

## **Submission by Canada on the review of the Facilitative Working Group of the Local Communities and Indigenous Peoples Platform**

Canada views the inclusion of Indigenous Peoples in discussions on climate change as a necessary way of protecting and promoting the rights of Indigenous Peoples. Moreover, climate action should be informed by the best available science and knowledge, and therefore must consider Indigenous Knowledge with the free, prior, and informed consent and direct participation of Knowledge holders, following the appropriate cultural protocols. For these reasons, Canada continues to be a strong supporter of the Platform, including by actively participating in Platform activities, supporting the participation of First Nations, Inuit, and Métis representatives in Platform activities, and providing funding to the UNFCCC Secretariat in support of the Platform.

Canada therefore appreciates the opportunity to present its views as a Party to the UNFCCC and Paris Agreement on the review of the Facilitative Working Group (FWG) to be held in 2024. The present submission is informed by Canada's experience as a former FWG member, as a former FWG co-chair, and as a current Platform contributor that attends open meetings of the FWG.

Canada's views are organized below taking into account the "informal and non-mandatory guidance developed by the FWG", seeking to provide information relevant to the seven questions contained in the guidance and ultimately contribute to potential outcomes of the review.

### **Achieving the objectives of the FWG**

#### *Achieving the FWG's mandate*

Canada recognizes the ongoing importance of the FWG as a constituted body mandated to operationalize the Platform and its three functions. In Canada's view, the main ways through which the FWG operationalizes the Platform and its functions are by proposing, overseeing the implementation of, and reporting on the Platform's workplan. In this way, the FWG's mandate is in the process of being achieved and will continue to remain relevant to ensure the ongoing operationalization of the Platform. Moreover, Canada sees the FWG playing an important role facilitating engagement between Parties and Indigenous Peoples. We note engagement is a process rather than an outcome itself, and meaningful engagement requires a long-term commitment to building and maintaining relationships. For these reasons, Canada strongly supports the renewal of the FWG's mandate, and would support the continuation of its mandate for a period longer than three years (e.g., 7 years), allowing FWG members to focus on designing, implementing and reporting to Parties on the Platform's workplans.

As a former FWG member and co-chair, Canada observed that some momentum on delivering the FWG mandate was lost during the transition between the first and second cohorts of FWG members. To promote continuity, Canada would support switching to a staggered membership rotation model.

### *Good practices for participation and engagement in the context of the FWG*

Canada recognizes the FWG is a unique body within the United Nations given its membership and decision-making that is equally shared between representatives of Parties and self-selected representatives of Indigenous Peoples. Following the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, the creation of the FWG at COP24 – with a structure that provides for equal representation of Indigenous Peoples by self-selected representatives through the Indigenous Peoples constituency – not only supported the operationalization of the Platform, but also contributed to Parties respecting, promoting and considering their respective obligations to the rights of Indigenous Peoples as affirmed in the UNDRIP. Canada continues to support the practice of self-selection by Indigenous Peoples' regions.

While the FWG's membership and decision-making is shared between Parties and Indigenous Peoples, as a constituted body, it remains part of the Party-driven UNFCCC process. In order to ensure the full and effective participation of Indigenous representatives alongside Party representatives in the FWG's decision-making, Canada would be supportive of measures the Secretariat could take to ensure its engagement of Indigenous representatives as members of the FWG is rights-based, meaningful, responsive, transparent, predictable, and inclusive, as well as takes into account cultural distinctions and diversity, capacity constraints and barriers to engagement (e.g., connectivity, language, and funding for travel). This can mean, *inter alia*, ensuring that both Party and Indigenous members have sufficient advance notice for participation in formal and informal FWG meetings, are offered ways to participate that are accessible to them, are provided capacity support as appropriate, and are provided sufficient time to contribute on operational products and decisions that may be finalized through email correspondence, including time to consult their regional groups as appropriate.

### **Implementing the Platform functions and realizing the vision of the FWG**

#### *Knowledge exchange and two-way capacity building*

Canada values the Platform as a space for improving collective understanding of and responses to climate change. Its value is underscored by the IPCC's 6<sup>th</sup> Assessment Report, which highlighted the benefits of inclusive climate policies, processes and governance, notably for effective adaptation and climate resilient development. Moreover, Canada recognizes that Indigenous Peoples should participate in international climate change discussions as rights holders and in recognition of their important roles as knowledge holders, stewards, and as partners and leaders in climate action, as well as in light of the disproportionate impacts of climate change on Indigenous Peoples.

Canada consistently participates in the Platform's activities and in doing so has gained valuable insights about the impacts of climate change and ways to improve global and local responses to climate change, such as through addressing knowledge gaps by ethically and equitably utilizing Indigenous Knowledge and implementing inclusive and rights-based processes for climate policies and action by meaningfully engaging Indigenous Peoples and ensuring safeguards for the rights of Indigenous Peoples. In particular, Canada has found the annual gatherings and youth dialogues to be important opportunities for exchanges on key climate issues addressed by the UNFCCC process and, as a Party, to learn about the perspectives and priorities of Indigenous Peoples around the world, which can be incorporated into

climate action and decision-making at all levels (local, regional, domestic, international). In this way, and alongside Canada's own processes to engage First Nations, Inuit and Métis on climate change policies and action, the Platform has informed and, in our view, strengthened Canada's participation in negotiations across the UNFCCC process agenda. With a view to further strengthening the UNFCCC process, Canada encourages the FWG to continue to facilitate knowledge exchange and two-way capacity building on an ongoing basis, prioritizing issues that align with the UNFCCC and Paris Agreement negotiation agenda or other relevant milestones in climate discussions within and outside the UNFCCC process with a view to strengthening opportunities to translate relevant insights to climate action and decision-making.

### *Climate change policies and action*

Building on the exchange of knowledge and experiences, as well as ongoing capacity building, Canada supports strengthening the connections between the work of the Platform and the rest of the UNFCCC process and negotiations to ultimately lead to better climate change policies and action at all levels (local, regional, domestic, international). The FWG has already laid the foundations for doing so, for example by:

- Developing recommendations annexed to the report of the 5<sup>th</sup> meeting of the FWG<sup>1</sup>, based on the outcomes and insights of various Platform activities undertaken under the first workplan. Canada encourages Parties and relevant bodies and processes under and outside the Convention, including financial entities, to take up the invitation in operative paragraph 2 of Decision 16/CP.26 to take these recommendations into account, and looks forward to considering additional recommendations in the next FWG report.
- Preparing written inputs to specific processes (e.g., FWG inputs to the technical assessment of the global stocktake<sup>2</sup>) that consolidate and communicate the many relevant outcomes and insights from Platform activities, including perspectives shared through the annual gatherings of knowledge holders, the annual youth roundtables, and the multi-stakeholder dialogues, as well as through discussions with contributors at FWG meetings. In Canada's view, this is an effective way of contributing on the substance of negotiations on issues other than the Platform or FWG.
- Collaborating with other constituted bodies and workstreams, bringing valuable insights from the Platform's activities to the attention of the UNFCCC process and all Parties. In Canada's view, such collaboration should be continued and opportunities for the direct participation of Indigenous Peoples' representatives should be mainstreamed throughout the UNFCCC process.

Canada encourages the FWG to design and implement activities in ways that contribute further recommendations, written inputs, and collaborative activities throughout the UNFCCC process.

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<sup>1</sup> [FWG 5 report.pdf \(unfccc.int\)](#)

<sup>2</sup> [FWG input to the GST process version March 2022 final.pdf \(unfccc.int\)](#)

### *Good practices for engagement in the context of the Platform*

Canada trusts the FWG membership to develop relevant activities in support of the Platform's three functions (knowledge, capacity for engagement, and climate change policies and actions) and stresses that successful implementation of these activities also depends upon Party and Indigenous participation, as well as Secretariat support. Canada has observed high levels of participation in Platform activities by Indigenous representatives and an upwards trend in participation by Parties in the Platform's activities. Canada's own approach to participation in the Platform's activities has consisted of representation by a lead negotiator on Indigenous Peoples' issues and the Platform, alongside First Nations, Inuit and Métis members of the Canadian delegation. In this way, Canada has been able to enhance its positions and perspectives on all issues discussed and negotiated under the UNFCCC process. Given that Platform activities typically rely upon two-way (or more) exchanges, Canada will continue to participate and encourages greater, and sustained, Party participation.

The high levels of participation in Platform activities by Indigenous representatives demonstrate strong interest and demand for the operationalization of its functions. In order to enhance the participation of Indigenous Peoples, similar to above, Canada would welcome efforts by the FWG, with the support of the Secretariat, to implement good engagement practices. In the context of the Platform, this can mean, *inter alia*, ensuring contributors are aware of opportunities to participate and are offered ways to participate that are accessible to them, as well as providing information before, during and after activities to ensure contributors understand what inputs are requested and how their inputs will be used.

With respect to ensuring accessibility of information about the Platform and its work, Canada welcomes the ongoing efforts of the Secretariat, with the support of the FWG, to develop and maintain the dedicated Platform web portal on the UNFCCC website and encourages further strengthening the accessibility of the web portal and other information disseminated about the Platform (e.g., by ensuring translation into the official UN languages). Canada has also observed that reports and other communications products about the Platform tend to conflate the contributions of Indigenous Peoples with those of "local communities". Notwithstanding the value of ensuring Platform activities are inclusive, in order to strengthen ethical and equitable engagement with Platform contributors and their knowledges, Canada would welcome efforts by the FWG, with the support of the Secretariat, to ensure that reports and other communications about the Platform accurately reference the sources of contributions.

### **Any other reflections**

In closing, Canada is pleased with the significant progress made by the FWG in operationalizing the Platform and sees great potential for ongoing value to the UNFCCC process. At the same time, Canada stresses that the FWG – as a body comprising both Indigenous and Party representatives – does not represent Indigenous Peoples within the UNFCCC process; Indigenous voices should be self-represented, and the International Indigenous Peoples Forum on Climate Change serves as the caucus for Indigenous Peoples participating in UNFCCC process meetings.