



PARIS HIGHLIGHTS: MONDAY, 7 DECEMBER 2015

On Monday, 7 December, the joint COP/CMP high-level segment convened throughout the day. A contact group on JI met under the CMP. In the morning and afternoon, minister-led informal consultations under the Paris Committee addressed “support: MOI (finance, technology and capacity building),” and co-facilitators conducted bilaterals on: acceleration of pre-2020 action; ambition, including long-term goals and periodic review; differentiation, in particular with regard to mitigation, finance and transparency; and “support: MOI (finance, technology and capacity building).” In the evening, the Paris Committee convened.

JOINT COP/CMP HIGH-LEVEL SEGMENT

COP 21/CMP 11 President Laurent Fabius entreated ministers that the “time for decisions has come” and called on ministers to share their political views on the compromises necessary to reach a universal agreement.

UN Secretary-General Ban Ki-moon called Paris the “opportunity to define destiny,” and said the new agreement should, *inter alia*, send a signal to the private sector that a low-emission transition is imminent, and include adaptation and mitigation support.

UN General Assembly President Mogens Lykketoft underlined that the Paris meeting needs to, and can, deliver a political agreement with equity and ambition at its core, while promoting resilience and scaling up public and private finance.

Noting that, by the end of the year, global average temperature rise could reach 1°C above pre-industrial levels, IPCC Chair Hoesung Lee said that science has outlined the problem and is providing solutions.

UNFCCC Executive Secretary Christiana Figueres called on ministers to exercise political leadership to craft an agreement that meets national and local needs, lives up to scientific integrity, safeguards the vulnerable and promotes sustainable prosperity for all.

The high-level segment then continued with statements from heads of state and government, deputy heads of state and government, ministers and other heads of delegation. A webcast of the statements is available at: <http://unfccc6.meta-fusion.com/cop21/events/2015-12-07-10-30-joint-high-level-segment> and <http://unfccc6.meta-fusion.com/cop21/events/2015-12-07-15-00-conference-of-the-parties-cop-7th-meeting-conference-of-the-parties-serving-as-the-meeting-of-the-parties-to-the-kyoto-protocol-cmp-5th-meeting>

PARIS COMMITTEE

COP 21 President Fabius recalled the agreed method of work, announcing additional consultation processes to begin on: adaptation, and loss and damage, led by René Orellana (Bolivia) and Åsa Romson (Sweden); cooperative mechanisms, led by Catherine McKenna (Canada) and a co-facilitator yet to be announced; and forests, led by Daniel Vicente Ortega Pacheco (Ecuador) and a co-facilitator yet to be announced. He also announced a working group on response measures. The co-facilitators then reported on their consultations during Sunday, 6 December and Monday, 7 December.

On support/MOI, Emmanuel Issoze-Ngondet (Gabon) reported consultations on climate finance made “headway.” He noted progress toward possible common ground on, *inter alia* provision of support and mobilization of climate finance. He reported reassurances with regard to the fulfillment of existing commitments and continued leadership of developed countries. He further outlined specific proposed language on how the role of other parties could be captured, such as “voluntary contributions,” “contributions by others in a position/willing/able to do so” or reference to South-South cooperation. He said some parties expressed strong reservations, calling for consistency with existing provisions and principles of the Convention.

On access and readiness support, Jochen Flasbarth (Germany) reported parties had developed a textual bridging proposal. On technology development and transfer, he noted convergence on cooperative action, a long-term vision, a technology framework and the Technology Mechanism.

On capacity building, he reported parties had reached convergence on work to be undertaken pre-2020 and the establishment of a “Paris Committee on Capacity Building.” In addition, he announced mostly clean text on the pre-2020 work programme on capacity building.

On differentiation, Vivian Balakrishnan (Singapore) characterized the INDCs as an “innovation” allowing all parties to operationalize their diverse starting points and make continuous improvements over time. He said that assurances of no backsliding and that developed countries would continue to take the lead “resonated strongly.” He reported that the group discussed purpose (Article 2), general (Article 2*bis*) and mitigation (Article 3).

On differentiation in the sections on transparency and finance, Luiz Machado (Brazil) reported on assurances that developed countries will continue to take the lead without backsliding, and on general convergence that differentiation will be operationalized through flexibility for developing countries.

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<http://enb.iisd.mobi/>

On transparency, he reported “broad acknowledgement” that capacity building and support are key reflections of differentiation. On finance, he reported that several parties underscored there is no intention to create new legal obligations for developing countries, but an encouragement to voluntarily contribute.

On ambition, Tine Sundtoft (Norway) outlined the questions posed to parties, including on how to: frame a possible reference to a 1.5°C limit; identify an acceptable long-term goal for mitigation over different timeframes; have a common “global moment” every five years for taking stock and informing future nationally-determined efforts on mitigation, adaptation and support; and provide reassurances that the global stocktake would not impinge on national determination of commitments.

James Fletcher (Saint Lucia) said that, while several developed and developing country parties indicated willingness to refer to a 1.5°C limit, others reaffirmed the temperature limit in the Cancun Agreements. He said there is general interest to express a collective long-term goal for mitigation, which could be expressed in quantitative or qualitative terms, such as a transformation to carbon neutrality or decarbonization. He also reported convergence on a common “global moment” every five years to take stock and review aggregate progress, and provide an opportunity to confirm or raise targets, but without an obligation to do so.

On pre-2020 action, Amber Rudd (UK) reported parties considered a compromise proposal containing a facilitative dialogue, potentially in 2017, that would examine the state of, and options to further enhance, implementation under the Convention for all parties with a stronger focus on developed countries’ undertakings.

She relayed that parties had found common ground on an adaptation TEP that would add value, as long as it does not duplicate work under existing bodies under the Convention. Parties agreed that the mitigation TEP could inform the proposed adaptation TEP, with the caveat that parties are continuing to test and refine elements of the existing TEP.

TUVALU, the RUSSIAN FEDERATION and GEORGIA requested more advance notice for meetings and the topics to be discussed.

Malaysia, for the LMDCs, underlined the need for text-based and inclusive negotiations, and suggested a “reality check” where parties can provide feedback to the reports provided by the co-facilitators. The MARSHALL ISLANDS emphasized the need to trust the Presidency and ministers, opposing “procedural approaches” such as parties negotiating the ways that ministers summarize consultations. The EU said that “process cannot constrain progress.”

Guatemala, for AILAC, supported the current process initiated by the minister-led informal consultations and stressed the need to find common landing ground with specific text proposals. She suggested, supported by the EU, an additional group for compliance.

SOUTH AFRICA suggested involving the ADP co-facilitators in the development of textual options, based on ministerial facilitation and the draft Paris outcome text, and with the assistance of the Secretariat. She said that the legal and linguistic review group could work on text as it becomes available.

COP 21 President Fabius reflected parties’ desire to accelerate drafting, possibly engaging the ADP co-facilitators, and said he would consider these proposals and find a solution that could be applied from Tuesday, 8 December.

CMP 11

CONTACT GROUPS: JI: Co-Chair Yaw Osafo (Ghana) presented the draft decision, noting parties still had two sets of brackets to resolve. At JAPAN’s request, parties moved a paragraph, reiterating concern for the difficult market situation faced by JI participants, out of the operational section.

Parties also discussed a paragraph on requesting recommendations from the JISC for SBI 44’s consideration in the context of the review of the JI guidelines. The EU, SWITZERLAND and JAPAN reformulated the paragraph, and parties agreed to reflect that recommendations presented by the JISC will present options to address concerns raised by stakeholders and for validation by an accredited independent entity of post-registration changes. Parties expressed their common understanding that such validation could include public commenting periods.

Parties also agreed for the JISC to analyze experiences and lessons learned. Parties agreed to forward the draft decision to the CMP.

IN THE CORRIDORS

On Monday morning, the number of participants swelled, and seasoned delegates among them quickly began commenting that, after four years of intense work, negotiations “have come full circle.” The minister-led informal consultations, also referred to as *indabas*, occurred under the new Paris Committee, in a format reminiscent of COP 17, in Durban, where parties could openly express their views. In 2011, this procedural innovation was widely credited with facilitating the emergence of the Durban Mandate, which is to conclude here in Paris.

Yet, early views were mixed on whether these French *indabas* would facilitate the significant work still to be completed for a new agreement. Some of the delegates still standing after a number of tireless days working on the new agreement expressed slight disappointment over Sunday’s initial consultations, as one worried that “we did not move beyond statements of positions.” However, many thought the next two days would be the real harbinger of what progress can be achieved on key issues.

“We really have the chance to achieve something extraordinary here,” said one. Another hopeful participant pointed to possible compromises discussed in bilaterals on workstream 2 where parties had found common ground “on many of the crunch issues.” A seasoned negotiator said she was “cautiously optimistic” about a strong workstream 2 outcome, “especially if there is progress on accelerated implementation and adaptation.”

In the first official meeting of the Paris Committee, ministers who facilitated discussions reported uneven progress. One delegate, emerging from the informal discussions on technology access said she was “relieved” that a landing zone might be emerging on the sticky issue of intellectual property rights. Another delegate said she was “not surprised” that discussions on differentiation had not really moved along and wondered if higher-level political guidance was needed.

Meanwhile, some of last week’s disappointment regarding the lack of progress on the 2013-2015 review of the long-term goal was turning into hope as word of a “high ambition coalition” spread among negotiators. “1.5°C is still a possibility, we can’t give up” said an observer. Another noted “we need more than a lowest common denominator agreement” and hoped that “we can finally change the mindset about ambitious action.”

Yet, similarly to the *indabas* in Durban, the Paris informal consultations are closed to observers, with only the Paris Committee open, albeit for many via television at the venue. One forgiving civil society member understood that “negotiation space is necessary so we will refrain from an outcry.” Others were less happy about the new arrangements.

Looking ahead, many wondered how President Fabius’ timeline to have an agreement ready by Wednesday for legal review could be possible. With roughly 800 brackets in the text, and two days remaining in that ambitious timeline, the *indabas* and Paris Committee will, in the words of some, “need to work miracles.”