

Parties to decide on mode of work to Paris

Bonn, 23 October (Indrajit Bose) — There was considerable confusion at the stocktake session of the Ad Hoc Working Group on The Durban Platform for Enhanced Action under the Convention (ADP) on 22 October evening when the meeting began without the heads of delegations of G77 and China being present in the room.

The group had also convened to discuss a proposal sent by the ADP Co-Chairs earlier in the day on the organisation of the remainder of the 11th part of the second ADP (ADP2-11) session that is meeting on 19-23 October in Bonn. The Co-Chairs are Ahmed Djoghlaif of Algeria) and Daniel Reifsnyder of the United States.

In their proposal, the Co-Chairs had said that the co-facilitators of the spin-off groups would be available beyond 9 pm on 22 October and the spin-offs would continue their work on 23 October until lunchtime. The consolidated text of the draft agreement and draft decision would be made available to the Parties at 2 pm.

The Co-Chairs also proposed to convene a meeting of heads of all delegations at 3 pm to consider the consolidated text and the way forward. The open-ended contact group as well as the closing session of ADP2-11 would be convened immediately after the adjournment of the heads of delegation meeting.

The Co-Chairs had sought the views of the G77 and China on their proposal and to indicate if the approach was acceptable to the Group. Heads of delegation from the G77 and China were meeting to discuss this and had requested for extra time to be able to reflect on the Co-Chairs' proposal and discuss it at the stock-take. However, Djoghlaif started the session without waiting for the heads of delegation to return and developing country

Parties expressed their disappointment at having been left out of the stock-take where co-facilitators from the spin-off groups reported back to the ADP on the progress made at the spin-off groups.

The spin-off group reports showed progress in varying degrees. While the co-facilitator for finance was not happy about the progress made at the finance spin-off and said that “the work was put on hold if not reversed”, the co-facilitator for adaptation and loss and damage said there had been a marked improvement compared to the previous day (see report back from the spin-offs below).

Following the reports, Djoghlaif said he was happy with the progress made and asked of the Parties to make the best use of time left, and read out the plan for the spin-offs for the rest of the evening. He also said that the facilitators and the meeting facilities would be available to Parties up to the “maximum” time possible.

Soon after the reporting, the Russian Federation said it disagreed with the reports of the co-facilitators and the Co-Chair's notion of “fantastic progress”. While this statement led to an outburst of laughter, the Russian Federation delegate said, “This is not a joke. My delegation's report back of the spin-off groups to me is quite different.” He reminded the Co-Chairs of the report of the finance co-facilitator and added that an unnecessarily rosy picture had been painted, which was not conducive for elaboration of the way forward. The Russian Federation also sought clarity on the way forward after the stocktake and for a sense of timeframe for the spin-offs for the evening. In response, Djoghlaif said that he thought it was fantastic progress because Parties wanted to use the time very efficiently.

Ambassador Nozipho Mxakato-Diseko of

South Africa was breathless as she took the floor for the G77 and China to intervene (since she had come running from the coordination meeting of the heads of delegation of G77 and China upon hearing that the stock-take session had already started). “We are committed to ensure that now more than ever we need to build more trust among Parties and also in the Co-Chairs. We were meeting to consider the proposals sent to us by the Co-Chairs with well-considered views that would facilitate trust and finish the work. However, the meeting (the stocktake) started and we wonder whether our views still matter,” said Diseko.

Venezuela said it was “shocked” at a process where the stocktake had started without the G77 heads of delegation being present and which reflected the imbalance.

In response, Djoghlafl said the stocktake was scheduled at 6.15pm (whereas it was listed to be at 6.30 pm as per the posted schedule) and the Co-Chairs had received a request that the stock-take be pushed till 7 pm. “At 7pm, other groups were here and we were told that it was a meeting of the heads of delegation and not all of G77 and through the Secretariat we informed that we are eager to start because we heard Russia say they have a problem to go beyond 9 pm. So we waited. We have not discussed our proposal,” said Djoghlafl adding that only the report back from the spin-offs had been undertaken until then and no new information was shared.

Apologising to Diseko for the miscommunication, Djoghlafl further added that the issue of trust had been raised. “It is not about trust. We are doing our job and we will continue. The problem is trust among Parties. There is no plan B. We are responsible for the management of the meeting. The issue is the clock is ticking and we have only this session,” he stressed.

Djoghlafl further proposed that they break for the G77 and China heads of delegation to coordinate and for the spin-offs to continue as scheduled. The stocktaking could reconvene after the G77 and China had concluded discussions on the Co-Chairs’ proposal. This proposal was acceptable to the G77 and China and Diseko stressed that observers should be present when they reconvene.

(Earlier during the ADP session, a decision had been taken at the behest of Japan to keep the spin-off groups closed to observers even though the G77 and China as well as Mexico were supportive of the sessions to be kept open. See [TWN Update 2](#): “*Observers barred as negotiations finally begin*”. The European Union and other developed countries have so far remained silent – not openly objecting nor supporting observer presence in spin-off groups.)

Diseko also said that Parties were doing the best they could and “no one should insert or connote into Parties a level of mistrust that is non-palpable”.

While Parties thought they had reached an agreement for the stocktaking to reconvene, there was further confusion when Djoghlafl retracted from his statement and said that he did not think there was need for another stocktake. South Africa raised its flag and sought clarity on this turnaround. “In your conclusion you said we will not have another stocktake this evening. But we thought you said a stocktaking would happen later with the observers allowed into the stocktake. Please clarify,” asked South Africa.

Venezuela said it would be “strict” given that the interests and views of the Parties were at stake. “We don’t want a repetition of the things we have seen before,” said Venezuela with the warning that there should be no “surprises” in Paris. Venezuela also expressed its “strong reaction” on the decision to not allow observers in negotiating rooms. “We cannot have an agreement without people,” it said adding that while presidents and ministers were attending different meetings making statements about the inclusion of civil society it was unacceptable that observers were not being included at this stage of negotiations. “We are disappointed with this. We have seen this move. There is never a good second part to a movie. This will be a really nasty Copenhagen opportunity,” said the delegate from Venezuela.

Speaking for the Africa Group, Sudan reflected on the mode of work. It said that the group had exercised utmost discipline with minimal text insertions. It expressed concern over how work was proceeding and on the injudicious use of brackets in the text. “We should stay

true to the collective mandate to request the co-facilitators to reorganise and reorder the text and propose ways to make the initial compilation more manageable. There is value in having spin-offs today and tomorrow, but we need clarity. Some Parties presented no-text options and it is quite important that we have a clear understanding of how we treat those issues. It is difficult to negotiate a no-option,” said Sudan.

It also called on the co-facilitators to focus on paragraphs that could be easy wins and focus on substance to ensure Parties left the session with what could be a basis for negotiations. Sudan said it needs absolute clarity with regard to the mandate “we collectively agreed on and treat these difficulties”.

In a new proposal to resolve the confusion, South Africa said to let the co-facilitators work and for stocktake to convene on Friday 23 October while the G77 would resume discussions on the way forward. It was decided that there would be a stocktake at 10 am on 23 October where Parties would discuss the way forward.

Following are the highlights of the report back of the co-facilitators from the spin-off groups:

Technology and capacity building

Artur Runge-Metzger (the European Union), lead co-facilitator for capacity building, in his report back said that Parties were making progress and meeting in informal settings to accomplish a “full reading” of the draft agreement and decision text. Based on the negotiations, the co-facilitators would prepare a revised clean draft with the help of the secretariat, which would be made available on 23 October.

Compliance

Sarah Baashan (Saudi Arabia), lead co-facilitator for compliance said in the two spin-off groups held, Parties had incorporated text proposal that was unintentionally omitted and then new proposals were added. Parties also began to explore options for streamlining to better present the options and based on the spin-offs, Baashan had proposed alternative structure on compliance paragraphs, which further clarifies options and presents further options for streamlining and merging.

She said that while Parties expressed views on several provisions, they were not able to bridge proposals on how differentiation should be reflected. She added that Parties would continue in an informal-informal setting following the stock-take session. She urged Parties to continue consultations with the aim of finding common ground and bridging proposals.

Mitigation

Franz Perrez (Switzerland), lead co-facilitator for mitigation, said Parties were working in an informal setting to set out clear options and present clear text. He added that the co-facilitators would present text only for those areas where Parties would not present proposals. He also said that the decisions text on mitigation was yet to be worked on.

Transparency

Fook Seng Kwok (Singapore), lead co-facilitator for transparency, said Parties had crystallised different options and agreed to replace text from the Co-Chairs’ non-paper. A revised version would be issued for the consideration of Parties at their next meeting on 23 October.

Workstream 2 (pre-2020 actions)

Aya Yoshida (Japan), lead co-facilitator for Workstream 2, said the co-facilitators had released a revised text on 21 October and a table that identified clusters within the text and opportunities for streamlining on 22 October. She added that Parties would meet following the stocktake and they intended to make available this streamlined text by 8 am on 23 October.

Preamble

George Wamukoya (Kenya), lead co-facilitator for Preamble negotiations, said Brazil had taken the lead in drafting and the discussions were constructive and that progress was made. The plan is to put the results on the website and for further consultations at the next meeting. He said his hope is that Parties would continue to engage and come up with bridging proposals.

Finance

Georg Borsting (Norway), lead co-facilitator for finance, said Parties had discussed text

proposals and they felt that progress was put on hold, if not reversed. He encouraged Parties to continue to be productive and to continue discussions bilaterally.

Global stocktake

Roberto Dondisch (Mexico), lead co-facilitator for global stocktake, said Parties had had good discussion in a “supportive environment”. He said that Parties had asked of him to put text where similar concepts were clustered and present options for divergences. Parties would discuss the decision text on 23 October.

Adaptation

Andrea Guerrero (Colombia), lead co-facilitator for adaptation and loss and damage said she was happy that adaptation was back on track and that they had very fruitful discussions on 22 October. Parties showed very cooperative attitude and showed utmost restraint in what they provided and made the best effort to get into a first reading, she said. She added that Parties completed a first reading of the agreement and the decision text and had asked of the co-facilitators to come up with streamlined text. Parties would see progress reflected in documents online, she said.