building upon the three main functions of the Platform. In order to ensure space and interaction possibilities, two groups worked in parallel on each function. The first assignment for the groups was to identify and initially described ideas for key activities to reach the objectives of the function of the Platform assigned to their respective group.

After the break, the participants were invited to change groups or optionally continue with their original groups, which continued working in more detail on the activities they identified in the first session. This second session provided an opportunity to discuss who could/should implement the identified activities, and how they could optimally be implemented. Furthermore, the groups were asked to identify, which are the most critical issues to be included in the LCIP Work Programme and what would be the relevant time frames for moving ahead (e.g. in 2018 / 2019-2020 / 2020-) with prioritized activities.

#### *Results of the group work*

*NOTE: the results are presented here in the order of working group presentations made, hence not necessarily reflecting any order of priority, joint agreement and/or covering exhaustively all matters discussed*

#### Function - Climate change policies and actions (output from two working groups and subsequent plenary discussions)



- The facilitative working group should create linkages with different relevant UNFCCC bodies (adaptation, technology, etc.). Through the linkages the Platform can inform the other bodies on IP' priorities and concerns, or send them a request such as how, e.g. a coastal community can adapt to climate change. These linkages could be the co-chairs' responsibility, the co-chairs could select a member of the Working Group to attend meetings of other bodies and vice versa. These linkages should be established in early stages of the work programme, e.g. in 2019.
- The Platform should include an Expert Group, or several thematic Expert Groups (consisting of IP, LC, Parties, scientists), capable of processing and synthesizing traditional knowledge, and disseminating good practices and knowledge to governments to inform their policy-making, as well as to IP and LC to enhance their actions and resilience. The Group(s) should also publish reports and make sure information is available in key local languages. The work should take into account existing structures and events to learn from best practices. Expert Groups should be established in 2019.
- Integrating IPs and LCs knowledge and concerns in National Communications to the UNFCCC (through the CGE), in NDCs (through Talanoa dialogue), and in NAPs/NAPAs on the national level. The Paris Committee for Capacity Building could assist with the involvement of the Platform in these processes. This could be part of the Work Programme in early 2020.
- Include the rights and priorities of IP and LC in national legislation to ensure their involvement in national and local policy-making related to climate change, and best practices among IPs (e.g. as highlighted in the presentation by Sámi Parliament representative, Finland) could be harnessed. This could be part of the implementation plan of the NDCs.
- Highlight the added value of IPs traditional knowledge in mitigation and adaptation activities, to convince policy makers of its relevance. Collection of good practices on how traditional knowledge has been integrated and contributed, based on submissions and regional workshops, and a living compilation of examples (safeguarding and protecting knowledge holders).
- Integration of traditional knowledge and IPs principles into climate policy processes nationally, regionally and internationally. Trainings at national level are needed on where the Platform needs to create impact, also providing input for the next round of NDCs. Developing guidance on IP principles, what these mean on all levels of climate policies.
- Address impacts of adaptation and mitigation policies/actions on IPs. Gather experiences and prepare a "lessons learned" report on these impacts, and provide general guidance on impact assessments, also beyond climate change.

#### Function - Capacity for engagement

- Capacity for engagement should be divided into three categories:
  - capacity building of Parties regarding IP and LC issues
  - capacity building of IPs and LCs at UNFCCC level, and
  - capacity building of IPs and LCs at national level.
- For the two first categories of capacity building identified above, the following would be relevant: a website for best practice exchange, thematic workshops on UNFCCC level (with changing themes), the ability of Platform to provide advice, e.g. on adaptation, forestry – to act

as a “think-tank” for UNFCCC and monitor the progress of Parties in taking the perspectives and challenges of IPs and LCs into account.

- For capacity building of IPs and LCs on national level, there needs to be a link to technical knowhow on national level, and sufficient financial resources for e.g. regional workshops, translation services and best practice exchange. The website can also be of help in national level capacity building. National level activities should ensure that IPs are informed on the processes and given ability to participate also in other ways than travelling to the meetings.
- For capacity building purposes the Platform could provide case studies, guidance tools, workshops, and information on how climate change impacts IPs on local community level. Spaces are needed for dialogue between state, IP and other representatives to create broader understanding of IPs perspectives. The capacity of Parties to take into account IP knowledge, priorities and positions should also be enhanced.
- Informing these dialogues, a diagnosis/mapping exercise of current states of play of broader issues could be carried out, with mandate across different groups to assess IP knowledge and rights. This mapping exercise could help to understand the potential linkages with other bodies, and mandates already achieved by other bodies, and thus could be the first step of the Platform.
- Capacity of the UNFCCC Secretariat needs to be enhanced, in terms of how resources are allocated and directed, what are resources currently available and identifying where are the gaps. The idea of expanding UNFCCC staff was also suggested so that there would be at least two persons concentrating on indigenous issues.
- Before UNFCCC sessions the IP caucus needs possibilities for meetings to coordinate and find joint positions. Now there is a lack of sufficient and stable/predictable resources to do this, and IPs have been dependent on the willingness of the COP presidencies. In previous COPs the IP caucus has convened meetings between friendly states and IPs. There was a proposal to make these meetings more institutionalized and part of the Platform activities.

#### Function - Knowledge

- Raising awareness of the utility of traditional knowledge in climate change policy making, and in preparing the various policy documents and reports (NDC preparation, NAPs, National Communications, NAMAs etc). The Platform can provide advice to Parties on how to do this.
- A key role of the Platform is in sharing best practices and information, such as how indigenous peoples’ knowledge has been used in various processes in practice in various countries.
- As the Platform is about strengthening and recognizing the value of IPs’ rights and knowledge, it is the governments that have to change and do their job better. Governments should develop better partnerships with IPs, which have already working governance structures on national and international level.
- Methods of the Platform regarding knowledge could be:
  - Producing engaging documents
  - Online portal (which has fairly limited usefulness in gathering traditional knowledge)
  - Workshops – especially regional workshops, because different regions have different priorities

- Communicating widely to increase awareness and disseminate information, also outside the UNFCCC. For this the Platform could need a media plan.
- The Platform can enhance the strengthening of traditional knowledge, by:
  - technology transfer
  - aggregating knowledge from regions
  - enhancing and promoting new applications of knowledge (forecasting weather emergencies and building up preparedness)
  - building/using local knowledge centers that could help in aggregating knowledge, provide documentation, manuals and other tools.
- Timing:
  - Operational governance structure should be in place by the end of the year 2018
  - Governance structure should be agreed upon in Bonn in May 2018, work programme to be developed by the next COP
  - The Work Programme should be developed with a long-term perspective, for at least 2 years at a time.
- The Platform can promote internal action between IPs and act as interface to other entities, by
  - knowledge dialogue, also based on 6th IPCC assessment report
  - building (thematic) networks for knowledge exchange
  - workshops
  - web-based tools such as databases (however these are not most ideal for IPs).

In all of these actions it is important to take into account the free, prior and informed consent of knowledge holders.

- The Secretariat has an important role in facilitating the Platform activities, such as providing info on participatory lists, finance and other resources
- The exchange of knowledge happens between various levels: local/national/regional, and the Platform should provide a broader space for people participating in the process, and exchange information between the Platform participants and also other organizations and governments.

### ***Governance of the LCIP Platform (presentation and plenary discussion)***

#### *Presentation by Arne Riedel (Ecologic Institute)*

Arne Riedel provided a presentation with analysis on potential governance structures of the Platform. The draft report was provided to the participants before the meeting, in order to provide input for constructive discussions at the workshop and subsequent follow-up work in support of Platform operationalization. The draft report will be updated and finalized based on input and comments from participants (including an opportunity to provide comments electronically after the workshop), and will be published in April 2018 by the Nordic Council of Ministers (the NOAK working group that has commissioned the study).

#### *Plenary discussion on the governance of the LCIP Platform*

There was a lively exchange of views after the presentation. Participants saw the report as a helpful foundation to move forward the discussion on governance structures, but also presented some issues to

be taken into account in finalizing the report. Questions were presented on the different options presented in the report, and e.g. the differences between a facilitative working group (agreed in COP23) and an Ad-hoc open-ended Working Group (a negotiating body). Mr. Riedel explained that the agreed wording was a consensus between two suggestions, but it is clear from the COP23 decision that the Platform is not a negotiating body. There was a request from the audience to take into account in the report both positions that eventually formed the consensus in the negotiations. An IP representative also raised the question if and how the Platform can properly take into account IPs' knowledge if it is not a negotiating body.

Several participants highlighted the need to avoid business-as-usual approaches, and preferably start from bottom to top, noting the possibility to learn from local communities and indigenous peoples, hence avoiding to wait 2-5 years to go to national/local level. There was also a request to clarify and expand somewhat on the legal implications of each option. The presenter also noted that it might be easier to start with UNFCCC-level workshops, as reaching out to all relevant parties for regional workshops takes time. Assessing the legal implications of different governance structures is a matter of capacity of the legal staff at the Secretariat, however there are major legal restrictions, except that the Platform is a non-negotiating body. Full participation of IPs in negotiations is not possible under current UNFCCC rules, and it is not likely that Parties would agree on new participation rules in negotiating bodies. It was also noted by an IP representative that eyes should be kept open for potential other governance structures and combinations thereof, beyond the ones presented in the draft report.

The representation of Parties and IPs in the facilitative working group was also widely discussed. There was a suggestion from IPs, that the three co-chairs of IIPFCC would be included in the Facilitative Working Group, and in addition there would be a balanced representation of states and IPs. This would mean IP representatives from seven regions, representation from seven states and the three IIPFCC co-chairs. Secretariat should provide support to the Platform.

Questions were raised also on the role and nature of the facilitative working group, if it would be tasked to develop the governing body of the Platform, or to actually become the governing body. There were diverging views on this topic; some participants considered the facilitative working group actually being the governing body, while others saw its role being to develop a body to take over this task in the future. An IP representative saw the second option being more in their comfort zone, and saw the future governing body being larger than the facilitative working group.

A state representative mentioned that the language of the of the decisions relating to the LCIP platform is inherently ambiguous, as the consensus language is sometimes purposely vague and difficult to translate. Despite the ambiguity we should continue the momentum of launching the Platform, even though there is a lot more work in its further operationalization. Another state representative saw options 2 and 3 presented in the report as reasonable landing ground.

An IPs representative commented that the IP caucus has its own governance structures already in place, and these should be used as basis for taking IP rights into account. IP bodies can act as channels to get info down to local level, and how to fill the knowledge/capacity gaps.

A state representative highlighted the need to discuss some governance elements further at the UN level: taking IP principles into account in establishing the facilitative working group in Bonn, and some further detail in the group's mandate. The group could have a mandate of a few years to organize the work, and possibly become the governing body in the future. It was pointed out that the Platform should certainly include the workshop approach and website, and the facilitative working group should have

real experts on the topic. After a few years Parties could review the process, and then jointly negotiate what the Platform would look like in longer term. Equal representation needs to be reconciled with regular endorsement by the Parties.

The GCF was noted as an example of a process that could be learnt from; i.e. when the Fund was created, a transitional committee to plan the work was set, and some members of the committee became eventually members of the GCF Board. Therefore, in some view the transitional committee became the Board, but also included new members. Similarly, in the Platform the facilitative working group could become the permanent structure if it's working well, or it can evolve into something different in the permanent structure.

There was also a recommendation noted on engaging more actively all countries that are home to indigenous peoples in the Platform activities (including the governance structures). As the facilitative working group cannot have representatives from all of these countries, there should be representation by regions. The participation could be expanded in the permanent structure.

***Closing of the meeting - final words by Karoliina Anttonen (Finland) and Per-Olof Nutti (Sámi, Sweden)***

These two days have been extremely useful in providing an informal platform to openly and constructively discuss and air ideas, and in providing valuable insights and input concerning potential work programme components and governance options that will be addressed in Bonn negotiations. It is also important to note and be prepared to “sell our ideas” also to the less and/or non-friendly states.

A major takeaway from this meeting is that governments need to also step up, build their own capacity and be prepared to change their way of working with IP – and this Platform is an opportunity to adapt and work better together.

While IP and local communities are at the front line suffering from already experienced impacts of climate change, they can also serve to inspire required action that respects the planetary boundaries, aligned with the global SDGs.

On behalf of the organizers, the Nordic Council of Ministers as well as forwarding the regards from Minister Kimmo Tiilikainen, Karoliina Anttonen thanked all participants for their valuable input and wished safe travels home. The meeting was brought to a close by final words and a Sámi joik by Per-Olof Nutti.

## ANNEX 1: LIST OF PARTICIPANTS

**Informal Friendly States and Indigenous Peoples' representatives meeting 27.-28.2.2018, Helsinki**

Annela Anger-Kraavi	SBSTA vice-chair
Karoliina Anttonen	Finland
Inka Saara Arttijeff	Sami Parliament
Grace Balawag	IIPFCC GSC / Asia
Agata Bator	Polish COP24 presidency
Roberto Borrero	IIPFCC technical team member / North America
Dolores de Jesus Cabnal Coc	IIPFCC GSC / Latin America
Andrea Carmen	IIPFCC GSC / North America
Estebancio Castro Diaz	IIPFCC GSC / Latin America
Sébastien Duyck	CIEL
Okalik Eegesiak	Inuit Circumpolar Council
Gisele Fernández Ludlow	Mexico
Leif John Fosse	Norway
Geert Fremout	Belgium
Ann-Mari Fröberg	Finland
Carlos Fuller	Belize
Josep A. Garí	UNDP
Jon Petter Gintal	Sami Parliament
Lisa Gittos	Australia
Kim Gottschalk	IIPFCC technical team member / North America
Larry Hegan	Canada
Tiffany Hodgson	UNFCCC
Bo Jul Jeppesen	Denmark
Tuomas Aslak Juuso	Sami Parliament
Colette Kabore	Burkina Faso
Outi Leskelä	Nordic Council of Ministers
Jason Minor	Canada
Matilda Månsson	Sami Parliament

Runar Myrnes Balto	IIPFCC Arctic Co-chair and Sami parliament
Per-Olof Nutti	Sami Parliament
Ghazali Ohorella	IIPFCC technical team member / Pacific
Tuuli Ojala	Finnish chairmanship of the Arctic Council
Joseph Ole Simel	IIPFCC GSC / Africa
Hindou Oumarou Ibrahim	IIPFCC GSC / Africa
Graeme Reed	IIPFCC GSC / North America
Arne Riedel	Ecologic Institute
Pamela Rocha	Ecuador
Jennifer Rubis	UNESCO
Benjamin Schachter	OHCHR
Lakpa Nuri Sherpa	IIPFCC technical team member / Asia
Te Tui Shortland	IIPFCC GSC / Pacific
Shiv Srikanth	USA
Jannie Staffansson	Sami Council
Rodion Sulyandziga	IIPFCC GSC / Russia
Maina Talia	IIPFCC GSC / Pacific
Nilla Thomson	Sweden
Charlotta von Troil	Finland
Nicholle Koko Warner	UNFCCC
Carlos Ivan Zambrana Flores	Bolivia

## **ANNEX 2. MEETING PROGRAMME**

### **Informal Friendly States and Indigenous Peoples' representatives meeting 27.-28.2.2018**

Venue: Unioninkadun Juhlahuoneistot, Unioninkatu 33, Helsinki

#### **Monday 26.2.2018**

19.00 Get-together at Original Sokos Hotel Helsinki, Kluuvikatu 8

#### **Tuesday 27.2.2018**

9.30 Registration and coffee

10.00 Welcome

- Outi Honkatukia, Chief negotiator for climate change, Finland
- Runar Myrnes Balto, IIPFCC Co-chair, Norway

10.30 Indigenous peoples' participation in the UN process

10.30: Inka-Saara Arttijeff, Sámi Parliament, Finland: Participation on multilateral fora

10.50: Benjamin Schachter, OHCHR: Human rights perspective to indigenous peoples' participation

11.10: Sébastien Duyck, CIEL: Indigenous peoples' participation in international environmental and climate governance

11.30: Discussion

12.00 Lunch

13.00 Principles of IIPFCC

13.00: Full and effective participation of indigenous peoples

13.20: Equal status of indigenous peoples and Parties, including in leadership roles

13.40: Self-selection of indigenous peoples representatives in accordance with indigenous peoples' own procedures

14.00: Discussion

14.20 Kimmo Tiilikainen, Minister of the Environment, Energy and Housing, Finland: Political significance of the LCIP platform

14.40 Coffee break

15.00 Focusing on the negotiations

15.00: Koko Warner & Tiffany Hodgson, UNFCCC: Overview of COP 23 outcomes and of various institutional arrangements

15.20: Matilda Månsson & Per-Olof Nutti, Sametinget: Participation of the Swedish Sami Parliament in the implementation of the Convention on Biodiversity

15.40: Annela Anger-Kraavi, SBSTA co-chair: Expectations for 2018



15.55: Josep Garí, UNDP: Experiences on national platforms for dialogue between governments and indigenous peoples on environmental matters

16.10: Discussion

16.40 End of day 1

19.30 Dinner at the restaurant Block by Dylan, Eteläranta 18, Helsinki

### **Wednesday 28.2.2018**

9.00 Introduction to day 2

- Mikko Halonen, Gaia Consulting

9.15 Work programme of the LCIP

9.15: Indigenous peoples' expectations for the work programme

9.35: Carlos Fuller, Belize: Comment

9.50: Break out to groups and start of group work

10.30 Coffee break

10.45 Work programme continues

10.45: Group work

11.30: Presentation and discussion

12.00 Lunch

13.00 Governance of the LCIP Platform

13.00: Arne Riedel, Ecologic Institute: Potential governance arrangements for the LCIP platform

13.20: Jannie Staffansson, Saami Council, Norway: Comment

13.35: Break out to groups and start of group work (implemented as plenary discussion)

14.30 Coffee break

14.45 Governance continues

14.45: Group work (implemented as plenary discussion)

15.30: Presentation and discussion

16.00 Conclusions / wrap-up / way forward

- Per-Olof Nutti (Sámi, Sweden)
- Karoliina Anttonen, Senior legal officer, Finland