



## BONN HIGHLIGHTS: TUESDAY, 20 OCTOBER 2015

On Tuesday, 20 October, ADP 2-11 continued. In the morning, an open-ended contact group convened to consider the compilation text integrating parties' insertions from Monday, and discuss the way forward. In the afternoon and evening, spin-off groups addressed: workstream 2; technology development and transfer, and capacity building; mitigation; and finance.

### ADP CONTACT GROUP

In the morning, ADP Co-Chair Daniel Reifsnyder (US) proposed the revised non-paper as the starting point for negotiations on the Paris package, in spin-off groups on: mitigation; adaptation, and loss and damage; finance; technology development and transfer, and capacity building; compliance; transparency; and workstream 2.

Welcoming the revised text, South Africa, for the G-77/CHINA, reported the group had agreed to "light touch editing" by the Secretariat, emphasizing they were ready to work on the basis of the resulting text. Switzerland, for the EIG, said the new draft is "clearly our text" and "we are ready to start negotiating," noting parties' right to bring in text, especially bridging proposals.

On omissions, the G-77/CHINA lamented some group members' insertions had not been included in the text, stressing these would be raised in the spin-offs. A number of parties noted their additions were not adequately reflected in the new text.

On the mode of work, many asked for clarification on aspects of the spin-off groups, including whether they would: engage in direct textual negotiations; address decision text; and be open to observers. Noting the importance of transparency, the G-77/CHINA, MEXICO and Malaysia, for the LMDCs, opposed by JAPAN, called for observers to be included.

Parties also queried how and where to address legal issues, deciding to address all final clauses from Articles 11-26 in the spin-off group on compliance. ADP Co-Chair Reifsnyder clarified the work of the spin-off groups would be captured in a revised non-paper at the end of the week.

Cautioning against adding more text, BRAZIL, supported by TURKEY, called for constructive engagement to build bridges and find consensus.

Following consultations, ADP Co-Chair Reifsnyder said additional concerns on the admission of observers to spin-off groups had been raised and observers would not be admitted.

He explained and parties agreed that: the revised non-paper issued in the morning, with "inadvertent omissions," would be the starting point of negotiations; the contact group would take up the preamble, definitions, purpose/general, global stocktake

and paragraphs of the draft decision not assigned to spin-off groups; a daily stocktaking session would take place; and additional briefings for observers would be scheduled.

ADP Co-Chair Reifsnyder encouraged spin-off groups to begin by addressing omitted textual proposals.

### ADP SPIN-OFF GROUPS

**WORKSTREAM 2:** In the spin-off group on workstream 2, co-facilitated by Aya Yoshida (Japan) and George Wamukoya (Kenya), parties began by presenting textual additions, made during Monday's contact group, that were omitted from the draft decision text in the non-paper or not inserted in the right section.

Following a discussion on procedure, parties took up the decision, including the previously omitted text, from the beginning, working paragraph-by-paragraph and inserting additional language.

Suggestions for changes to the preamble and paragraphs 1-3 on fulfilling previous agreements and decisions under the Convention included: enhancing the full, effective and sustained implementation of the Convention in accordance with CBDRRC and with developed countries taking the lead; ensuring applicability to all parties; increasing ambition on existing pre-2020 commitments/pledges; encouraging non-Annex I parties that have not done so to submit their biennial update report; and conducting a 2016-2017 review of developed countries' mitigation commitments and support for developing countries.

On voluntary cancellation of certified emission reductions (CERs), suggestions included mentioning quantified emission reductions that are not limited to CERs, and including all flexibility mechanisms of the Kyoto Protocol.

On strengthening the Technical Examination Process (TEP), parties added language on: encouraging the entities of the financial mechanism of the Convention to engage in the Technical Expert Meetings to enhance the effective coordination and provision of support; providing support for the transfer of environmentally-sound technologies; and assessing the implementation of the Convention's provisions regarding the negative social and economic impacts of response measures.

On an adaptation TEP, the co-facilitators agreed discussions would take place on Wednesday to allow for adaptation experts' participation. Several parties feared this would set a precedent, noting discussions on mitigation under workstream 2 have not required mitigation experts to be present.

Co-Facilitator Wamukoya asked parties to promptly submit any remaining textual insertions on the rest of the text for integration.

**TECHNOLOGY DEVELOPMENT AND TRANSFER, AND CAPACITY BUILDING:** The spin-off group on technology development and transfer (Article 7), and capacity



building (Article 8), and related decisions, was co-facilitated by Tosi Mpanu-Mpanu (Democratic Republic of Congo) and Artur Runge-Metzger (EU).

On technology, the group addressed outstanding omissions before turning to paragraph-by-paragraph negotiations of the agreement text.

One group of countries proposed deleting a paragraph on enabling environments. Supporting deletion, some explained their opposition to specifying that enabling environments will attract investment and reference to investment “to deploy low-carbon and climate resilient technologies.”

Others differed, saying cooperative action and support for implementation require improving enabling environments that will “*inter alia*” attract investment. Parties’ views also differed on the reference to addressing barriers to the dissemination and uptake of technology.

On a global goal, one group emphasized that mitigation ambition can only be met with technology support, and stressed the need for a technology availability assessment to address the supply side of technology. Others opposed the paragraph because quantifying such a goal would be difficult and it constitutes a “disguised commitment.”

On an option on support for research, development and application of environmentally-sound technologies, one group of parties expressed opposition, and many suggested addressing the issue at the end of the section.

The group agreed to continue considering various textual proposals to “make the text leaner.”

On capacity building, the group addressed outstanding omissions, with some suggesting text on commitments towards enhancing the “endogenous capacities of developing country parties.”

Turning to paragraph-by-paragraph negotiations, some parties proposed addressing differentiation on capacity building by singling out specific party groups, such as LDCs and SIDS. Others proposed to refer only to “parties in need” and to avoid bifurcation. The group will continue to consider parties’ submissions and options to streamline the text.

**MITIGATION:** The spin-off group on mitigation was co-facilitated by Franz Perrez (Switzerland) and Fook Seng Kwok (Singapore). The group began by inserting elements omitted from the revised non-paper. Starting paragraph-by-paragraph negotiations, Co-Facilitator Perrez asked parties to be flexible and brief, engage in “real” negotiations and offer bridging proposals.

Parties then discussed bridging proposals on a mitigation goal (paragraph 1). One party offered a proposal that, *inter alia*: made the goal a “planetary” one by removing references to types of parties or special circumstances and CBDR; erased references to poverty eradication, economic development, zero net emissions and climate neutrality; and replaced GHGs with “climate forcers.”

Parties reacted to this proposal, suggesting multiple alterations, without agreeing on the streamlining of the text. Another bridging proposal suggested the peaking of emissions with different timeframes for developed and developing countries, in accordance with CBDR and bearing in mind that poverty eradication is the overriding priority of developing countries.

As discussion on these bridging proposals on paragraph 1 were inconclusive, parties began consideration of text on NDCs (paragraph 2). One delegate lamented that not all parties were given the chance to put forward bridging proposals. Several others asked for clarifications on the mode of work and suggested alternative approaches.

Noting difficulties in proceeding with the streamlining of the text, Co-Facilitator Perrez proposed continuing structured discussion based on an outline of concepts included in the text and on timeframes. He asked parties that had put forward bridging proposals to coordinate amongst themselves.

**FINANCE:** The spin-off group on finance (Article 6) was co-facilitated by Georg Børsting (Norway) and Diann Black-Layne (Antigua and Barbuda).

The group noted two outstanding omissions and was requested by Co-Facilitator Børsting to clarify options in the agreement text.

One group of parties emphasized both the predictability and scaling-up of, and access to, resources for developing countries, and clarification on finance for adaptation as essential for the new agreement.

One party stressed, *inter alia*: collective efforts to mobilize climate-friendly finance, including domestic resource mobilization; recognition of the role of official development assistance, economic realities and that scaled-up finance is not an end in itself. She opposed artificially limiting the pool of potential donors, and restricting the communication on climate finance to developed countries.

One party raised the issue of the legal nature of some suggestions, noting there was no mandate to reform the Convention.

Engaging in what some described as a “repetitive” conversation, parties disagreed on differentiation and on what some referred to as “changing economic realities.” One group of parties described any notion of equating developed countries’ obligations with developing countries’ voluntary efforts as “a non-starter,” stating that such voluntary efforts are not a reason to dilute CBDR or “shift responsibility.”

Some parties called for moving on from this issue, expressing that convergence on differentiation would not be resolved at this level, while others stressed that it is the spin-off groups’ responsibility to engage on these difficult issues in order to present ministers in Paris with a workable text.

Several parties expressed willingness to begin textual negotiations, suggesting beginning with areas of greater convergence. Co-Facilitator Børsting suggested parties meet informally on Wednesday morning to engage on the issue of institutional arrangements before reconvening in the afternoon.

## IN THE CORRIDORS

The morning contact group at the World Conference Center Bonn was awash in controversy on whether to allow observers to attend spin-off group negotiations on the text of the draft Paris agreement. Though some said that with little time before Paris the moment for tough negotiations and trade-offs had arrived—and that these would only happen behind closed doors—others commented this was damaging to the transparency of the process.

One observer lamented “a secret deal will not be a fair deal,” and numerous others were visibly frustrated with parties’ decision to leave them out of the room, in spite of the passionate pleas of some developing countries.

Although there were glimmers of optimism, with some declaring that the parties “now have their text” and are ready to get down to the serious business of crafting the Paris package, little joy came from textual negotiations. Many felt the spin-off group negotiations held in the afternoon and evening immediately became bogged down with yet more text insertion, as parties struggled to make progress in streamlining the newly compiled text. Emerging from the room in the evening, many commented on the *déjà vu* feeling inspired by the streamlining efforts, with one delegate sighing: “it is as if the August session of the ADP never took place.”