

Parties reflect on Co-chairs' tool as ADP resumes work

Bonn, 1 September (Indrajit Bose) – The Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) resumed its work at the tenth part of its second session in Bonn that is taking place on 31 August to 4 September.

The session offers Parties the opportunity to delve into a tool prepared by the ADP Co-chairs, which was made available on 24 July 2015. The ADP is a mandated process under the United Nations Framework Convention on Climate Change (UNFCCC) tasked to produce an outcome at the 21st meeting of the Conference of Parties (COP).

(The tool is divided into three parts. Part one comprises provisions that are by nature “appropriate for inclusion in an agreement”; Part two contains provisions that are appropriate for inclusion in a decision; and Part three contains “provisions whose placement require further clarity among Parties in relation to the draft agreement or draft decision”, as per the Co-Chairs scenario note issued on 24 July.)

At the opening plenary, Co-Chair **Daniel Reifsnyder (US)** informed Parties that he along with his other Co-chair **Ahmed Djoghlaif (Algeria)** had faithfully responded to the mandate given to them by Parties and they had published a tool on 24 July. “As explained the tool contains three parts and there is no hierarchy among them. The three parts are of equal importance. We want to emphasis this,” said Reifsnyder, adding that placement of a provision in a specific part did not prejudice the importance of an issue. He also said that the objective of the session was to move from compilation text to one that serves as the basis for negotiations.

Groups of Parties in their interventions provided their initial reflections on the Co-Chairs' tool. Speaking for the **Group of 77 and China (G77 and China)**, **South Africa** said the Group is grateful for the work that the Co-chairs had done inter-sessionally in preparing the “Non-Paper Illustrating Possible Elements of the Paris Package” and making

it available well in advance of this meeting. It said that the Group had many concerns, including on the placement of proposals in the different parts of the document, but added that it would raise these in a constructive manner.

Elaborating on the concerns, South Africa said that although the clustering of issues was helpful in focusing Parties' attention on the key issues that would need to be resolved, the Group was of the view that the manner in which many issues had been placed had resulted in the document being “unbalanced”. “Many issues such as principle of CBDR (common but differentiated responsibilities), linkage between action by developing country Parties and support by developed country Parties, institutions on adaptation, finance, technology transfer and capacity-building, loss and damage, response measures and scope of contributions, which are important to the Group are now found in Part III, creating the impression that there is doubt about whether they need to be included in the agreement, or that they may be too controversial or difficult to be agreed on in Paris at all,” said South Africa.

Malaysia spoke for the **Like Minded Developing Countries (LMDC)** and said the Group's statement posted online appreciated the Co-Chairs' effort to prepare the tool for the session, but expressed concern about the “unbalanced treatment among different elements of the Geneva text” in the tool.

China spoke for **BASIC (Brazil, South Africa, India and China)** and said the group was hoping for a more “balanced and inclusive tool from the co-chairs to facilitate real text based negotiations in this session”. It said that Part one of the current tool lacks the desired focus necessary on some of the core elements including means of implementation in comparison to mitigation. “We also see that differentiation, as the most important crosscutting issue has not been appropriately addressed in Part one. However, we are willing to work in a

constructive spirit to advance the pace of negotiation in a fully party driven manner,” said China.

“We cannot understand how loss and damage is not included in the tool you provided us,” said **Dominica** recently battered by a tropical storm Erika (see details of the delegate’s intervention below).

Speaking for its 28 member states, the **European Union (EU)** said there were aspects in the Co-chairs tool that were “significantly problematic for the EU – both in terms of substance and placement” but the EU was “broadly in support of the approach outlined in the scenario note”.

Speaking for the **Environment Integrity Group (EIG), Switzerland** said while the Co-chairs’ tool was a useful step towards an agreement the tool was not sufficient, that it had many important gaps, inconsistencies and duplications. However, it added that the tool gave Parties a good idea how the Geneva Negotiation Text (from the February 2015 session) could be structured into an agreement and COP decisions.

Antonio Garcia, Peru’s special envoy on climate, said the tool would allow Parties to identify the core of the key points, which they need to achieve in the agreement or in COP (Conference of Parties) decisions. It would also allow Parties to begin to negotiate compromise text. “The Geneva Negotiating text gave us a broad situation and this tool brings clarity to our work,” said Garcia.

Garcia also spoke about the Paris agreement and said that it has to be universal and lasting and it has to be anchored in cooperation and solidarity, reflecting an appropriate political balance.

“We need to establish long-term goal for reducing emissions so that they don’t go above 2°C. We need to ensure we have periodical increases in our independently determined goals. We need to set implementation obligations to ensure we don’t take backward steps and we have to ensure we have robust reporting and review criteria to ensure we move forward but we also need to remain flexible. The outcomes of the Paris meeting also needs to ensure we have national and global action for adaptation through progressive national commitments and broad system of technical and financial cooperations for this so that we can transform our economies and societies. We also need to look at a situation where damage is concerned. COP21 should also improve the predictability of climate funding both before and beyond 2020 and

also the reporting implication for this and acknowledge the complementary contribution which can be made by all the Parties. We should also set up the framework for attracting private sector investments. These are the key matters we should not lose sight of in this week’s negotiations,” he said.

He added that Peru is collaborating with France to look to forge new lines of dialogue and was holding bilaterals and consultations of an informal nature between negotiators and ministers. “The hope is we will be able to forge ahead and find new grounds for agreement through these informal meets,” he said.

(Peru is holding the current COP Presidency and COP21 was held in Lima, Peru last year.)

Also present during the opening session was **Laurence Tubiana, French Ambassador for COP21**, who said that three conditions were required for a successful outcome in Paris: trust, trust and additional trust.

Tubiana apprised Parties of the informal ministerial consultations held in Paris in July and clarified that the purpose of the informal consultations was not to work on the ADP draft agreement text, which is the “exclusive role of the ADP”. She added that the forthcoming informal, to be held in Paris on 6-7 September, would focus on finance, adaptation and loss and damage, technology transfer and capacity building.

She described nationally determined contributions as the “game changer for universal participation” and said the Paris agreement would be universal, ambitious, durable, equitable and rule based. Tubiana added that the agreement would cover all the elements and be long lasting and enable periodical stocktaking of efforts, potentially every five years. She also said that the agreement would reflect common but differentiated responsibilities and respective capabilities in light of different national circumstances, with differentiation applying in each areas of the agreement, with clarity on fulfilling the US \$100 billion (a year) goal by 2020 and mobilisation of increased finances from public and private sources thereafter.

Tubiana also said that Paris is not the endgame but the start of the process and asked of Parties to start thinking what should be done between 2015 and 2020 (when intensified climate actions are to take place before the new Paris agreement is expected to enter into force in 2020).

Highlights of interventions

Speaking for **G77 and China, South Africa** called for the pace of negotiations to be accelerated if the Durban mandate (on the ADP) were to be successful fulfilled by the end of the year. It sought more clarity on the process at this session and the desired outcome. The Group said it needs a negotiating text from this session to be the basis of further work. “To achieve this, the process we follow must prioritise balance, party ownership and effective working methods,” it stressed.

The Group reiterated that the Paris outcome must not be mitigation-centric and must address all the elements mandated by the Durban decision (mitigation, adaptation, finance, technology development and transfer, capacity-building and transparency of action and support), as well as loss and damage and response measures in a balanced manner. It added that for progress in Bonn, it is very important to gain clarity on the mandate and working methods of the facilitators, which must be consistent across the different sections.

“Parties should also seek to exchange views with each other, not just with the Co-Chairs and facilitators, as this process is and should remain a Party-driven process,” South Africa emphasised.

The G77 and China also called for sufficient opportunity to coordinate its positions. Referring to the previous session in Bonn in June, South Africa said, “At the previous session evening coordination was turned into negotiation time, which has hampered the ability of our Group to work on consolidating our proposals. Therefore when the Group requests additional coordination time, we trust that it will be understood.”

Stressing on pre-2020 action, or Workstream 2 of the ADP, the Group stressed that pre-2020 ambition is crucial for the success of Paris and will lay a solid foundation for the implementation and ambition of post-2020 enhanced action. Workstream 2 is essentially about accelerating the implementation of existing commitments and obligations and ways to promote enhanced ambition and progress in Workstream 2 would be critical for an agreement in Paris, it said.

South Africa also appealed for additional resources to be allocated for future meetings in a manner that supports the adequate representation of delegates from developing countries. “At this meeting many delegations are handicapped due to their being underrepresented. All efforts must be made to leave no-one behind,” it said. It also added that the

UNFCCC process is the only forum where the negotiations on the Paris outcome can take place. (Meetings involving selected Parties are being held in the run up to Paris to garner political momentum, which critics regard as non-participatory and undermines the UNFCCC process.)

Speaking for the **Alliance of Small Island States (AOSIS), Maldives** called for more clarity on the specific modalities of work this week and the intended outcome of the session. Referring to several extreme weather events that have put many small islands and low-lying coastal states at risk of severe flooding, including the recent tropical storm Erika through Dominica, Maldives said, “Such extreme weather events are happening in the context of an average global temperature increase of less than 1°C, reminding us that without bold and very urgent action, far worse is yet to come. This inescapable reality should add urgency to our work and inform the agreement that we are developing for Paris.”

On mitigation, Maldives said it is critical that a pathway to achieving below the 1.5°C global goal is reflected in the Paris agreement. “The agreement must do more than institute a new process. It must also deliver outcomes and demand ambitious performance through internationally legally binding and quantified mitigation commitments that increase global ambition over successive commitment cycles,” it stressed.

On finance, AOSIS called on developed countries to deliver on their commitment of delivering US \$100 billion per year by 2020 and further commit to scale up the provision of support beyond 2020 “if we are to realise the level of ambition required to avert the worst impacts of climate change. It is also essential to maintaining trust in the process. Unfortunately we are still a long way short of this climate finance goal to which we agreed in Cancun,” said Maldives.

On loss and damage, it said that countries were experiencing impacts from human-induced climate change that could not be addressed through adaptation, such as those from accelerating sea level rise and increasing ocean acidification. “To effectively manage these, an international mechanism to address loss and damage must be a central element of the Paris agreement. The Warsaw decision and the IPCC (Intergovernmental Panel on Climate Change) 5th Assessment Report acknowledge that loss and damage results when climate impacts exceed the limits of our adaptation measures. Loss and damage should be treated as a separate and distinct element of the agreement, and the mechanism defined under

this agreement should be mandated to initiate a process to address irreversible and permanent damage. An agreement that purports to take meaningful action, while failing to address the central concerns of SIDS, equates to having no agreement at all,” it said.

AOSIS referred to Workstream 2 as not being an “academic exercise” but about implementation.

Speaking for the **LMDC, Malaysia** reminded Parties that the ADP journey started in Durban four years ago and that Parties were three months away from adopting an outcome in Paris. This agreed outcome must contain all the six core elements from the Durban mandate in a balanced manner both in the agreement and the COP decision and reflect the principles and provisions of the Convention particularly the principle of common but differentiated responsibilities, it said in its statement posted online.

“Such outcome must result in enhanced action in the context of sustainable development in implementing the UNFCCC both before and after 2020. Our process at this session and all the way up to Paris must be open, transparent, inclusive, Party-driven and consensus-building, marked by direct negotiations among the Parties on the basis of texts that they have produced themselves. Only through this process will the Paris conference have a successful and legitimate outcome,” the statement read.

The statement further said that with multiple challenges in terms of social and economic development and poverty eradication, “the countries of the LMDC have undertaken ambitious domestic actions on climate change including on mitigation and adaptation, and in surmounting the losses and damages arising from climate change-related natural disasters, while pursuing various sustainable development pathways and eradicating poverty. However, as has been most recently seen just a few days ago when Tropical Storm Erika hit Dominica, a single climate-related disaster can set back our development progress by years or decades.”

“Nevertheless, we will and can do more of these climate actions now, up to and beyond 2020, but doing so will need increased levels of international cooperation from our developed country partners through increasing ambition on their commitments to drastically reduce their emissions and to provide additional, adequate and predictable levels of finance, development and transfer of technology and know-

how, and capacity-building support to developing countries,” their statement read.

The LMDC also called on the developed countries to do more to honor and fulfill their obligations under the Convention – to be more ambitious on mitigation and to provide and substantially enhance financial support, technology and know-how development and transfer, and capacity building support for developing countries to adequate and predictable levels in support of developing countries' climate change mitigation and adaptation actions.

The Group also said that they had proactively and constructively put forward textual proposals that reflect the best way through which the Convention's implementation would be fully, effectively and sustainably enhanced before and after 2020, in which the Convention's principles, provisions, and structure are fully respected and reflected in a way that is in full accordance with the differentiated obligations and commitments of developed and developing countries, and is consistent with Article 4 of the Convention.

It said that increasing ambition includes holistically reflecting the integrated treatment of mitigation, adaptation and the provision of finance, technology development and transfer and capacity building support to developing country Parties. The Paris outcome must also incorporate a meaningful approach to address the adverse impacts of response measures, the statement read.

The Group also reflected that, “The key convergence among Parties is that the Paris outcome must be under the Convention and should enhance action on the implementation of the Convention in order to achieve the objective of the Convention as set out in its Article 2. It is not to renegotiate, rewrite, restructure or replace the Convention or reinterpret its principles and provisions. The concepts or approaches such as ‘evolving CBDR’, ‘Parties in a position to do so’, ‘single transparency system’ or ‘mitigation-centric cycle’ are not consistent with the principles of the Convention and are not acceptable. Therefore these concepts must be removed from the text,” it said.

On Intended Nationally Determined Contributions (INDCs), the LMDC said it was “extremely disappointed that the INDCs that have so far been communicated by developed country Parties are mitigation-centered only on post-2020 emission reduction targets and do not contain any post-2020 commitments, policies and measures for the

provision of finance, technology development and transfer and capacity building support to developing countries. We stress that the INDCs by developing country Parties on post-2020 enhanced action, including as appropriate, mitigation, adaptation and addressing loss and damage are to be prepared, communicated and implemented in the context of achieving sustainable development and the implementation of Article 4.7 of the Convention”.

The Group reiterated that pre-2020 ambition should be primarily achieved through the implementation of the outcomes of the Bali Roadmap. “Therefore, accelerating the implementation of paragraphs 3 and 4 of the Warsaw COP decision 1/CP.19 and paragraph 17 and 18 of the Lima Call for Climate Action (decision 1/CP.20) must be the priority of the pre-2020 outcomes in Paris. The workplan on pre-2020 ambition should deal with the accelerated implementation process and technical examination process in a holistic and balanced manner,” it said.

The Group also called on developed countries to fully implement their commitments and significantly increase their ambitions on providing finance, technology development and transfer and capacity-building support to developing countries, in particular fulfilling the goal of providing US \$100 billion per year by 2020 to developing country Parties and addressing issues relating to intellectual property rights. “We call on them, in short, to fully live up to their long-standing commitments under the Convention in this regard,” the statement read.

Speaking for the **Bolivarian Alliance for the Peoples of Our America (ALBA)**, **Dominica** apprised Parties of the damage Erica had caused on 27 August. “Floods swamped villages and destroyed homes. Some communities are not recognisable. Many people are dead and many are missing. Roads, bridges and houses are destroyed,” said Dominica adding that a country that did not cause climate change was calling the attention on a tragedy that could have been avoided. “Effective action is urgent but it has to take place in a framework of solidarity, justice and equity,” it said, calling for the understanding that vulnerabilities are different and the suffering was very unevenly distributed.

“We are here to work on a new agreement to enhance action. We don’t have much time left. We need a fair, balanced and comprehensive agreement with the same legal alignment. This means the agreement must be based on equity and common but differentiated responsibilities and respective capabilities,” said Dominica.

It added that differentiation (between developing and developed countries) is crucial and that countries with historical responsibility must reduce their emissions and provide the means to other countries to do so. “This should be done without impairing the rights of developing countries. This is an ethical imperative,” said Dominica. To the developed countries specifically, it said that they should not use new concepts such as national circumstances and evolving responsibility to escape. Dominica also expressed concern on the reduced funding for developing countries.

Speaking for the **Africa Group**, **Sudan** said the Co-chairs’ tool helps Parties as a basis for negotiations, but that balance must be restored. It said loss and damage is very critical and must figure in the core agreement. It also sought clarity on scaling up financial resources for beyond 2020 and said a deal in Paris would be impossible without this clarity.

Speaking for the **BASIC** group of countries, **China** reaffirmed that the “process and outcome of ADP should be guided by and be in full accordance with all principles and provisions of the UNFCCC. The 2015 agreement shall address in a balanced manner all six elements identified in the Durban mandate — mitigation, adaptation, finance, capacity building, technology development and transfer, transparency of action and support. An ambitious outcome of the ADP should not focus solely on mitigation, but should also address the other elements in a balanced and comprehensive manner.”

Affirming its expectation of the current session, China said, “We should focus on the core provisions to be included in the agreement, including all core elements of the Durban mandate. Further detailing of the provisions, including modalities and technical aspects, could be addressed in COP decisions, as agreed by Parties.”

China also reiterated that commitments under the agreement must be in accordance with the principles and provisions of the Convention. “Parties’ contributions will be nationally determined and reflect each Party’s highest possible effort, in accordance with its common but differentiated responsibilities and respective capabilities. Contributions should be comprehensive, addressing, mitigation, adaptation and the provision of support by developed to developing countries,” it said in its statement posted online.

It also said that ambition and effectiveness would be achieved by “maintaining differentiation among

developed and developing country Parties in each element of the agreement”.

On Workstream 2, the pre-2020 ambition gap shall be primarily addressed through the implementation of the second commitment period of the Kyoto Protocol and the outcome of the Bali Action Plan, said China. “We are concerned with the inadequacy of developed countries’ current commitments on emission reductions and provision of financial and technological support. We underscore the need to shift the focus of the technical examination process from the mere identification of mitigation policy options to the identification or development of instruments that support effective and concrete implementation of such policies, based on the intrinsic social and economic value of voluntary mitigation actions and their co-benefits to adaptation and sustainable development,” said China.

Speaking for its 28 member states, the **EU** said while there were aspects in the Co-chairs tool that were “significantly problematic for the EU – both in terms of substance and placement” the EU was “broadly in support of the approach outlined in the scenario note”.

“It is crucial to start to converge on which aspects of the Paris outcome will be in the Paris Protocol, and which will be in the equally important supporting (COP) decisions. We also fully support the assertion in the scenario note that the time for making compromises and building bridges is now. It will also be essential to identify clear options for Ministerial

guidance in relation to issues where agreement cannot be reached at negotiator level,” said the EU in its statement posted online.

It also said that progress must be made on substance. “Firstly on how the 2015 Agreement will deliver transparency and accountability of Parties’ against their mitigation commitments. Secondly, on how to ensure dynamism in the 2015 Agreement, across all elements. For mitigation this means how to secure a process to regularly revisit and, if necessary, raise ambition over time to collectively achieve an agreed long-term goal. Thirdly, on how to ensure that the 2015 Agreement contributes to achieving climate resilient sustainable development and reduction of vulnerability through effective adaptation. Fourthly, on how the post 2020 regime will provide support to those countries in need,” the statement read.

On Workstream 2, the EU said it looked forward to strengthening high-level political engagement on the issue.

Speaking for the **Umbrella Group of developed countries, Australia** said that the facilitated groups should avoid line by line negotiations and called for a short and concise instrument and for the ministers to easily navigate through in Paris.

(A number of smaller negotiation groups meet in the ADP process under the guidance of facilitators: see TWN Bonn Climate Update No. 2)