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## **Building civic space for people-centered climate action?**

Opportunities and limitations of civil society participation in climate policy-making in nine countries

## Imprint

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## 1. Participation in climate action

Policies for ambitious climate action relate to people and communities in multiple ways. Thus, ambitious climate protection policies not only need to be orientated towards scientific facts and the decisions of democratic, representative committees. It further needs deliberative approaches, comprehensive discourses and the involvement of interest groups and citizens into climate-driven decision-making processes.<sup>1</sup>

Aside from business, political interest groups and the state, civil society organizations (CSOs) active in environmental and climate protection<sup>2</sup> play an important role within this context. They can support the participation of citizens in climate policy making and implementation and often mobilize decision-makers to consider the needs and interests of local communities in decision-making processes. Furthermore, they can prepare vulnerable and poorly represented communities to adapt to climate change impacts. Some CSOs also foster the inclusion of climate-protection and adaptation practices from traditional communities into policies and their implementation.<sup>3</sup> Thus, climate-driven civil society organizations often contribute to a better acceptance of climate policies in society.<sup>4</sup>

Being a constructive driving-force to push necessary transformation processes at all levels, CSOs can also contribute to making national climate strategies, such as the NDCs (Nationally Determined Contributions), more ambitious. They do so by monitoring the fulfillment of (inter-)national climate protection and adaptation goals and by informing the public about cases of non-compliance of the government or about legislative initiatives hindering ambitious climate action. Non-governmental organizations (NGOs) also function as intermediary between states, civil society and political sectors, who all need to work together for effective climate protection.<sup>5</sup> At the international level, the involvement of civil society groups in knowledge exchange, dialogue and cooperation has been amplified and supported by specific formats such as the Talanoa dialogue. This trend towards bottom-up-governance is rooted in a line of international declarations and agreements supporting international cooperation between civil society and governments in environmental and climate policy-making.

The Rio Declaration of 1992, with its principle 10 emphasizing the role of citizen's participation in questions related to the environment, was, yet legally non-binding, the first of many international declarations, contracts and agreements supporting transparency and civil society participation in environmental matters. They were followed by the Bali-Guidelines (Guidelines for the Development of National Legislation on Access to Information, Public Participation and Access to Justice in Environmental Matters) and the Aarhus-Convention (Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters). The latter came into force in 2001 and is applicable as the first legally binding treaty defining environmental rights for all in 47 countries.

With the Escazú-Agreement (Acuerdo Regional sobre el Acceso a la Información, la Participación Pública y el Acceso a la Justicia en Asuntos Ambientales en América Latina y el Caribe), another international treaty came into force in 2021 to implement principle 10 of the Rio-Declaration in Latin America and the Caribbean. What

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<sup>1</sup> Reid et al., 2020

<sup>2</sup> Civil society organizations are defined, based on Brunnengraber et al. 2005, as organizations preliminarily active at the (sub-) national level, that work oriented on human rights. They claim to represent general and universal community interests and thus aim for political influence in political decisions about climate change, rather than gaining profits.

<sup>3</sup> Reid et al., 2020

<sup>4</sup> Kovac et al., 2019

<sup>5</sup> Ibid.



makes the Escazú-Agreement unique is a forth pillar calling for the development of a safe environment and a protection regime for environmental human rights defenders.

International agreements are however toothless if they are not implemented in real-world policy-making in the agreement's member states. This is why UfU e.V. together with its partners analyzed the involvement of civil society in current climate policy settings at the national level in three countries. The resulting study *Civic Space for Participation in Climate Policies in Colombia, Georgia and the Ukraine*<sup>6</sup> was supplemented by the identification of good practice examples of civil society participation processes for climate policy implementation in other countries. However, the analysis based on a standardized evaluation scheme also discloses the actual limitations of climate policy-related participation processes in the evaluated countries. Different to the good practice aspects, limitations of the evaluated processes were not part of the ZIVIKLI-study.

This UfU Paper wants to fill the gap by shedding a light on the limitations of international good practice examples, accompanied by recommendations for actions to overcome existing barriers and limitations.

### 1.1 Evaluating participatory processes for climate action

The ZIVIKLI study was not the only publication in recent years aiming to shed a light on civic space and the options of participation for citizens, non-governmental organizations and other stakeholders in the development of national climate policies such as the NDCs.

The project LIFE PlanUp evaluated the National Energy and Climate Plans (NECPs) of ten member states of the European Union. Among others, the NECPs of Finland, France, Germany, Hungary, Italy, Poland, Portugal, Romania, Spain and Sweden were assessed regarding transparency and their openness for public participation in the elaboration phase.<sup>7</sup> The assessment was carried out in cooperation with local partners. It was analyzed if, for how long and at what time in the NECP development phase citizens and other stakeholders in the respective countries could access the (draft) NECP documents and had a chance to hand in their feedbacks.

The Climate Action Network (CAN) and the Friedrich-Ebert-Foundation (FES) together with local partner organizations evaluated the options and opportunities for climate-driven civil society organizations to contribute to the development of ambitious and citizen-friendly NDCs in the Kyrgyz Republic, Kenya, Morocco and the Philippines.<sup>8</sup>

This was carried out by assessing the structure and the approach used to ensure climate policy-related participation and by shedding a light on possible entry points and their accessibility for different CSOs, as well as aspects related to capacity building and finances. It did so by comparing the existing space for CSO participation in the NDC development, review and implementation to the experiences gained in the elaboration of the first NDCs. Thereby, achievements and challenges as well as lessons-learned were identified. Different from other studies, CAN, FES and their partner organizations also gave an insight into the role of civil society organizations themselves in the NDC implementation, monitoring and revision processes and pointed out ways of catalyzing change.<sup>9</sup>

The ZIVIKLI study is distinguished from the other researches mentioned by the use of a standardized evaluation scheme for civil society participation in climate policy making and implementation. The scheme

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<sup>6</sup> Donges et al., 2020

<sup>7</sup> LIFE PlanUp, 2019

<sup>8</sup> Adow et al., 2021

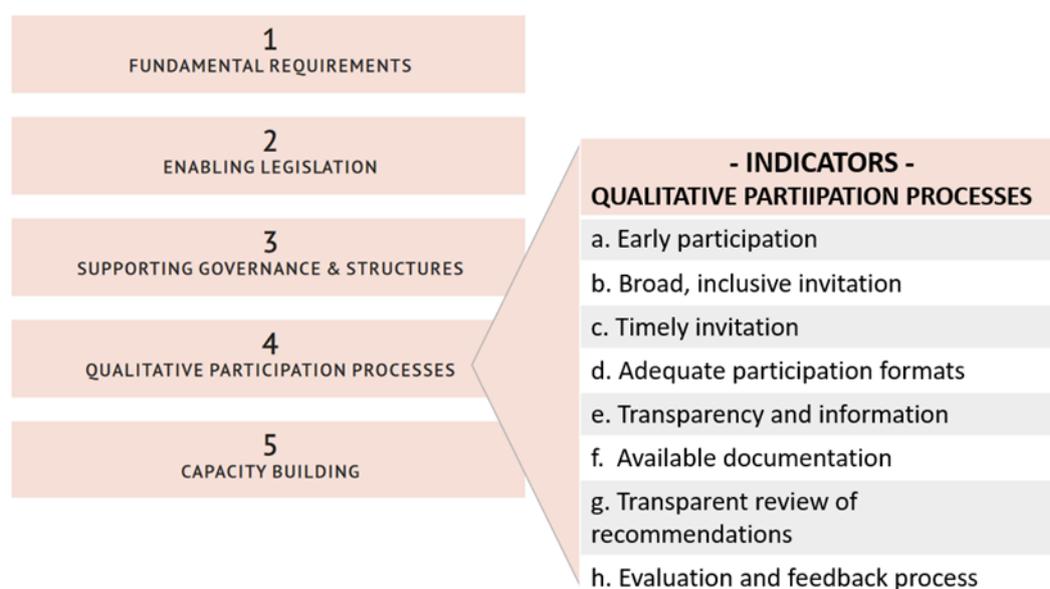
<sup>9</sup> Ibid.

allows a structured assessment of participation processes in many countries. In the following, it will be described in more detail.

## 1.2 A standardized evaluation scheme to assess participatory processes for climate action

In order to facilitate the evaluation of climate-related participation processes for CSOs and to enable a comparison of the general conditions, opportunities and states of participatory practices among countries, a standardized evaluation scheme was developed within the ZIVIKLI project.<sup>10</sup> The scheme comprises of indicators suitable to evaluate the general conditions (e.g. the political stability of a country or the security of activists) and the legal framework for participation in a country, as well as concrete participation processes for climate action. The five main criteria of the evaluation scheme comprise of 25 individual indicators, out of which eight relate to the assessment of the quality of the climate-related participation process itself (see figure 1).

Figure 1: Indicators related to aspects of qualitative participation processes from the standardized evaluation scheme for participatory processes in climate policy implementation based on Donges et al. (2020)



Besides the evaluation of participatory processes in climate policy implementation in Georgia, Colombia and the Ukraine, a part of the evaluation scheme was applied to define international good practice examples for civil society participation in climate policy implementation.

To this end, more than 30 participatory approaches at national level by different countries have been evaluated by the means of the eight indicators of the main criteria "Qualitative Participation Processes" (see figure 1). Besides these procedural aspects, participatory processes were also considered "good practice" when they were outstanding in other crucial aspects such as a transparent review of recommendations, a good evaluation and feedback process and well-implemented capacity building measures.

<sup>10</sup> Donges et al., 2020



The research on “good practice” examples included a literature review and –where possible - interviews with experts as well as representatives from civil society which took part in the participatory processes that were evaluated. These qualitative interviews were necessary and especially useful not only to get second opinions on the participatory methods used, but also because official information about climate-related participation processes often did not sufficiently inform about the actual procedures and practices used within the process. Different to the focus countries Georgia, Colombia and the Ukraine, it was not possible to consult country-specific multi-stakeholder focus groups in the other countries. Thus, it needs to be emphasized that the results and recommendations in this study represent a first overview and approximation to the topic and should ideally be specified and confirmed by respective focus groups of the countries in question. In cases where it was not possible to obtain a feedback from local experts, we were to make conclusions solely based on the information deriving from literature and government reports. This in turn, may lead to a vagueness. Ratings which are solely based on literature are accordingly labelled as such in the text.

## 2. Participatory approaches in climate policy implementation

In the search for "best practice" examples of participatory processes for climate action at national level, processes in Brazil, Chile, France, Germany, Ireland, Mexico, the Netherlands, Peru and South Africa were identified as including some aspects that mark them as "good practice" and thus serve as a model for other countries. Another important result was that none of the evaluated country-specific processes could actually be rated as best practice, meaning that none of the processes assessed by the application of the evaluation scheme was exemplary in all aspects. This leaves room for improvements in all evaluated processes. This chapter outlines the positive aspects, but also the limitations of some of the participatory processes assessed. In doing so, recommendations and reference points are given on how to improve climate-driven participation processes with regard to the next NDC reviews, but also in the context of the implementation of climate policies, strategies and programs.

The evaluated processes are thereby presented in alphabetical order of the country. Respectively, an introduction of each country's political context, process structure and approach used, is followed by a presentation of good practice aspects and completed with a demonstration of their shortcomings and limitations, including recommendations for improvement.

### 2.1 Brazil: Public audiences and consultancies in the development of the National Policy on Climate Change

A broad participatory process in 2007 initiated the elaboration of Brazil's National Policy on Climate Change (PNMC). first draft for the PNMC containing possible measures and activities based on technical and scientific information and existing climate policies was written by an inter-ministerial committee. This initial draft was open to the general public for amendments, public discussion and for the introduction of new issues and measures in the original document. This could be done in four ways:

**A) In Municipal and State Conferences** in which civil society representatives, business groups and public servants discussed the draft and were free to propose amendments via vote.

**B)** Delegates from all Brazilian states and societal groups discussed and amended the draft and the proposals from state conferences in the **National Conference on the Environment (III CNMA)** before they decided upon the final document.<sup>11</sup>

The development of climate policies was then continued through:

**C) Sectoral dialogues** involving civil society and sector representatives to map implemented actions, review and update existing sector plans and to identify and elaborate necessary future activities, and

**D) The Brazilian Climate Change Platform (FNMC)**, which is a national meeting platform for governmental and civil society representatives with thematic working groups and counterparts at the national level. It holds one of the nine seats at the Inter-Ministerial Committee on Climate Change (CIM), which is the body responsible for the development, implementation, monitoring and evaluation of Brazil's climate policies. However, the FNMC is only invited to meetings of the CIM as a guest.<sup>12</sup>

With its four participatory formats, the development of the National Policy on Climate Change of Brazil (PNMC) via state conferences and the National Conference on the Environment Brazil's participation process shows some characteristics which can be rated good practice.

### 2.1.1 Good Practice aspects

Public audiences and consultancies in the development of the National Policy on Climate Change took place in Brazil by far earlier than in all other processes examined, making the participatory process a good example of how civil society participation and climate policy-making can go hand in hand. This chapter gives an overview over the aspects in the four participatory modules that can be seen as good practice.

- **Broad and inclusive invitation**

According to the website of the Brazilian Ministry of the Environment (MMA), more than 115,000 people participated in 566 municipal conferences, 153 regional conferences and 26 state conferences in the development of the PNMC. 1,104 of them were delegates of the III CNMA. They included members of the Brazilian government, of governmental agencies linked with climate policies and also people chosen by the usage of a formula to ensure the participation of representatives from different social backgrounds and representing different sectors. It is commendable that 40% of the III CNMA delegates were members of civil society (including social movements, syndicates, associations, cooperatives, NGOs and networks), while 5% of the delegates were representatives of indigenous communities, 30% of business and industry and 20% of governments, half of which from the municipal level.

- **Financial resources for the III CNMA**

The delegates of the III CNMA received free transport and accommodation in order to be able to attend the III CNMA. This included travel costs to and in Brasília and free meals during all conference days. Medical help and services such as a luggage compartment were provided for all participants. This study could not examine how travel and other costs were refunded at the regional conferences.

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<sup>11</sup> Government of Brazil, 2007

<sup>12</sup> Government of Brazil, 2000

- **Transparency and information**

The procedure and formats of discussion and decision-making in the III CNMA are clearly set out in the regulations on the MMA website. Delegates were informed about the occasion and the goals of the III CNMA through two manuals: The first provides basic information and an overview of the challenges related to climate change<sup>13</sup>; the second informs about the proceedings and regulations in the decision-making process, as well as organizational issues.<sup>14</sup> Both manuals are available online and written in a comprehensible manner.

- **Available documentation**

According to national regulations, the MMA is responsible for the publication and for providing access to the resolutions of the III CNMA to a broad public. A consolidated draft text was published on the website of MMA, containing information on all changes agreed upon and decisions made at the III CNMA. Furthermore, the document shows alternative proposals which were suggested at regional conferences, including a reference to the origin of the proposal and a note on whether proposals were included in the final document or not.

- **Adequate formats for cooperation, exchange and decision-making**

The III CNMA included different participatory formats which supported deliberative debates among the delegates, including plenary sessions, working groups and self-organised workshops. While the delegates were able to shape the self-organised workshops as they wanted, the working groups were organised according to pre-defined rules. They were moderated by two coordinators, one from the MMA, one elected by the working group who organised the debate, and there were speaking times.<sup>15</sup> Discussions were based on the consolidated draft text, in which the delegates could edit, remove sections, (partially) modify passages or make written amendments. The proposals from the regional conferences were organized and discussed by the III CNMA delegates if they were supported by at least 40% of the delegates from regional conferences (threshold for discussions). Decisions on the final texts were made after a deliberative debate and a simple majority vote within the working group.<sup>16</sup> The deliberative process included a procedure for defining priorities, but a limited budget was not a criterion. After this phase, the working groups presented their proposals in a plenary meeting and the highlights were debated. It was optional to also submit further proposals for amendments in the plenary meeting. In the plenary meeting, all proposals were presented by one speaker in favour and one against, to serve as a relatively rapid knowledge base for decision-making for the delegates. After the final votes on all proposals and amendments were held, the delegates voted on the final text, which had been presented to them one hour beforehand of the voting.<sup>17</sup>

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<sup>13</sup> Ministério do Meio Ambiente, 2008b

<sup>14</sup> Ministério do Meio Ambiente, 2008a

<sup>15</sup> Ministerio Do Meio Ambiente. 2020

<sup>16</sup> Ibid.

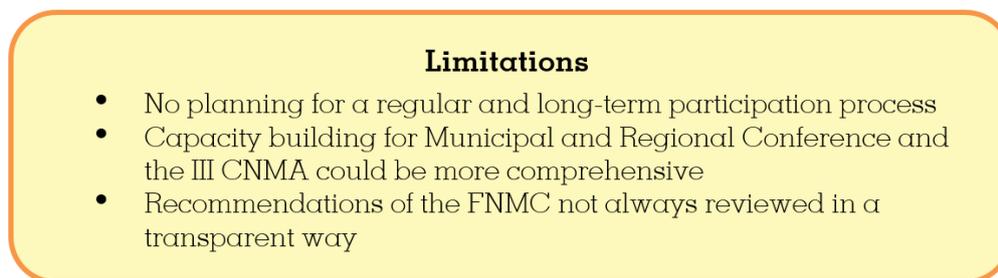
<sup>17</sup> Ibid.



### 2.1.2 Limitations and suggestions for improvement

The Brazilian participation formats in climate policy-making, particularly the sectoral dialogues and the Brazilian Climate Change Platform (FNMC), also had limitations. The design of some of the participatory formats restrained participation of civil society groups in monitoring and detailed implementation planning and was not proven resilient to regresses regarding civil society participation initiated from subsequent governments. The FNMC, for example, originally a climate policy discussion forum of civil society groups formally allocated to submit their proposals to the Inter-Ministerial Committee on Climate Change, has been excluded from the CIM governance structure by governments with a less ambitious climate protection agenda.<sup>18</sup>

Figure 2: Limitations of the participation formats in the development of the PNMC in Brazil



- **Regular and long-term participation**

Being highly intertwined with the development of the PNMC as guideline for the development and implementation of more detailed climate policy action, the III CNMA conference was only designed as a single event.

The **sectoral dialogues** and the **Climate Change Platform (FNMC)** were defined as follow-up and long-term formats of civil society participation. Having already been established but with a weak position and limited power in climate-related decision-making, this position was again extensively weakened by degree N° 9.759 of April 2019 and the conditions for the reestablishment of public bodies of climate-related decision-making and monitoring. In practice, degree N° 9.759 negatively influenced the balance of decision-making power within the FNMC, decreasing that of civil society participation and increasing that of public authorities within the forum. It led to a strong limitation -or even discontinuity- in official civil society participation in climate policy making.<sup>19</sup>

- **Capacity Building for Municipal and Regional Conferences and the III CNMA**

The **National Climate Change Platform** resembles representatives from different civil society organizations and therewith experts in climate issues. When experts within the FNMC needed technical and scientific information for decision-making, they had the opportunity to access information by the Brazilian Climate Change Panel (PMBC), a scientific body established to provide knowledge to public authorities and to civil

<sup>18</sup> Instituto Talanoa, 2020

<sup>19</sup> Ibid.

society groups alike. Although excluded from the formal climate policy making in April 2019 by degree N° 9.759, the Brazilian Climate Change Panel continues working.<sup>20</sup>

The premises are different regarding the **Municipal, State and National Conferences** preceding the development of Brazil's National Climate Policy. Many of the participants in these formats were non-experts, thus not familiar with the extensive and complex knowledge and information about climate change and related policy options. Although a booklet with the most relevant information about these topics was given to the participants, no scientific expert group or "fact-checkers", who could have acted as "real-time" support team, if participants are discordant or unaware about the consequences of certain policy options, were part of the conferences.

- **Transparent review of recommendations of the FNMC**

Besides meeting protocols, the general way to incorporate proposals into climate-related decision-making at the national level was the FNMC's seat as observer in the Inter-Ministerial Committee on Climate Change. Although this ensured a permanent exchange between CIM and FNMC, this composition also allocated the FNMC to a weak position within the principal decision-making organ for climate policy, but also largely left the success of the FNMC's recommendations to the skill and persuasion of its only representative within the CIM.

With the degree N°9.759 and the restructuring following it, the National Forum on Climate Change lost its permanent seat in the Inter-Ministerial Committee to coordinate climate policies (CIM).<sup>21</sup> Without a permanent link between the two dialogue formats, the direct link to integrate civil society proposals in the inter-ministerial decision-making process is lost. It remains open in how far public authorities consult the FNMC before the CIM meetings.

The limitations of the present research structure, which were described in the previous chapter, did not allow the research team to assess the review of civil society recommendations in the individual sectoral tables.

## 2.2 Chile: Development of the National Climate Change and Vegetal Resource Strategy

In Chile, three climate-change related policy-making processes have been listed as participatory processes in a study by the Inter-American Development Bank: The participatory development of the National Action Plan on Climate Change 2017-2022 (**Plan de Acción Nacional de Cambio Climático - PANCC-II**), the Local Energy Strategies-program (**Programa Comuna Energética**) and the preparation, assessment and implementation of the National Strategy on Climate Change and Vegetal Resources (**Estrategia Nacional de Cambio Climático y Recursos Vegetales - ENCCRV**).<sup>22</sup> Due to this paper's main focus on climate participation processes at the national level and difficulties to access documentation of the PANCC-II development process, the authors focused on the evaluation of the participatory processes related to the ENCCRV-strategy.

Being a policy instrument to encounter climate change-related challenges such as aridity, ecosystem degradation and desertification processes by reducing social, environmental and economic vulnerabilities in

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<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Milano et al., 2019

Chile, the strategy is aligned with Chile's (inter-)national commitments and includes mitigation and adaptation activities alike.<sup>23</sup>

Its development and implementation can be divided into three phases: A preparation phase (2010-2016) in which conceptual elements, structures, systems and inter-relations between activities were designed, the implementation of the measures from 2016 onwards and the payment for results based on implemented measures from 2018 on. Although the preparation phase officially terminated in 2016, it is still constantly being updated.<sup>24</sup>

The ENCCRV development was accompanied by a broad participatory process at the national and subnational level comprising workshops for strategy formulation and revision. The formulation phase combined a technical formulation based on scientific studies and a technical analysis with a participatory formulation process. The latter comprised 15 regional workshops across the country resembling more than 850 participants, 3 additional workshops for CONAF experts and employees from the National Forest Corporation (Corporación Nacional Forestal - CONAF) and a final, national workshop with another 125 attendants. In the workshops, participants were consulted to identify direct and indirect causes of deforestation and degradation of vegetation, as well as suitable activities to tackle them. They were also invited to prioritize among these activities.<sup>25</sup>

The regional workshops were co-organized by local CONAF employees responsible for the identification and mapping of different focal groups of civil society, the public and the private sectors, academia and other, and for the deliverance of a feed-back report after the workshop. A draft ENCCRV was developed with the results of the formulation phase and the revision phase started.

The revision phase consisted of a dialogue with indigenous communities (Diálogo Indígena), an online citizen consultation and a self-evaluation process (autoevaluación).<sup>26</sup>

The 3 months long Diálogo Indígena took place in 2016 and consisted of multiple local reunions organized by local CONAF employees. The objective of the reunions was to collect opinions, suggestions and proposals for the ENCCRV development, which were then systematized and reported by local CONAF employees.<sup>27</sup> More than 500 people participated in the digital citizen consultation, while the self-evaluation process assembled 74 attendants in two macro-zone workshops.

### 2.2.1 Good practice aspects

The participatory processes accompanying the development of the ENCCRV in Chile is positively marked by its auto-evaluation process and the financial budget the participative activities could build upon. Also the use of methods supporting gender and social equity as well as the transparent presentation of the process design can be seen as good practice elements.

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<sup>23</sup> Government of Chile, 2017

<sup>24</sup> ENCCRV, 2021a

<sup>25</sup> CONAF, 2017

<sup>26</sup> ENCCRV, 2021b

<sup>27</sup> CONAF, 2016a



- **Transparency regarding the process**

Detailed information about the design of the participatory ENCCRV development can be assessed in form of documents on the ENCCRV website.<sup>28</sup> The most relevant information was presented easily comprehensible with graphics and images so that even non-experts could gain an overview over the process.<sup>29</sup>

The assessment was carried out by 74 pre-defined representatives of different sectors and societal groups from civil society to business and universities. Information about the program, preparation and results of the macro-zone workshops are easily accessible on the website of the ENCCRV<sup>30</sup> and in a special information paper (Nota Informativa) describing the process and its results in detail.<sup>31</sup>

- **Evaluation and feedback process**

An integral part of the review process within the ENCCRV development was an extensive evaluation of the process itself. It consisted of two macro-zone evaluation workshops, in which pre-defined guiding questions concerning the different evaluation criteria were answered by the attendants. The assessment was carried out by 74 representatives of different sectors and societal groups from civil society to business and universities, which were pre-defined according to their participation and knowledge of the process. Furthermore, a quote of at least 30% of representatives of indigenous communities was considered. Information about the program, preparation and results of the macro-zone workshops are easily accessible at the website of the ENCCRV<sup>32</sup> and in an information paper (Nota Informativa) describing the process and its results in detail.<sup>33</sup>

- **Financial resources**

Although the expenses for the participation process in the ENCCRV development could not be determined by the authors, the process structure, management and extension including multiple workshops and preparatory meetings suggests that the process was equipped with a certain budget.<sup>34</sup> Moreover, at least one third of the budget allocated to the ENCCRV development process was reserved for networking, engagement and participation activities with non-governmental actors. This was a crucial element in supporting CONAF's efforts to develop and to carry out the participatory processes described above. Some of the budget was also spent on transport from rural communities, travel expenses and food for the participants as well as on further measures promoting social equity in the process.<sup>35</sup>

Besides financial expenses, the participatory process was supported through the workforces of various public authorities and civil society organizations, which importantly adds to the monetary resources.

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<sup>28</sup> ENCCRV, 2021a

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> CONAF, 2018

<sup>32</sup> ENCCRV, 2021b

<sup>33</sup> CONAF, 2018

<sup>34</sup> CONAF / Ministerio de Agricultura de Chile, 2017

<sup>35</sup> Interview with WWF Chile



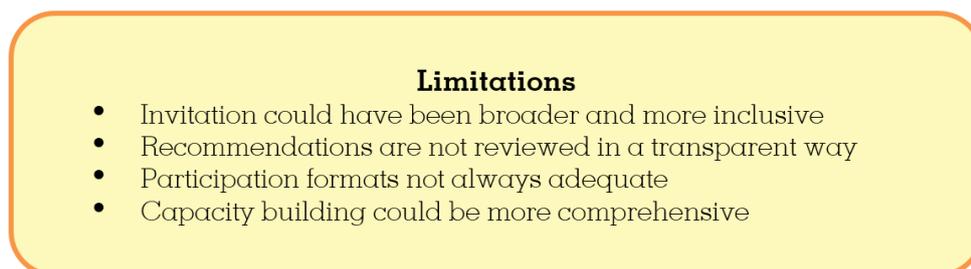
- **Methods to foster empowerment and fairness**

Gender and equity components and concepts were considered in the participatory activities accompanying the ENCCRV development process. Some workshops were designed exclusively for a female audience, and the implementation of the Diálogo Indígena supported to the consultation of these important stakeholders. The concept of “Female Cultural Counterparts” was introduced in order to convey female participant's opinions more effectively, as was the promotion of quotas in some aspects of the process, e. g. of indigenous representatives in the auto-evaluation phase.<sup>36</sup> All this contributed to a balance of the voices heard in the process. It would have amplified the fairness and empowered indigenous communities if the workshops, information material and the ENCCRV website were translated into indigenous languages, thus making the topic and the process more accessible and understandable to a broader audience.

### 2.2.2 Limitations and suggestions for improvement

In the participatory process related to the ENCCRV development, the invitation process can be improved, as well as the review process for recommendations by participants and the participation formats itself. Amplifying capacity-building activities within the participatory formats may have the potential of reducing differences between the stakeholders, thus leading to more equitable discussions.

Figure 3: Limitations of the participatory process in the ENCCRV development in Chile



- **Broad and inclusive invitation**

With around 3000 attendees, the participatory formats accompanying the ENCCRV development process included a high number of citizens of diverse societal and educational backgrounds. The invitation process to the different formats was, however, not open: It was instead the responsibility of local CONAF counterparts to map territorial actors and key stakeholders representing different categories.

While some representatives of civil society concluded that CONAF was able to set up diverse groups for the workshops, others emphasized that the CONAF invitation management led to the exclusion of more critical stakeholders.<sup>37</sup> An invitation management in which societal groups were given the opportunity to select the most suitable representatives among themselves, would contribute to more fairness.

The participants of the Diálogo Indígena were identified based on data of the 2018 Census of 2018, particularly considering indigenous communities in territories with forests and vegetal resources. This preliminary list was revised and complemented by the regional CONAF representatives as well as the respective municipalities. It remains unclear, in how far the identified communities were allowed to decide who they would send to the

<sup>36</sup> CONAF, 2016b

<sup>37</sup> Interviews with representatives of different NGOs during the alternative COPs in Chile, and results of the self-evaluation process



dialogues, or if this was pre-defined by public authorities. Although representatives of the most important indigenous associations were also invited to the dialogue, the invitation of broader participants of indigenous communities was seen as crucial for further activities.<sup>38</sup>

- **Capacity Building**

The stakeholder workshops during the ENCCRV development phase usually started with an explanatory movie, the distribution of an information brochure to the participants<sup>39</sup> and a short introduction into the topic by a mediator. Apart from this, the authors could not identify further capacity-building activities previous to the actual discussion process.

A higher share of capacity-building measures during the workshops, e.g. initial presentations by scientists and experts, and an option to consult them, would contribute to reduce knowledge discrepancies among the participants and could result in more equitable discussions among stakeholders.

- **Adequate participation formats**

The regional workshops and also the Diálogo Indígena were designed as mainly consultative approaches concentrating on the collection of information by participants with different social and educational backgrounds and from different regions. The process began with a facilitator giving an introduction to the topics and issues before the floor was then opened for the participants defining issues and barriers to climate change mitigation in their regions. The participants were therewith able to add new topics to the agenda. However, there was only limited scope for a discussion among stakeholders to e. g. identifying priorities, to further go into detail or to adjust the suggestions collected. The regional workshops and meetings within the Diálogo Indígena also do not seem to be designed in order to support this type of interaction,<sup>40</sup> e.g. when focus groups were formed according to the sectors which the attendants represent. The self-evaluation process of the ENCCRV development process showed a rather bad grading by independent evaluators, with the sub-component "consultation, participation and social diffusion" being rated with a 3.3 in a scale ranging from 1 (significant progress) to 4 (no progress at all).<sup>41</sup>

Regional workshops giving participants the opportunity and time to start a discussion among stakeholders and prioritize or adjust proposed activities have the potential of broadening the understanding and sense of ownership of the participants towards the ENCCRV, thus legitimating this strategy. It was also proposed by the participants of the evaluation activities that more time for exchange should be granted.<sup>42</sup>

- **Transparent review of recommendations**

Results of the participation process in the ENCCRV development phase were lists of recommendations, ideas and suggestions for improvement developed in the workshops and in the Diálogo Indígena in different regions. With the end of the consultation workshops and the initiation of the priority-setting and ENCCRV finalization phase, participation was somewhat on a hold. According to a publication from the ENCCRV

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<sup>38</sup> CONAF, 2018

<sup>39</sup> ENCCRV, 2021c

<sup>40</sup> CONAF, 2016a

<sup>41</sup> CONAF, 2018

<sup>42</sup> Ibid



website, the final strategy with priority measures was the result of a more technical evaluation of the proposed activities; considering the prioritization of factors such as importance, uncertainties and interdependencies.<sup>43</sup> Although the technical prioritization method had been explained in detail in a related publication<sup>44</sup>, for the participants it was not easy to understand why proposals were included or rejected in the ENCCRIV.

A review process making the inclusion or rejection of the consultation workshop inputs more transparent would increase the understanding of the elaboration process of the final document and, as a result, may contribute to the stakeholders being more supportive of the ENCCRIV.

### 2.3 France: Citizens' Convention on Climate and previous local initiative sessions

The Citizens' Convention on Climate (Convention Citoyenne pour le Climat) was initiated by the French president based on a proposal for a form of deliberative democracy made by the "yellow vests" (gilets jaunes) protestors. 150 French citizens were selected randomly and invited to take part in the convention, which met between October 2019 and April 2020 to formulate proposals on how to "reduce French emissions of greenhouse gas by at least 40 % compared to 1990, in a spirit of social justice." The format and sessions were prepared and accompanied by the Economical, Social and Environmental Council (CESE) and a government committee, which is responsible for the development of the working program and of ensuring its implementation. The committee consisted of three climate experts, two experts from ministries, three experts of participative democracy and three socio-economic experts. Furthermore, three so-called "guarantors", among them one civil society representative and two experts of French legislative bodies were in charge of safeguarding the process's compliance with the rules of independence and ethics. Moreover, a legal and technical team supported the convention, e.g. translating the citizen's requests into legal wording. Up to this point, French civil society had the opportunity of contributing to the development and implementation of France's climate policies via local assemblies about "ecological transition" as part of the grand national debate (Grand Débat National), via a related online survey and public consultation booths and via the Citizens' Convention on Climate (Convention Citoyenne pour le Climat).

The local assemblies about ecological transition were one of the four topics of the grand national debate. They could be organised by any citizen. The government provided the organisers with a kit containing practical advice on how to organise such assemblies as well as a guide to moderation, including guiding questions and templates for the documentation of proposals. Information about climate change was provided via a factsheet for participants. It included close-ended and open questions for discussions or to be filled out by each citizen.<sup>45</sup> A form documenting the debate was then to be sent to the public authorities. The local assemblies were complemented by public consultation booths at public places across France and by an online consultation which was open to all French citizens for one month. The feedback received through these processes was fed into the work of the citizens' convention.

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<sup>43</sup> CONAF, 2017

<sup>44</sup> Ibid.

<sup>45</sup> Granddebat, 2020a



### 2.3.1 Good Practice aspects

The French Citizen's Convention on Climate was all in all a carefully thought-out citizen council format assembling most of the aspects a good participation process in climate policy (implementation) planning should have. The following chapter provides further insights into these aspects.

- **Broad and Inclusive Invitation**

Regarding one process, the three participatory formats created a balance between a broad citizen consultation giving as many citizens as possible a chance to hand in their proposals, and more deliberative and dialogue-orientated formats such as local assemblies and the Citizens' Convention on Climate. Linking the proposals of the broader public with the convention, which was responsible of prioritizing them, is a way of integrating proposals of the entire civil society as well as possible. Thus, regarding a broad and inclusive invitation in participatory processes the Convention is a good practice example.

- **Financial resources**

With an overall budget of four million Euros, the French Citizens' Convention on Climate was equipped with the financial resources necessary to carry out a broad participatory process. An overview of the distribution of the expenses is published online. However, it remains unclear what budget was provided by the government to support the local assemblies and the (online) surveys preceding the Citizens' Convention on Climate. The budget was not only used for the infrastructure of the Convention, but also as expenses and remuneration for the travel expenses and working time of the 150 selected citizens. Participants also received a partial refund of their childcare expenses if relevant. The Citizens' Convention on Climate also set a good example as 0.2 % of the budget was invested for the compensation of its own emissions.<sup>46</sup>

- **Transparency and information sharing**

The Citizens' Convention on Climate also is a good example regarding transparency and information sharing: In all of the processes highlighted in this case study, civil society was informed about the objective, the selected participatory format, and about rules of behavior during the discussions via various methods of communication.<sup>47</sup>

Members of the convention received a personal letter explaining their mandate and how the initial sessions would be organized. Participants of the local assemblies as well as members of the convention received neutral information about the challenge and its scientific context making use of a language that was relatively easy to understand.<sup>48</sup> According to the convention's website, the government committee tried to keep any pressure from interest groups and false information away from citizens by providing them with suitable, neutral and fact-driven information. Members of the convention could also invite experts if needed. Information about challenges, goals, members, the decision-making process of the citizen convention and the dialogue format of the local assemblies is open and easily accessible to the general public online.<sup>49</sup>

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<sup>46</sup> Convention pour le climat, 2020a

<sup>47</sup> Granddebat, 2020a

<sup>48</sup> Granddebat, 2020a

<sup>49</sup> Granddebat, 2020a

- **Available documentation**

Also the documentation of the Convention is remarkable regarding its completeness, its intuitiveness and its attractive visualization.<sup>50</sup> The online documentation of the digital survey and the local assemblies consists of a summary of the most frequent proposals of the local assemblies on ecological transition which preceded the grand national debate. This includes a summary of the minutes of local debates as well as proposals by citizens collected at the debates, via email and at the street booths. In the summary, the collected proposals are divided into individual contributions and collective contributions. The documentation of this process is completed by summaries of the most relevant issues where consensus and disagreement was reached, plus remarkable points from collected contributions.<sup>51</sup>

Each of the Convention's sessions was video and audio recorded and is accessible online. In addition, each session's agenda, key messages, working packages, guidelines, preliminary results, as well as the documentation of the governance committee and the guarantors can be found online in an easily accessible and understandable format.

- **Formats of cooperation, exchange and decision-making**

The official website of the CCC informs that convention meetings were planned to feature a combination of various forms of dialogue which supported deliberation and collaborative discussions between its 150 members.

The Citizens' Convention on Climate applied a mix of adequate formats of cooperation, exchange and decision-making with the aim of reaching a joint decision through discussing reasoned arguments. The convention met on seven weekends, giving citizens enough time to address each issue. After a first weekend of knowledge building, the convention members split into five working groups on the second weekend. Each group worked on concepts, focus actions, and budgets in one field (e. g. transport or agriculture). On the third weekend, more profound measures were defined jointly and were matched with the overall goal. The proposed measures were then prioritized by mixed groups and divided into recommendations and standards. The fifth weekend was used to formulate a suitable proposal for each (package of) measure(s), including supportive arguments and a more detailed planning of the measures. On weekend six, each working group presented its (packages of) measures in plenary. This was followed by an in-depth discussion of the presented measures by the whole plenary in 4-5 hours for each field and working group and with a detailed plan being presented afterwards. In the seventh weekend session, the convention members were to finalise and formally adopt the explanatory statement for the final plan against climate change with all structured actions and measures in it.<sup>52</sup>

According to the website, the formats were developed to maintain a group dynamic in which several contradictory objectives would be balanced. Opinions of minorities and important concerns were taken into consideration during the French Citizen's Convention on Climate.

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<sup>50</sup> Convention pour le climat, 2020b

<sup>51</sup> Granddebat, 2020b

<sup>52</sup> Convention pour le climat, 2020c



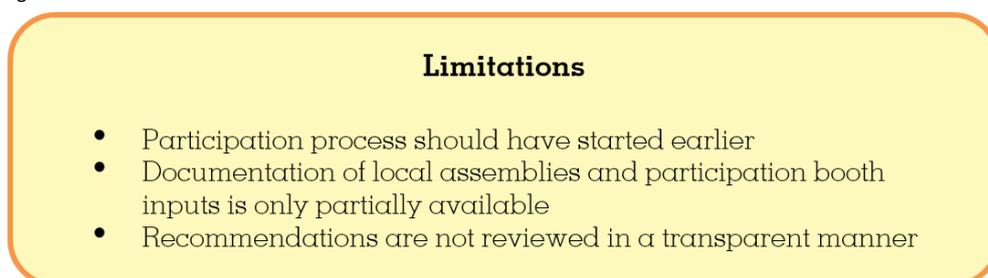
- **Capacity building of civil society**

As mentioned above, in all three participatory formats, there were several channels and mechanisms to foster capacity building of civil society, not only regarding climate change issues, but also regarding the organisation and implementation of forms of deliberative democracy and participation. Examples for this are the factsheets offered to the citizens who organised and participated in the local assemblies, and the introductory documents which provided knowledge to people in order to enable them to participate in the online survey. The Citizens' Convention on Climate started with an entire weekend of capacity building on climate change (each individual working group had a capacity building training but in a shorter time period). In addition to this, it is also a good example that convention members had access to scientific experts for the discussion and clarification of open questions during the process. They could refer to a group of scientific employees from universities and scientific institutes of various disciplines supporting them as "fact checkers"<sup>53</sup>, and even external experts could be invited if it was agreed upon by the working group members.

### 2.3.2 Limitations and suggestions for improvement

All in all, the French Citizen Convention was designed according to high participation standards and was also carried out successfully. There even was an appropriate reaction to the exceptional circumstances of the Covid-19 pandemic as the assembly was quickly moved to suitable online formats. Limitations - however small - were rather to be found in the design of the local assemblies about ecological transition upon which the Convention Citoyenne pour le Climat was built.

Figure 4: Limitations of the French Citizens' Convention on Climate



- **Early participation**

The Citizen Convention, the local assemblies and participation gave people the opportunity to express their opinion and suggestions on the implementation of given climate policy goals, and to prioritize and choose among optional measures so that the actions undertaken would be socially just. However, the two formats did not allow participants to take action in making the given NDCs more ambitious in order to reach a fair share to the 1,5°C goal defined in the Paris Agreement.

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<sup>53</sup> Convention pour le climat, 2020d



- **Documentation of local assemblies and participation booths**

The contributions of local assemblies and the public consultation booths were made accessible online. The contributions are presented as a synthesis of *constants* of the debate on ecological transition and a document comprising all emails, cards of the public consultation booths and inputs by local assemblies. The analysis of individual and collective contributions is published as a summary of the largest consensuses and disagreements of the discussions plus most relevant points of collected contributions.

Although the questions of the direct citizen consultation were posed in an open format in order to receive individual answers, only a "best of" of individual proposals is presented online. The remaining proposals are summarized in a report showing main categories of given answers, including the percentage of people responding to it.<sup>54</sup> This, however, kept discussion to the surface and only partially led to the consideration of citizen's proposals in the Convention Citoyenne pour le Climat.

- **Transparent review of recommendations**

At the website of the Citizens' Convention on Climate it is stated that the French president "is held to translate proposed measures "without filter" into a referendum, into draft laws to vote on in parliament or into direct guidelines for implementation through the administration."<sup>55</sup> Furthermore, the French government announced that it will give public responses to all proposed measures including the publication of a calendar showing when measures will be implemented. Climate convention members can also publicly comment on the responses of the government.<sup>56</sup> Furthermore, several tools have been announced to be put in place with the aim of urging politicians to adopt the proposals and to implement them in a transparent way. This practice for the Convention itself partly stands in contrast to the contributions of the online survey and local assemblies prior to the Citizens' Convention: They are only taken into consideration by the government as a summarized version.

At the end of the sessions in early 2021, the CCC gave the French government 149 proposals, which aim to reduce greenhouse gas emissions by 2030 by at least 40%, compared to 1990. According to Reporterre, only 15 proposals have been adopted until March 2021.<sup>57</sup> In addition to that, six proposals were included in the finance bill.<sup>58</sup>

However, three proposals were immediately rejected by President Macron. A few months later, eight other proposals were modified or dismissed.<sup>59</sup>

While many members of the CCC seems to doubt the government's intention for political change, the French Minister of Ecological Transition reassured that the government included about 40% of the proposals in the climate and resilience bill, which was adopted by the Senate on July 20, 2021.<sup>60</sup> However, 230 French politicians from the opposition criticized that the climate and resilience bill is just a pale copy of the original proposals and urged the government to adjust it.<sup>61</sup>

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<sup>54</sup> Granddebat, 2020b

<sup>55</sup> Convention pour le climat, 2020e

<sup>56</sup> Convention pour le climat, 2020e

<sup>57</sup> Reporterre, 2021

<sup>58</sup> Les Echos, 2021

<sup>59</sup> Global Citizen, 2021

<sup>60</sup> LCI, 2021

<sup>61</sup> Global Citizen, 2021



Press releases and communication of the government and opposition have made it transparent to the public which proposals of the Citizens' Convention on Climate have been accepted, modified or dismissed by the French government. Following these sources, it can be concluded that the procedures of handling CC proposals announced by the French government were not followed as announced initially.

## 2.4 Germany: Public participation in the Integrated Concept for Energy and Climate Protection for Baden-Württemberg

In the development phase of the updated Integrated Concept for Energy and Climate Protection (IEKK), the federal state of Baden-Württemberg used different methods to enable citizen's participation, including an online survey, citizen roundtable discussions and a roundtable discussion group for federations and associations, as well as one for young people. At the roundtables, participants could make proposals for new measures and policies, while there was also the option of discussing and evaluating proposals developed by state agencies.

Participants could furthermore rate measures by expressing their approval, rejection or abstention with the help of the following statements: "The measure is generally appropriate", "Its implementation is necessary" and "I support its implementation". Discussions included the climate-relevant topics electricity, health, transport, agriculture, industry and the material cycle as well as cross-sectoral topics.<sup>62</sup> The participatory approach for the development of the updated IEKK built on the concept used to develop the IEKK in 2013.<sup>63</sup> The citizen roundtable was carried out as six one-day workshops with three workshops per day. 20 people, who were selected randomly from a pool of interested and registered citizens, were invited to discuss one of the topics. Representatives of civil society groups such as environmental and farmers' organisations, as well as trade unions and industry federations, could participate in the roundtable for federations and associations. The participation concept also included a roundtable for interested young people aged 16 to 26 designed as a one-day workshop.

Citizens could hand in new proposals for climate protection measures and activities and comment on proposals of the authorities via an online survey from mid-May to the end of July 2019. It was possible to comment on existing measures online by expressing either approval, rejection or abstention, and/or by handing in qualitative comments on individual proposals and measures.<sup>64</sup>

### 2.4.1 Good practice aspects

The main reason for including the sub-national participation process in Baden-Württemberg, Germany, as a good practice example, is its very transparent and insightful review process of all recommendations collected from citizens and experts in the IEKK 2013. After the IEKK 2013 was well documented online, the documentation of the review process for the 2019 round of the IEKK development could not be found online. The very detailed review process of the IEKK 2013 development was exceptional among all participation processes assessed. The documentation of the IEKK workshops, the broad and inclusive invitation and its workshop designed especially for young people can also be regarded good practice aspects.

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<sup>62</sup> Baden-Württemberg, 2020

<sup>63</sup> BEKO, 2013

<sup>64</sup> See as an example the results from the citizen participation regarding the electricity sector: Baden-Württemberg, 2019



- **Available documentation**

The participatory approach applied in the development of the IEKK is a good example for a transparent and comprehensible documentation process of proposals and the participant's priorities. The results are structured in an easily comprehensible manner and diagrams give an overview of the overall prioritisation and support for each measure during the roundtable discussions and in the online survey. All of the participant's comments of the online survey are published in the overview of every proposal, as is the feedback on the statements mentioned above.<sup>65</sup> The overview of the proposals features an introductory explanation of the structure of the documentation and summarizes the results of each thematic workshop and the online survey.<sup>66</sup> The documentation also clarifies which participatory format the proposals derived from. The information is presented in a very structured and easily understandable manner, especially in the face of the quantitatively and qualitatively complex feedback that was obtained.

- **Broad and inclusive invitation, empowerment of young people**

The participation of young people in the development of the IEKK was encouraged aiming at receiving feedback, proposals and priorities from young people aged 16 to 26 as this group is proportionally higher affected by climate change, but is, in turn, underrepresented in formal decision-making processes in Baden-Württemberg. A one-day workshop in Stuttgart was organised by the youth initiative of the sustainability strategy (JIN), together with the Ministry of the Environment of Baden-Württemberg.<sup>67</sup> The participants composed of interested young people who registered online prior to the event as well as randomly selected participants, in order to reflecting the real composition of the youth as much as possible. Representatives of civil society movements such as Fridays4Future also participated. Moderators were supplied by JIN. The results of the youth participation roundtable were documented and published online similar to the other participatory formats. An article on JIN's website also summarizes the findings of the event.<sup>68</sup>

- **Transparent review of recommendations**

The previous IEKK of 2013, was also based on a participatory approach. The documentation of this participatory process included a transparent and easy-to-understand presentation of the public authority's review of participants' proposals. A document summarising the review of all comments on the IEKK 2013 is accessible online.<sup>69</sup> In this document, each proposal is listed and sorted according to its origin (online survey, citizen roundtable or roundtable for federations and associations) and the sector it refers to. The public administration assigned each proposal to one of the five evaluation categories introduced. This approach allowed interested people to easily understand if a proposal was (partially) taken into account or was already being included in the IEKK draft. Furthermore, the document indicated if a decision on a proposal would take place at a later stage or if a proposal would be considered during the implementation stage of a specific measure listed in the IEKK. It also informed if a proposal was rejected. In this case, the reasons for the rejection of the proposal were made transparent.<sup>70</sup>

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<sup>65</sup> Baden-Württemberg, 2019

<sup>66</sup> Beteiligungsportal Baden-Württemberg, 2020

<sup>67</sup> Beteiligungsportal Baden-Württemberg, 2020

<sup>68</sup> Wir ernten was wir säen, 2020

<sup>69</sup> BEKO, 2013

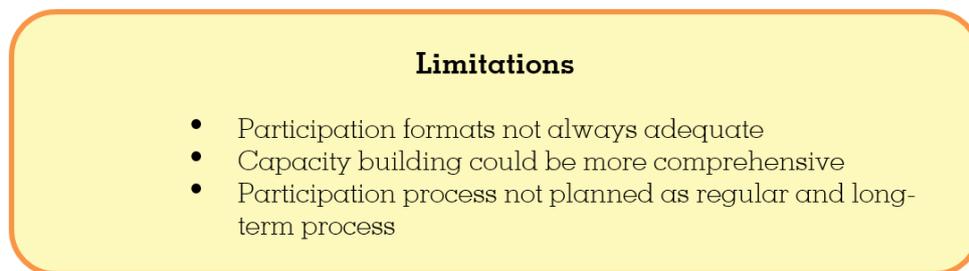
<sup>70</sup> BEKO, 2013



## 2.4.2 Limitations and suggestions for improvement

Initiated in 2012, the participation formats accompanying the IEKK development in Baden-Württemberg are a forerunner for citizen participation in climate policy-making in Germany. However, they suffer from some shortcomings, especially regarding the participation formats chosen as well as limited capacity-building formats. The integration of citizen participation in the IEKK update process is a good step to consolidate participation, but needs to get pursued further.

Figure 5: Limitations of the participation formats accompanying the IEKK development in Baden-Württemberg, Germany



### • Adequate participation formats

The participation process in Baden-Württemberg combined one-day consultation formats in form of citizen and NGO roundtables with an online survey. Participants could submit their proposals for activities and measures for the prevention of and adaptation to climate change either during the roundtable workshops or via the online survey. This way, 399 proposals for new measures and around 6000 comments and suggestions for improvement were collected. Participants in the roundtables and online survey could rate the proposals making use of a simple evaluation scheme (good/bad; I support the measure/ I do not support the measure).<sup>71</sup> This way, it was intended to receive inputs for a later prioritization and drafting phase of individual measures in the IEKK.

With it being a good method to collect and receive a first feedback from citizens about the relevance of individual measures on the one hand, it, on the other hand, does not leave room for exchange among the attendees to jointly define priorities and/or modify activities. This is instead left to public authorities and inter-ministerial negotiations. An extension of the roundtables to several days would give participants enough time to discuss measures in depth and to find a joint prioritization of the activities. This would have the potential to give citizens a stronger sense of ownership of the IEKK, which would, in turn, strengthen the IEKK as legitimated policy strategy.

### • Capacity Building

More extensive capacity building measures for attendees were not an integral part of the participatory processes accompanying the IEKK development in 2013 and 2019: While participants of the online survey could access some basic information material online,<sup>72</sup> the attendees of the citizen roundtables received a short oral introduction to the topic.

<sup>71</sup> BEKO, 2013

<sup>72</sup> Beteiligungsportal Baden-Württemberg, 2021



A capacity building session prior to the consultation process, e. g. in form of expert presentations with Q&A opportunities could improve the fairness during the roundtables by leveling out the attendee's knowledge needed for the consultation phase at least partially. The availability of scientists and fact-checkers during the roundtables would give attendees not only the opportunity to get their questions answered, but could also work as a tool to identify fake news and ideological arguments and assumptions.

- **Regular and long-term participation**

The citizen and stakeholder roundtables and the online survey accompanying the IEKK development are rather punctual than continuous and regular participation activities. A greater involvement of citizens and civil society representatives through participatory processes for the monitoring and evaluation of the IEKK implementation would be a step forward in strengthening the consistency of climate policy-related citizen participation in Baden-Württemberg. However, it is positive that the first update process of the IEKK in 2019 was accompanied by participative activities.

## 2.5 Ireland: Citizens' Assembly "Making Ireland a leader in tackling climate change"

In 2016, five citizens' assemblies deliberating different topics were established by the Irish parliament. The Irish Citizens' Assembly on Climate was one of them. It consisted of a chairperson and 99 randomly selected citizens, aiming to be representative of the Irish electorate in age, gender, social class and regional distribution.<sup>73</sup> Meeting on two weekends, the Citizens' Assembly on Climate was to discuss the question of how the state can make Ireland a leader in tackling climate change. It was accompanied by a steering group responsible for the assembly's organisation and an expert advisory group supporting knowledge building among the participants.

The broader public could participate in the assembly discussion by handing in proposals and recommendations, which were then considered for further deliberation. The members of the Citizens' Assembly on Climate had the opportunity to discuss new and existing recommendations, to decide on the precise wording and to vote on the final document. The citizens' assembly showed strong support of the measures voted upon with mostly 85-100% of votes supporting propositions (Citizens' Assembly of Ireland, 2019). One of the citizens' assembly's proposals, the one to put in place a system of community engagement to build public support for the action plans, has been formalised by the National Dialogue on Climate Action (NDCA).

### 2.5.1 Good Practice aspects

Ireland's Citizens' Assembly on Climate featured many different formats for decision-making, cooperation and exchange, also between the assembly's members and other citizens. Via YouTube and by showing submissions from citizens and CSOs online, an easily accessible and understandable documentation of the assembly's meetings was offered. The review of the assembly's recommendations by the parliamentary committee set up especially for this purpose, can be regarded positive, as well as the National Dialogue on Climate Action, a capacity building process established upon request of the assembly's members.

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<sup>73</sup> Citizens Assembly, 2020a

- **Available documentation**

The discussions and results of the Citizens' Assembly on Climate are available online in different formats. This includes a YouTube channel<sup>74</sup> with livestreams from the assemblies including Q&A sessions, presentations and an explanation of the voting procedures. Only the roundtable and working group discussions have not been published in a Youtube-video format. All speeches and presentations of experts were summarised in writing and are accessible online (Citizens' Assembly of Ireland, 2017). Further information about the Citizens' Assembly are accessible online as summarising reports and had been updated constantly during the assembly meetings. The final report provides information about the membership of the assembly, the steering group and the expert advisory group. It explains the work program, the engagement of the public within the assembly, voting arrangements and the development of the ballot paper. Furthermore, it gives an overview of the selected recommendations including a detailed breakdown and explanation (Citizens' Assembly of Ireland, 2019). All 153 submissions by advocacy groups and citizens had been accessible online, however, the page was no longer available at the time when this study was finalised.<sup>75</sup>

- **Adequate formats for cooperation, exchange and decision-making**

The Citizens' Assembly on Climate combined a range of different participative formats with sessions for capacity building including expert advice. The format was open to organisational changes when approved by a majority of the assembly members: The decision to prolong the deliberation time from one to two meetings was a result of a request by the Citizens' Assembly itself.<sup>76</sup>

Under the umbrella of climate change policies, the Citizens' Assembly on Climate discussed topics such as energy, transport and agriculture, as well as the planning and implementation of climate-related policy. The assembly's goal was to agree upon recommendations by vote and to summarise them in a joint document (Citizens' Assembly of Ireland, 2019).

The assembly invited members of the general public, representative groups and citizens' organisations to bring in their suggestions on the topic of the climate over a period of six weeks.<sup>77</sup> The key issues and topics of the submissions were then summarised in order of popularity in a guidance paper developed by experts which served as a foundation for discussions in the assembly.<sup>78</sup> The formats used during the two assembly weekends ranged from presentations by experts and roundtable discussions with one facilitator per table, to Q&A sessions with questions collected from each group and forwarded to experts by the group's facilitator. After several rounds of discussions, the members of the Citizens' Assembly on Climate could then decide on the precise wording of the ballot by making proposals for amendments of the draft before a vote was taken on the final version of the joint recommendations.<sup>79</sup>

- **Transparent review of recommendations**

Although the recommendations from the assembly are non-binding, the Irish parliament (Oireachtas) regarded them a starting point for further policies. It decided to establish a special parliamentary committee,

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<sup>74</sup> See [www.youtube.com/playlist?list=PL8jOxQQOnEpsg8e4kCh38SD3g2pZN7fP7x](https://www.youtube.com/playlist?list=PL8jOxQQOnEpsg8e4kCh38SD3g2pZN7fP7x), accessed 18 March 2020

<sup>75</sup> Citizens Assembly, 2020b

<sup>76</sup> Citizens Assembly, 2020b

<sup>77</sup> Citizens Assembly, 2020b.

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.



the Joint Committee on Climate Action, with the goal of taking forward the assembly's recommendations. The Joint Committee on Climate Action responded to the Citizens' Assembly's recommendations in a special report<sup>80</sup>, which reshaped Ireland's Climate Action Plan<sup>81</sup> and contributed to the declaration of a climate and biodiversity emergency shortly after.<sup>82</sup>

- **Capacity building**

While the proposals of the Citizens' Assembly were implemented by the means of the new climate law, the assemblies called for the establishment of a permanent structure with which to organise the flow of information, create structures for exchange, organise events to facilitate discussion and deliberation in response to the challenges of climate change and to enable and empower people to take action at the national, regional and local level.<sup>83</sup> The ensuing National Dialogue on Climate Action combines various elements including the TidyTown Awards for climate-related awareness raising concepts on the local level,<sup>84</sup> a climate ambassador program,<sup>85</sup> a climate lecture series for the Environmental Protection Agency<sup>86</sup> and "Regional Gatherings", all with the aim of carrying out capacity building, informed deliberation and climate education.<sup>87</sup> Regional gatherings are regional one-day workshops open to participate for citizens from the individual regions. They give participants the opportunity to gain knowledge from short talks of expert speakers involved in climate change initiatives as policy-makers, researchers and community activists, and to share their climate-related concerns, hopes, experiences and ideas in a combination of different formats.<sup>88</sup> The Department of Communications, Climate Action and Environment, which is responsible for the development and implementation of the activities, defines itself as an intermediary between the government and local community groups, and also has the task of bringing local groups together for collaboration in community-based projects.<sup>89</sup>

## 2.5.2 Limitations and suggestions for improvement

Most shortcomings of Ireland's Citizens' Assembly "Making Ireland a leader in tackling climate change" were related to the short time frame in which it was carried out and its character as a short-time format.

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<sup>80</sup> Joint Committee on Climate Action, 2018

<sup>81</sup> Climate Home News, 2019

<sup>82</sup> Green News, 2019

<sup>83</sup> Government of Ireland, 2020

<sup>84</sup> Ibid.

<sup>85</sup> Climate Ambassador, 2020.

<sup>86</sup> EPA, 2020

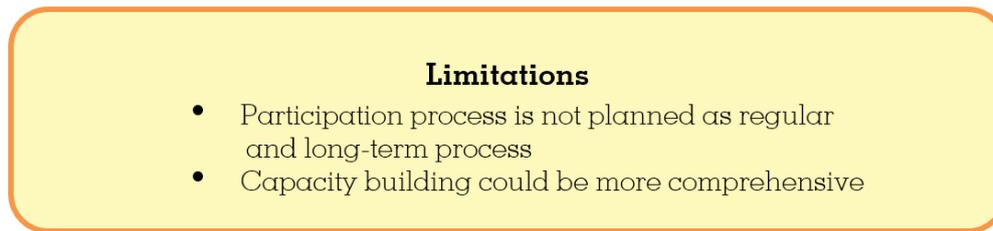
<sup>87</sup> Government of Ireland, 2020

<sup>88</sup> Ibid.

<sup>89</sup> Donges et al., 2020



Figure 6: Limitations of the Citizens' Assembly "Making Ireland a leader in tackling climate change"



- **Regular and long-term participation**

Ireland's citizen assembly dealing with climate change issues was quite brief. The members met to discuss the issue on two weekends only, with this already being a prolongation of the originally scheduled discussion period of one weekend. Although the member's suggestion for the extension of the assembly's working schedule was conceded, it can be assumed that even two weekends were rather short in time for deeper and profound discussions among the members.<sup>90</sup> This is to be assumed due to the restricted time for the reflection upon and inclusion of changes into the ballot paper. It was probably due a lack of time that the discussion of the ballot paper, as well as the acceptance or refusal of suggestions based on their suitability and feedback from other tables was mostly limited to the professional facilitators.<sup>91</sup>

Apparently, the participation of citizens in policy-making was rather a one-time procedure than a continuous process comprising the inclusion of the citizen assembly in the monitoring and reviewing of the related climate policies. The National Dialogue meant to be an ongoing process, can only partially serve as a substitute, because the dialogue does not include monitoring, prioritization and decision-making formats so far.

- **Capacity building**

Although a significant share of the time during the two weekends was used for expert presentations, discussions and Q&A, it could not suffice to give the participants an overview of the issue of climate change, and a substantial insight into its impacts and related mitigation options. An argument undermining this suggestion is that many of the citizen's recommendations were already parts of existing laws and processes. Some key documents about climate change were available to the interested public and participants on the website of the assembly. However, those documents were presented in their original form and thus, feature a rather scientific language and format.<sup>92</sup>

The National Dialogue on Climate Action may contribute to support more capacity building for climate action among Ireland's citizens. However, in order to successfully prepare the decision-making process of the Citizens' Assembly on Climate Change further capacity building formats would be needed.

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<sup>90</sup> Citizens Assembly, 2020

<sup>91</sup> YouTube, 2021

<sup>92</sup> Citizens Assembly, 2020



## 2.6 Mexico: Advisory Councils for Climate Change, the Working Group on Civil Society Relations and the public NDC consultation

In Mexico, 158 institutionalized mechanisms of citizen participation contributed to the environmental and natural resources public governance sector in 2016.<sup>93</sup> They are formed as collegiate bodies with a permanent advisory mandate, at national and subnational level.

Civil society participation in climate policy was formalized by when the Mexican Climate Law of 2012<sup>94</sup> established the National Climate Change System (SINACC) and its supporting bodies under the Ministry of the Environment and Natural Resources and the Advisory Council on Climate Change (Consejo Ciudadano del Cambio Climático, C3). C3 is complemented by the Working Group for Relations with Civil Society (GT-VINC), one of six working groups of the Inter-Ministerial Commission on Climate Change (CICC).

According to the law, the National Advisory Council on Climate Change has the right to submit recommendations to the CICC, which is the decision-making and coordinating body in climate policies. Advisory councils can also be established at state level in case the concerned state has a state climate law.

The Climate Law defines that the CICC is obliged to support responsible and informed social participation by consulting the general public. This responsibility is institutionalized by the Working Group for Relations with Civil Society of the CICC. The working group composes of 15 civil servants, with each being nominated by the ministries taking part in the Inter-Ministerial Commission on Climate Change. Jointly responsible for the coordination of the GT-VINC, are the Secretariat for Environment and Natural Resources (SEMARNAT)'s Coordination Unit for Social Participation and Transparency and the General Directory for Relations with Civil Society Groups in the Under-Secretary for Multilateral Issues and Human Rights of the Ministry of the Exterior. According to the CICC's annual report, the GT-VINC defines its annual working plan independently and also develops an annual report of activities. Both documents are to be forwarded to the CICC and are being mentioned in its annual reports up to 2016.<sup>95</sup> The research underdone for this study could not determine which type of activities were carried out by the GT-VINC because the relevant reports could not be found online.

Besides the national (and optional state) C3 and the GT-VINC, a brief look was taken at a participatory activity related to the recent review of the Mexican NDCs, namely the Consulta Nacional en el marco del proceso de actualización de las Contribuciones Determinadas a Nivel Nacional (NDC). This public consultancy is published at the website of SEMARNAT.<sup>96</sup> The Consulta Nacional consists of a broad questionnaire featuring questions about climate impacts identified by the participants and mitigation and adaptation activities carried out by them. In addition, it asks for the participant's opinions about priority sectors for mitigation and adaptation actions in their municipalities, their states and at the national level, as well as about barriers in tackling climate change that participants identify in their communities as well as with the government. The Consulta Nacional is designed as a long multiple-choice questionnaire, in which participants mostly are to choose between pre-defined answer options, sometimes being supplemented with questions requiring individual answers. At the beginning of the Consulta Nacional, participants can assess the main documents related to climate change policies in Mexico and the NDC revision as such. The most important terms are defined in explanatory boxes within the questionnaire. In a second part of the questionnaire, it is being distinguished between persons

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<sup>93</sup> Carbajal et al., 2017

<sup>94</sup> Government of Mexico, 2012

<sup>95</sup> Government of Mexico, 2020

<sup>96</sup> Cambio Climatico, 2021a

dealing with climate change policy at a professional level and non-specialists, offering the "climate-professionals" a few more questions requiring in-depth answers. It remains unclear how the Consulta Nacional is being evaluated and how and what for answers are being considered.<sup>97</sup>

Within the scope of this study, it was not possible to come up with a detailed analysis of all participatory formats and meetings carried out within the NDC revision (such as non-regular meetings and consultations between government agencies and civil society representatives, etc.). Thus, it is important to notice that this analysis rather summarises a few first impressions regarding the good practice aspects and limitations of some of the participatory processes identified in the SINACC.

### 2.6.1 Good practice aspects

The Mexican Advisory Councils for Climate Change and Sustainable Development and the Working Group on Civil Society Relations were included as good practice examples in the BUND/UfU due to the fact that this is where climate policy-related civil society participation is being institutionalized by law and becomes part of the climate governance structures. The Consejo de Cambio Climático (C3) and the GT-VINC are presented as good practice examples for this institutionalisation.

- **Creation of governance structures**

The participation of civil society in decision-making and in the implementation of climate policies in Mexico, is formally ensured by a number of laws and regulations. The Federal Law for the Promotion of Activities undertaken by Civil Society Organisations from 2004 and 2018 calls for the establishment of entities and government bodies promoting and supporting civil society activities. Moreover, the law encourages coordination between federal government agencies and civil society organisations. This particularly includes NGOs which promote citizen participation, the rights of indigenous communities and the protection of nature and natural resources.

The law gives CSOs (among others), the right to join the participation and consultation bodies of the federal administration which have to be established and operated by state entities. They also have the right to participate in social monitoring mechanisms and in the planning, execution and monitoring of policies, programs, projects and processes established and carried out by state entities. NGOs can also receive advice, training and collaboration of the state entities mentioned in order to be able to undertake these activities. The Support Commission for Activities of Civil Society Organisations (Comisión de Fomento de las Actividades de las Organizaciones de la Sociedad Civil) is a government entity which is responsible for defining policies to support civil society and to promote dialogue between the public, social and private sectors.<sup>98</sup>

Civil society participation is formalised in the Mexican Climate Law and defined an integral part of the National Climate Change System (SINACC) (Government of Mexico, 2012). Based on the law, two institutions have been established for the formalization of civil society participation in climate policies: The Advisory Councils for Climate Change under the Ministry of the Environment and Natural Resources, and the Working Group for Relations with Civil Society. GT-VINC is an institution which is an integral part of the decision-making and coordination of the CICC. Its tasks are to promote participation and civil society relations and it. It therefore forms an entry point for government authorities to enable participatory formats. The formalisation of a

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<sup>97</sup> Cambio Climático, 2021a

<sup>98</sup> Government of Mexico, 2018

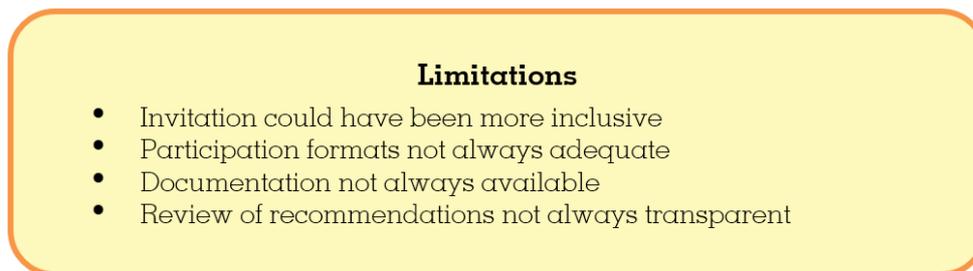


working group on civil society relations within the public authorities was accompanied by trainings for government officials on how to support good civil society participation.

## 2.6.2 Limitations and suggestions for improvement

Due to the limited access of the researchers to further material related to the design of the Consejo de Cambio Climático and the Consulta Nacional en el marco del proceso de actualización de las Contribuciones Determinadas a nivel Nacional, as well as to the evaluation and consideration of their recommendations by the CICC and in the NDCs, there could only be a relatively rough analysis of these participatory formats in Mexican climate policy planning and implementation. The invitation and cooperation formats, the documentation of meetings and results available as well as the traceability of recommendations online, are some aspects to enhance the participatory processes assessed.

Figure 7: Limitations of the public NDC consultation and related participatory processes in Mexico



- **Broad and inclusive invitation**

The **Consejo de Cambio Climático (C3)** at the national level is an expert roundtable comprising of professionals with knowledge in issues related to mitigation and adaptation. The council members are selected by the CICC and the president.<sup>99</sup> Thus, the C3 itself cannot be identified as being based on a process of broad and inclusive invitation.

The **Consulta Nacional** is a participatory process designed to reach a broader audience; it can be accessed via the webpage of SEMARNAT. Its design as an online format in Spanish language hinders certain social groups from participating. It remains unclear if the online survey was accompanied by analogue information-sharing formats. These would ensure an invitation for participation of those social groups that are not deliberately researching and accessing public surveys on government webpages.

- **Adequate participation formats**

The **C3** at the national level meets periodically for the discussion of matters related to climate change policies. As with the related **Consejos Consultivos para el Desarrollo Sustentable (Councils for Sustainable Development, CSDS)** in Mexico, the members of the committee themselves decide on the procedural rules applied in the advisory council.<sup>100</sup> Unfortunately, the link to the management and design of the C3 at the

<sup>99</sup> Cambio Climatico, 2021b

<sup>100</sup> Interview with the Mexican Center for Environmental Law (Centro Mexicano de Derecho Ambiental – CEMDA), 3 March 2020.



website of SEMARNAT is not accessible, making a more in-depth evaluation of the council's discussion and decision-making structure difficult.

The **Consulta Nacional en el marco del proceso de actualización de las Contribuciones Determinadas a nivel Nacional** was designed as an extensive online questionnaire to collect recommendations of professionals and non-experts as input for the NDC review process. Participants were asked for their opinions on which sectors and activities should be considered in future mitigation and adaptation policies at the national, regional and local level. The questionnaire also comprised questions to help identify which mitigation and adaptation activities are already being undertaken by persons and communities participating in the Consulta Nacional.

The process of collecting information and proposals from participants was structured in way with to a large extent pre-defined answers, leaving only few possibilities for participants to give open feedback. In general, the answer options were not formulated very detailed, making it difficult for participants to give feedback to individual policies or advanced matters.

The integration of separate sections for experts and non-experts provides opportunities to give in-depth feedback, but only for experts working with the topic already. The format as a questionnaire also does not leave scope for the exchange of opinions, for the discussion of issues or for the stakeholders to agree upon possible solutions, as a result, leaving this part to the government agencies.

- **Available documentation**

On the website of the C3, there is no documentation of the meetings of the **Consejo de Cambio Climático** available for the years after 2016. The link to information and documentation of the council's work from 2013 to 2016 is not accessible.<sup>101</sup> An actualisation of the online access would help to make the work of the C3 more transparent. Translating the documentation into other (regional) languages ensures the access to this documentation to a broader range of groups and communities within Mexican society.

Even after the official publication of the reviewed NDCs in 2020, the questionnaire of the **Consulta Nacional** remains accessible online at the website of SEMARNAT.<sup>102</sup> However, the results of the survey are not published as a summary or in any another format, making it poorly documented for the interested public.

- **Review of recommendations**

The results and recommendations of the **Consejo de Cambio Climático** at the national level are being presented at meetings of the members of the National Climate Change System (SINACC). The C3 is only a consultative committee, with its recommendations not being binding and their consideration or non-consideration by the CICC is not always made transparent by the public authorities. Unlike most other permanent committees in other sectors, the C3 only consists of non-governmental actors, representatives of governmental organisations who do not take part in the consultative council.<sup>103</sup> Given the merely consultative nature of the suggestions of the C3, an integration of representatives from the CICC or another relevant government authority into the C3 has the potential to support the consideration of the council's recommendations in CICC decisions.

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<sup>101</sup> Cambio Climatico, 2021b

<sup>102</sup> Cambio Climatico, 2021a

<sup>103</sup> PNUD, 2017

Furthermore, an overview over the proposals of the C3 itself does not exist, nor is there information about the status of consideration of the proposals by the CICC on the websites of SEMARNAT or CICC. A presentation of the C3's recommendations, e. g. after each session or each year, ideally with a short statement about them from CICC, would improve the traceability of the actual consideration of the Consejo's recommendations. On the website of the **Consulta Nacional** en el marco del proceso de actualización de las Contribuciones Determinadas a nivel Nacional, there is no information about the use and evaluation of this questionnaire. Thus, it remains unclear how the results of the public consultation are being evaluated and enter the reviewed NDCs. More information about this on the website of SEMARNAT, as well as an overview over the results could support a transparent traceability of the recommendations from the Consulta Nacional. Another option to improve the consideration of the C3's recommendations is the design of the Consejos Consultivos para el Desarrollo Sustentable, which are obliged to immediately publish the results of their discussions and whose directors are equipped with a "replica" option, for the case being that the Consejo should not be satisfied with the government agencies' responses to their recommendations.<sup>104</sup>

## 2.7 The Netherlands: Stakeholder Roundtables for the National Climate Agreement

The National Climate Agreement of June 2019 (Government of the Netherlands, 2019), comprising of activities and measures to reach the country's (and the EU's) emission reduction target (formulated in the NDC), was developed by the means of a participatory process which involved more than 100 stakeholders of five sectors. Activities, measures and priority actions were discussed and defined in five sectoral roundtable discussion groups (electricity, built environment, mobility, industry, agriculture and land use) which were mostly lead and moderated by independent and renowned experts. Furthermore, the Climate Council was established to serve as a consultative body for the entire process, coordinating and managing the discussion and negotiation process towards a climate agreement. The council brought together representatives of the Ministry of Economic Affairs and Climate Policy, local and regional authorities, CSOs, businesses, other relevant stakeholders and the heads of the five sectoral roundtables.

### 2.7.1 Good Practice aspects

Among the participation processes organised in an expert table format, the Stakeholder Roundtable for the Dutch National Climate Agreement was showing most Good Practice aspects. Especially the organiser's openness to change and extend cooperation and discussion formats in order to reach the Stakeholder Roundtable's objectives when this proved necessary, was positive: If all participants agreed upon a proposal for a certain change, those would be realised.

- **Early invitation**

Invitations to the sector roundtables were sent quite early in the process, and experts and stakeholders had been informed about them well beforehand.<sup>105</sup>

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<sup>104</sup> PNUD, 2017

<sup>105</sup> Interview with Milieudefensie (Friends of the Earth Netherlands), 17 February 2020.



- **Transparency and information**

The objectives of the five sectoral roundtables were clear and published by the government authorities responsible. Although the process of defining and jointly agreeing upon the objectives and terms of reference of the sectoral roundtables, as well as the decision for the chair persons, took several months, the regulations and conditions were, eventually, quickly published on the government website making them easily accessible. Moreover, the responsibilities were assigned clearly. The participants received any relevant information some time before the events took place. However, the high quantity of information could be difficult to deal with for some participants.

- **Available documentation**

All of the important documentation can be found on the website [klimaataakkoord.nl](https://klimaataakkoord.nl)<sup>106</sup>, including the meeting minutes, proposals, scientific reports, scenarios and calculations which were taken into consideration. They are relatively well accessible through a search engine. Citizens were also informed about the status of the negotiations via Twitter.

- **Highly flexible reaction to participant's evaluation and feedback**

The high level of flexibility of the negotiation process in the Netherlands is an example of good practice. While the basic structure and configuration of the five sector roundtables remained the same during the whole process, the process was open to organisational changes and a quick introduction of other formats, if all participants agreed upon it. Based on this high flexibility, other formats (e. g. sub-groups, clusters) were set up and then retracted once they had fulfilled their purpose.<sup>107</sup> This not only ensured the high efficiency of the process, but also opened opportunities to jointly find solutions for previously controversial aspects.

- **Adequate formats for cooperation, exchange and decision-making**

The participatory process in the Netherlands featured a variety of formats to engage and involve stakeholders. In addition to the Climate Council and the five sectoral roundtables, regional citizen roundtables were set up as a more informative format. They were complemented by several roundtable sub-groups, clusters and task forces dealing with specific issues. Many sectoral roundtables also established core groups to develop suggestions which were then to be approved by the broader group.<sup>108</sup>

Decisions within the sub-groups were made following the Dutch consensus-based polder model, where the inputs from all stakeholders are considered and reflected. It aims at getting the approval and buy-in from all stakeholders before activities, measures and priorities are being finalised (LIFE PlanUp, 2019). The deliberations had four phases to reach consensus: 1) the start-up phase to organise the composition of the sectoral roundtables, 2) the inventory phase in which all parties presented their contributions and in which issues with high consent and issues with the need for further in-depth deliberation were distinguished and categorized as such, 3) the exploratory phase in which parties jointly explored conceivable solutions for deadlocked issues and developed packages of measures, 4) the consolidating phase in which the participants

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<sup>106</sup> Klimaatakoord, 2020a

<sup>107</sup> Interview with Milieudefensie (Friends of the Earth Netherlands), 17 February 2020, LIFE PlanUp, 2019

<sup>108</sup> Klimaatakoord, 2020b, LIFE Plan Up 2019



worked towards a coherent package of measures to be aligned between the sectoral roundtables. Although the polder model was not entirely successful in sectoral roundtable groups with little common ground, such as the one on electricity and industry, it contributed positively to the development of policy packages accepted by the majority of the stakeholders.<sup>109</sup>

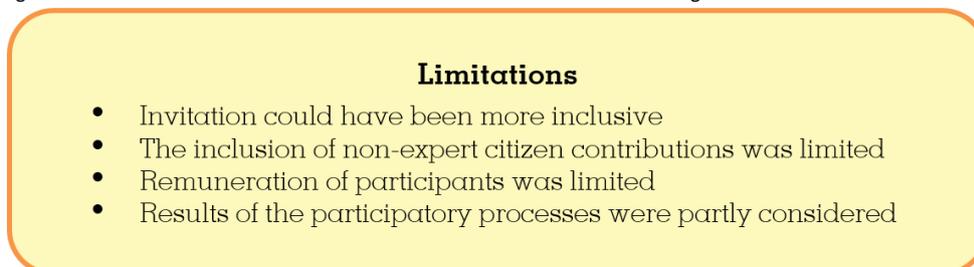
- **Capacity-building by the means of scenarios**

Due to the fact that only experts participated in the sectoral roundtables, capacity building by providing background information was unnecessary. Instead, in favour of an informed decision-making process, the sectoral roundtables worked closely with the ministerial planning office and other civil servants who contributed by presenting different options and related scenarios to the roundtable participants. The information was sometimes quite complex, so participants needed some time to go through it.<sup>110</sup>

## 2.7.2 Limitations and suggestions for improvement

All in all, being a well-designed participatory format for experts, representatives of civil society and interest groups, the Dutch Stakeholder Roundtables for the National Climate Agreement also faced challenges, at the beginning of the process and at the end. Initial shortcomings were identified in the invitation process and the remuneration of participants. Another obstacle in the process derived from the negotiation format chosen: Being a generally suitable format, the polder model particularly suffered from shortcomings at tables with a "win-lose-setting" where participants could not agree on a joint strategy leading to difficulties in successfully ending the negotiations.

Figure 8: Limitations of the Stakeholder Roundtables for the National Climate Agreement in the Netherlands



- **Inclusive invitation**

Although stakeholders were informed early about the roundtables taking place, the decision over which stakeholders are invited to which roundtable was with the organizing ministry. So was the choice of the topics of the individual sector roundtables. The individual roundtables were open to invitation changes, which can be seen as positive: E.g., non-governmental organizations were invited to the roundtable for industries after they had lobbied for their participation. Participating NGOs then included bigger as well as smaller organizations, and critical voices were also not left out.

<sup>109</sup> Interview with Milieudefensie (Friends of the Earth Netherlands), 17 February 2020.

<sup>110</sup> Ibid.



- **Inclusion of non-expert citizen contributions**

The Dutch process was designed as an expert roundtable limiting participation of non-expert citizens. The expert roundtables were supplemented by five regional citizen tables in May and June 2018. They regional citizen tables were mainly designed to be informative events. Many participants regarded it a weakness that their contributions and feedbacks were not directly fed back to the expert tables.

A more result- and feedback-oriented design of the citizen roundtables, with a follow-up briefing of the (sub-)sector tables about their results, would help integrate social aspects into the decision-making process. E.g., identifying the relatively high financial burdens for low-income households related to the current agreement, as assessed by PBL, Netherlands Environmental Assessment Agency, would have been beneficial.<sup>111</sup>

- **Finance and remuneration**

Some of the sector roundtables within the participatory process for the National Climate Agreement seem to have relied on different budgets, which meant that the initiation of the sectoral tables was slowed down.

Apart from alimentation during the consultations, the roundtable participants did not receive a remuneration for their expenses. Especially for smaller NGOs with little budgets and personnel, this can result in difficulties to meet travel costs and in a relatively high working time and deployment of personnel in order to manage reading, evaluating and reacting to the vast amount of information given by experts of public authorities.

- **Consideration of the results of participatory processes**

As already mentioned, not all of the sector roundtables resulted in an output that had jointly been agreed upon. Especially the participants of the industry and energy roundtables remained with diverging opinions on a potential carbon tax for industries. With confirmation from PBL that contributions from industries are not enough to reach the 1.5°C target and direct conversations of the Dutch government not leading to any changes, the Klimaatakkoord was not able to accomplish joint stakeholder support. It remains open if and how the remaining differences can be overcome when the Klimaatakkoord is put into practice.

## 2.8 Peru: Dialogue “Let's talk about the framework law on climate change”

The participative process **Dialoguemos sobre el Reglamento de la Ley Marco sobre Cambio Climático** with the goal of elaborating a more detailed implementation plan of the framework law on climate change (Ley Marco sobre Cambio Climático, Law 30754), took place in 2018 and 2019, while it is now on the way to be a permanent dialogue. The process intended to be a participative, multilevel and multi-stakeholder process "collecting the contributions of all Peruvians".<sup>112</sup> With the support of public entities, civil society and international development agencies, various meetings at the national level were organised. Citizens also had the option to submit recommendations and comments by mail. According to the Ministry of the Environment of Peru (Ministerio del Ambiente - MINAM), more than 2,000 people participated, representing different societal groups.<sup>113</sup>

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<sup>111</sup> NL Times, 2019

<sup>112</sup> Ministerio del Ambiente de Peru, 2019

<sup>113</sup> Ministerio del Ambiente de Peru, 2021



All meetings with indigenous people as well as the proposed implementation plan for the framework law were translated into five indigenous languages. The plan is accessible as an audio file featuring all five indigenous languages online. Their exact agenda and format remains unclear due to missing online-protocols of the meetings. However, the online documentation suggests that a draft of the document had been presented to the participants, followed by comments and inputs from the participants with regard to each part of the implementation plan. All inputs from the meetings and those contributions submitted by mail, were evaluated input by input. The draft implementation plan was revised accordingly. Apparently participants could not vote on the final version of the drafted document. Moreover, it remains unclear how mutually exclusive contributions or opposing demands from different stakeholder groups or/and meetings were dealt with.

A summary of the results (inputs from the participative meetings and the postal contributions) and different versions of the draft regulation of the framework law can be found online on MINAM's Online Platform for Citizen Information called Attention to the Citizen (Plataforma de Atención a la Ciudadanía.<sup>114</sup> A quite comprehensive review of the citizen inputs and some information on the evaluation criteria can also be found on the website.

As document following the participation process, the implementation plan of the Framework Law on Climate Change was officially adopted in December 2019 as Decreto Supremo N° 013-2019-MINAM.

Another important demand from the participatory dialogue that has been realized was the foundation of a dialogue platform on climate change for indigenous people, the Platform of Indigenous People to Address Climate Change (Plataforma de los Pueblos Indígenas para enfrentar el Cambio Climático, PPICC)".

The platform was inaugurated in October 2020 with support from indigenous organizations and is planned as tool to uphold a constant dialogue of representatives of indigenous people with government institutions to exchange knowledge and to plan, coordinate, implement and monitor activities to address climate change.<sup>115</sup>

### 2.8.1 Good Practice aspects

Four aspects of "Dialoguemos sobre el Reglamento de la Ley Marco sobre Cambio Climático" can be regarded positive examples: 1) The broad invitation process spanning across different locations and several (indigenous) languages; 2) the comprehensible documentation of the process results; and 3) the opportunity for citizens to track the review of their recommendations and 4). the elaboration of formal cooperation structures to ensure long-time participation between state institutions and indigenous communities.

- **Broad invitation**

The participatory process included meetings for different stakeholder groups (public sector, young people, private sector, indigenous people, indigenous women) that were translated into indigenous languages (Quechua, Aymara, Shipibo Conibo, Awajún and Asháninka) and took place in different locations across the country. There was also the option of submissions of recommendations via mail. All of the mentioned aspects helped the reduction of barriers to take part in the process, mainly being beneficial for disadvantaged groups.

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<sup>114</sup> Ibid.

<sup>115</sup> Gob, 2021



- **Available documentation**

A documentation of the results and contributions collected in the participatory process was published by MINAM on its online platform Attention to the Citizen. It includes photos of the meetings, laws drafted at different times in the participatory process, finalized versions of the proposed implementation plan in different languages, and all contributions of the public stakeholder meetings. The documentation does not include minutes of the meetings, neither can a description of the participatory methods and formats be found. All stakeholder contributions can be found on the platform in form of excel sheets. They are sorted chronologically and according to the stakeholder and meeting type. Each document includes a short introduction followed by the contributions sorted in the same order as discussed according to the meeting agenda.<sup>116</sup>

The documentation platform is rather functional than visually appealing, yet relatively easy to understand. It is remarkable that the final version of the suggested law is not only available in Spanish, but in five indigenous languages and in audio formats, broadening the accessibility of the information to the indigenous population of Peru.

- **Transparent review of recommendations**

The Dialoguemos sobre el Reglamento de la Ley Marco sobre Cambio Climático process included a well thought through and transparent review process. The criteria for the analysis of stakeholder contributions were defined and published as a freely accessible online document ahead of the citizen meetings being carried out.<sup>117</sup> These steps in favour of a transparent review process were completed by the publication of excel sheets in which interested citizens could monitor the level of each stakeholder contribution and see which of the contributions had been considered in the proposed implementation plan. The documents also included explanations from MINAM if contributions were not considered. All review reports, except for those missing or those open only for team members to view, are accessible on the online platform.<sup>118</sup> Although the online presentation could be visually more appealing, it allows for the tracking of all recommendations and its impacts.

- **Regular and long term participation**

With the inauguration of the Plataforma de los Pueblos Indígenas para enfrentar el Cambio Climático, PPICC, the Government of Peru followed one of the main proposals of the participants of the Dialoguemos sobre el Reglamento de la Ley Marco sobre Cambio Climático process and built up an organizational structure for a constant process of exchange and joint implementation of climate action, working also after the “Dialoguemos”-process ended.<sup>119</sup> Provided that the PPICC is used constantly from all actors as a platform to jointly discuss, elaborate and coordinate the implementation of climate action, the PPICC is a good example in institutionalize climate-related participation, thus making it a regular and long-term commitment.

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<sup>116</sup> See: [https://drive.google.com/drive/folders/1GuJdz99LKGiQWzwPld6LYwl607h\\_JkTw](https://drive.google.com/drive/folders/1GuJdz99LKGiQWzwPld6LYwl607h_JkTw), accessed at 13. July 2020

<sup>117</sup> Ministerio del Ambiente de Peru, 2018

<sup>118</sup> Ministerio del Ambiente de Peru, 2021

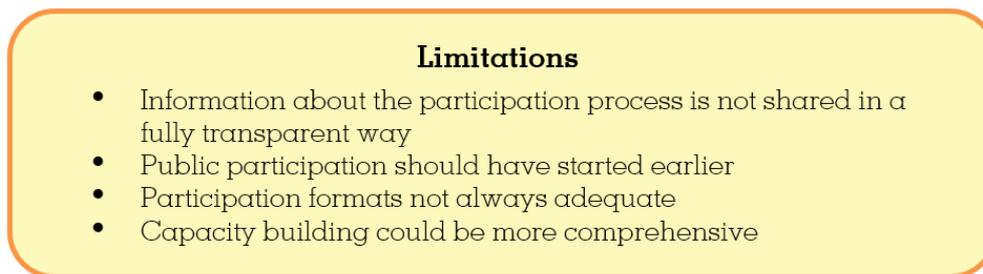
<sup>119</sup> Euroclima+, 2021



## 2.8.2 Limitations and suggestions for improvement

The main limitation of Dialoguemos sobre el Reglamento de la Ley Marco sobre Cambio Climático were missing documents and explanations of the participatory formats.<sup>120</sup> Publishing explanatory material about the formats at MINAM's public website would greatly support a more detailed evaluation of aspects of good participation, such as the participation formats applied and capacity building measures.

Figure 9: Limitations of the process Dialoguemos sobre el Reglamento de la Ley Marco sobre Cambio Climático in Peru



### • Transparency and information-sharing

The missing description of the participation process and formats applied is a major obstacle to a full evaluation of the participatory process of Dialoguemos sobre el Reglamento de la Ley Marco sobre Cambio Climático. It could not be found on official website available to the public. It also remains unclear if, how and when participants were informed about the process itself and their opportunities to contribute. Publishing this information in combination with the process documentation on the website, would support participants and researchers alike in understanding the participatory process. It also may result in broader acceptance among citizens and stakeholders for the existing participation activities.

### • Early participation

Although protocols of the participatory formats cannot be accessed and conclusions are solely based on the official online documentation, it seems that the participatory process related to the Ley Marco sobre el Cambio Climático was organized as an occasional and punctual participation process after a first draft of the climate law had already been written. A participatory process ahead of or during the drafting process of a first version of the climate law, would have given participants more options to shape the structure and content of the draft law.

After the Ley Marco sobre el Cambio Climático was adopted, public participation continued with the format "Dialoguemos sobre las NDC" and the creation of impulse groups "grupos impulsores" for constant and regular multi-actor dialogues.<sup>121</sup> Although this process features multiple formats and activities, it has to be noted that, according to the website of MINAM, this dialogue serves to "facilitate the permanent interaction (...) for the implementation of the NDCs and its enabling conditions". Thus, the official website indicates that the "Dialoguemos sobre las NDC"-process only started in the implementation phase, thus, after the NDC contents having been defined already.

<sup>120</sup> Ibid.

<sup>121</sup> Ministerio del Ambiente de Peru, 2021



- **Participation formats**

As already mentioned, the absence of protocols of the participatory meetings makes a detailed analysis of the participation formats difficult. However, the documentation of the results allows for the conclusion that participants were able to suggest the change of terms, expressions and sentences in the draft law handed to them. However, it remains unclear if individual suggestions were selected or if different suggestions were discussed in the groups before being documented. It also remains unclear what happened in the case(s) that suggestions for paragraphs varied between groups. All in all, the format applied required a certain level of understanding for juridical texts. This made it rather difficult to assess for people with a weak educational background.

- **Activities for capacity building**

The participatory format chosen calls for a basic understanding of juridical texts, political discussion and decision-making processes. As this cannot be expected of the participants, ideally, capacity-building measures ahead of the actual draft writing format should be applied. This way, all participants would have the opportunity to gain an understanding of the subject and process, leading to more fairness for individual participants as well as stakeholder groups. It remains unclear if educational sessions were part of the *Dialoguemos sobre el Reglamento de la Ley Marco sobre Cambio Climático*.

## 2.9 South Africa: Dialogues on Pathways for a Just Transition

The participative Just Transition Dialogues were based on the National Development Plan (NDP) of South Africa's National Planning Commission (NPC). Chapter 5 of the NDP defines South Africa's just transition to a low carbon, climate resilient economy and society by 2050 built upon a common vision for this transition. Consensus about this common vision was to be developed through a series of dialogues with the government, labour representatives, communities and experts.<sup>122</sup>

The process was set up around two series of meetings: A "Social Partner Dialogue Series" consisting of several high-level dialogue meetings with social partners, and three broader "Stakeholder Engagement Workshops", which took place in Western Cape, Limpopo and KwaZulu-Natal, those regions mostly impacted by coal mining activities. The dialogue was complemented by bilateral meetings and roundtable discussions with youth, labour and business organisations. Each dialogue built upon the previous one, culminating in a final draft document and a summit in April 2019. Based on the dialogues, the commission proposed three priority working areas, but also stated in its final report, that the dialogues and activities should still be continued and intensified. Scaling up the dialogues to include more actors and communities at different levels and increase the frequency, while connecting the dialogues to ongoing research, are activities proposed by the commission. It also demands that sector interventions and worker transition plans are institutionally embedded and financed.<sup>123</sup>

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<sup>122</sup> National Planning Commission of South Africa, 2018

<sup>123</sup> National Planning Commission of South Africa, 2019

### 2.9.1 Good Practice aspects

The Dialogues on Pathways for a Just Transition show various good practices aspects, namely a broad and inclusive invitation, a high standard of transparency and documentation of open questions, as well as a well-thought evaluation and feedback process with a highly flexible reaction to the participants' responses.

- **Broad and inclusive invitation**

The Just Transition Dialogues Process is an example of good practice due to the combination of two types of participatory processes: Within the Social Partner Dialogue Series, a broad range of experts from “social partners”, namely the government and labour representatives, civil society and business were invited.<sup>124</sup> It is commendable that it was the National Planning Commission, as an independent body, which invited participants to the meetings.

These rather expert-orientated dialogues were intertwined with stakeholder engagement workshops open to everybody. Invitations to the latter were spread through various channels, such as NGOs, communication channels within the communities and official websites.<sup>125</sup>

- **Transparency and information**

The targets, purpose and requirements of the Just Transition Dialogues were pre-defined in the NDP for 2030. The general responsibilities and opportunities were therefore clear for the participants and organisers. All steps for the preparation of a final version of the Just Transition Document and the role of the participants in it, were made transparently explained. They were visualised in a flowchart explaining the process in an easily understandable manner<sup>126</sup> and explained to the participants by the chairperson at the beginning of each meeting.<sup>127</sup>

- **Highly flexible reaction to participant's evaluation and feedback**

The formats of the stakeholder workshops and social partner dialogues combined different forms of dialogue and exchange, all supporting informed interaction and deliberation between the participants. While the formats within workshop and dialogue sessions sometimes differed, there were many similarities as well: All sessions started with an opening speech, an explanation of the process and a summary of previous sessions. This was followed by a plenary discussion about the topic and also of the structure of the process.

After that there often was a second round of presentations about main issues, scenarios and research findings, including a Q&A session. The plenary was then sometimes separated into working groups moderated by experts, in which participants discussed a vision for the year 2050, sometimes with the help of guiding questions. In some dialogues and stakeholder workshops, another breakout session with guiding questions was initiated to discuss the impacts of development models on energy, water and land.<sup>128</sup> There was no prioritisation of options or activities undertaken within the workshops and dialogues, leaving this challenging task to policy makers.

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<sup>124</sup> Strambo et al., 2019

<sup>125</sup> National Planning Commission of South Africa, 2018

<sup>126</sup> One World Group, 2019

<sup>127</sup> One World Group, 2020

<sup>128</sup> Ibid.



- **Evaluation and feedback processes**

Within the Social Partner Dialogue Series itself, the structure and depth of the consultative process was part of the open discussion. E.g. a discussion of the structure of the participatory process within the initial dialogue resulted in a change of the original programme for the same day.<sup>129</sup>

The discussions about process structure were not only summarised in the meeting reports, the National Planning Commission also used the input from the first Social Partner Dialogue Workshop to change the Just Transition Dialogue: The introduction of broader stakeholder workshop was a direct result of the participant's proposals to the process structure.<sup>130</sup>

The main results of these feedback rounds with stakeholders were summarised in the final report, including a summary of the participants' proposals on how future participatory processes should be set up, leaving it open to the organisers of further measures to orientate towards these proposals.<sup>131</sup>

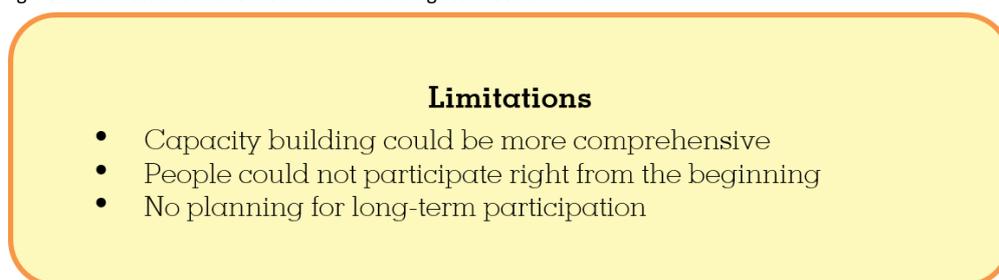
- **Documentation of open questions**

An interesting aspect of the documentation of the Just Transition Dialogues was the documentation of open questions arising from the participants. They can be used as stepping stones by policy makers and other stakeholders to initiate further research and discussions on these open questions.

## 2.9.2 Limitations and suggestions for improvement

Although presenting a successful participatory process all in all, the Dialogues on Pathways for a Just Transition invitations to the sector roundtables present an aspect that could be improved in order to strengthen the process in the long run, namely capacity-building measures for the participants. Also a prolongation and perpetuation of the participatory process seems crucial for building upon the positive outcomes achieved so far.

Figure 10: Limitations of the Just Transition Dialogues in South Africa



- **Capacity building**

Being highly inclusive, the Dialogues on Pathways for a Just Transition were facing the challenge of making the discussion content comprehensible for participants from very different societal and educational backgrounds, while at the same time aiming to cover topics with a certain technical depth. Amplifying

<sup>129</sup> National Planning Commission of South Africa, 2018

<sup>130</sup> Ibid.

<sup>131</sup> Ibid.



capacity-building measures as preparation for the regional debates can contribute to getting all participants to similar starting points in the discussions, thus increasing fairness during the debates.

- **Early and long-term participation**

The participative process in South Africa started from the National Development Plan as a departure point, with the consequence that the target and the framework of the overall objectives were clear beforehand. The participants then had the opportunity to jointly define challenges, visions and steps towards reaching the pre-defined targets. A long-term participation would provide the important opportunities to go into further detail with the pre-defined activities and options. Although the final document of the Dialogues on Pathways for a Just Transition ended with an argument in favor of a continued participation,<sup>132</sup> it is open to this point whether it will be realized.

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<sup>132</sup> National Planning Commission of South Africa, 2019

### 3. Conclusion, outlook and further studies

There seems to be a long way ahead to establish actions tackling the climate crisis by initiating and implementing just transition processes that involve a wide range of stakeholders: The major finding from the evaluation of participatory processes for climate action in more than thirty countries, and additionally from the assessment of the CAN, FES, and LIFE PlanUP studies, is that none of the participatory processes for CSOs could be identified as and well thought out from the very beginning and thoroughly embedded in the NDC development process. Thus, none of the evaluated processes could be regarded best practice.

From analysis, first conclusions can be drawn about limitations and shortcomings of many participatory processes for climate policy making at the national level:

**CSO participation was often initiated far too late.** In the majority of the processes assessed, civil society organizations and citizens were invited for consultations or dialogues only after a first draft of strategies or policies for climate actions had already been finalized. When a draft document is elaborated, usually most of the strategical structures are defined already, which makes it difficult for CSOs and other stakeholders to introduce changes to the overall framework of climate plans and strategies. CSO participation limited to the final steps of policy development only, also significantly shortens the time given to comment on draft laws and strategies. A late inclusion of CSOs also limits the opportunities to receive well-thought out and valuable feedback from civil society. In practice, this bears the risk of missing the opportunity to tailor climate policies to the local context, a usually time- and resource-intensive task that is, however, often successful when managed with CSO support and is also crucial to gain the acceptance of the local population for the proposed climate actions.

**Small grassroots organizations are often not involved.** Many countries built their participatory processes for climate policy making on approaches calling for the representation of the national CSO community and networks by only one or a few spokes(wo)man.

Within the diverse CSO landscapes in most countries, this often resulted in a discrepancy in the involvement of major, globally active CSOs and locally or regionally active grassroots organizations. While the first have higher chances of receiving a spot at the discussion table, the latter are often forgotten. Those, however, are often the ones who can enrich climate policies with their expert, traditional and local knowledge because of their contact to local communities and their position as trusted mediators. Enabling a constant participation of local grassroots organizations would bring twofold benefits, leading to a higher acceptance of climate action within the local population.

**Lack of formats supporting deliberative discussions and mutual exchange.** Many of the participatory formats evaluated did not go beyond mere information sharing or stakeholder consultation. Elaboration and development processes for climate policies were thus often lacking formats that created an environment supporting the involvement of all participants and suitable for mutual exchange and deliberative discussions.

**Missing traceability in taking over proposals for climate action.** In interviews and scientific dialogues alike, many CSO representatives and scientists draw attention to the consideration process of climate protection measures and activities elaborated in participatory processes and their refusal or integration into official strategies and policies. The analysis of documents from participatory processes in context of the ZIVIKLI study confirms this. The refusal or acceptance of measures and activities demanded by civil society were rarely elucidated, e. g. by the means of a feedback document (as in Baden-Württemberg, Germany in 2013<sup>133</sup>) or a

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<sup>133</sup> BEKO, 2013



decision-making matrix (as in the participatory process in Peru<sup>134</sup>) being published. Improving the traceability and transparency of decisions by enhancing personal as well as financial resources in the development and application of measures, has the potential to foster citizen's trust in democratic decision-making processes as such, and in climate policy making in particular.

At this point it remains open if the review of the NDCs in 2020 and 2021 and related lessons-learned results in changes and new developments regarding the involvement and participation of climate-driven civil society organizations.

What strongly impacted CSO participation for climate action is the ongoing corona pandemic, leading not only to the postponement of the international climate policy negotiations in Glasgow, but also to a general setback and decrease of civic space in many countries.<sup>135</sup> Civil society groups and networks in many regions of the world, and especially in the global South, are facing drastically reduced opportunities to support ambitious climate action and a just transition toward a low carbon society. At the same time there is a rise of new and creative (online) participation formats which allow for new forms of citizen and CSO involvement in climate-policy making. However, those need to be used wisely and context-specific in order to ensure that no social group is left out.<sup>136</sup>

It is now up to policy- and decision-makers to seize this extraordinary, yet creative phase and build the foundations for a transition towards socially just and climate-friendly societies together with citizens and CSOs.

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<sup>134</sup> Ministerio del Ambiente de Peru, 2018

<sup>135</sup> Schächtele et al., 2021

<sup>136</sup> UfU & BUND, 2020



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