

## PARIS HIGHLIGHTS: THURSDAY, 10 DECEMBER 2015

On Thursday, 10 December, negotiations continued on the draft Paris outcome. Following all night consultations, parties continued meeting bilaterally while waiting for the revised draft Paris outcome text.

In the afternoon, the open-ended group of legal and linguistic experts conducting the review of the paragraphs of the draft agreement forwarded by the Comité de Paris convened.

The COP plenary considered agenda items and adopted decisions on organizational matters, matters related to finance and capacity building, and the reports of the subsidiary bodies, the Adaptation Committee, and the TEC and CTCN, among other items.

The CMP plenary considered agenda items and adopted decisions, including on: organizational matters; issues related to the CDM and JI; and the report of the high-level ministerial on increased ambition of Kyoto Protocol commitments.

A revised draft Paris outcome text was presented in the Comité de Paris at 9:00pm, which then closed to allow for consultations by parties. An “*indaba* of solutions” then convened throughout the night to address all remaining unresolved items in the text.

### COMITÉ DE PARIS

In the evening, COP 21 President Laurent Fabius reported that the previous night’s *indaba* and parallel consultation had made progress, and that, throughout the day on Thursday, 10 December, delegations remained in contact in an effort to find compromises. He added that the COP 21 Presidency continued to gather the opinions of groups and parties.

Asking the Secretariat to distribute the new text, COP 21 President Fabius said parties would have approximately two hours to study it, and explained that the new text contained a range of choices for the purpose of reaching balance, impartiality and reconciling differences.

Noting some brackets remained, he said that there are “open options” on the most complex issues of differentiation, finance and ambition. He asked delegates to examine the document with “a new perspective,” keeping the final agreement in mind, suggesting “we are extremely close to the finish line.”

He announced he would convene an “*indaba* of solutions” directed at compromise, not general statements, at 11:30pm. He further proposed that if difficulty arises on a particular point, he

would invite a facilitator to meet “in a corner” or another room with interested heads of delegation with the aim of coming back with a compromise within 30-40 minutes, to then be presented in the *indaba*. He indicated the progress achieved would be presented in the “final text” on Friday, 11 December.

### COP 21 PLENARY

This meeting of the COP was chaired by COP 21 Vice-President Cheikh Ndaiye Sylla (Senegal).

**ORGANIZATIONAL MATTERS: Election of Officers Other than the President:** Noting the nomination for the COP Vice-President from the Asia-Pacific was outstanding, COP 21 Vice-President Sylla informed that the COP 20 Vice-President from the Asia-Pacific region would remain in office. The COP elected the officers of the Adaptation Committee, the Advisory Board of the CTCN and the TEC, and took note of nominations for the CGE and LEG.

**Adoption of the Report on Credentials:** The COP adopted the report on credentials (FCCC/CP/2015/9), in addition to credentials submitted for ten countries as reported orally by the Bureau.

**Adoption of the Rules of Procedure:** COP 21 Vice-President Sylla noted that consultations had not yielded consensus. The COP agreed to continue to apply the draft rules of procedure (FCCC/CP/1996/2) with the exception of the draft rule 42 on voting, and to continue consultations in 2016 and report back to COP 22.

**Dates and Venues of Future Sessions:** The COP adopted a decision on the dates and venues of future sessions (FCCC/CP/2015/L.4). MOROCCO, in the capacity of the future host of COP 22/CMP 12, thanked parties, in particular the African Group, for their trust, informing that the conference would take place in Marrakesh, from 7-18 November 2016.

**REPORTS OF THE SUBSIDIARY BODIES: Report of the SBSTA:** The COP took note of the oral report by SBSTA Chair Lidia Wojtal (Poland), and adopted the report of SBSTA 42, including three decisions on matters relating to REDD+ (FCCC/SBSTA/2015/2 and Add.1). The COP also adopted the report of SBSTA 43 (FCCC/SBSTA/2015/L.15) and two decisions recommended by SBSTA 43, on methodologies for the reporting of financial information by Annex I parties (FCCC/SBSTA/2015/L.22), with an amendment read out by SBSTA Chair Wojtal, and on the annual report on the technical review of GHG inventories from Annex I parties (FCCC/SBSTA/2015/L.21 and Add.1).



**Report of the SBI:** The COP took note of the oral report by SBI Chair Amena Yauvoli (Fiji) and adopted the report of SBI 42 (FCCC/SBI/2015/10 and Add.1), including a decision on the terms of reference for the intermediate review of the Doha work programme on Convention Article 6. The COP also adopted the report of SBI 43 (FCCC/SBI/2015/L.19) and a decision forwarded by SBI 43 on NAPs (FCCC/SBI/2015/L.32/Add.1).

**CONSIDERATION OF PROPOSALS BY PARTIES FOR AMENDMENTS TO THE CONVENTION UNDER ARTICLE 15: Proposal from the Russian Federation:** On amendments by parties under Article 15 (amendments to the Convention), COP 21 Vice-President Sylla noted that the Russian proposal (FCCC/CP/2011/5) had been considered in informal consultations. Due to divergent views, the COP decided to include this issue in the provisional agenda of COP 22.

**Proposal from Papua New Guinea and Mexico:** COP 21 Vice-President Sylla noted that informal consultations had not been able to resolve divergent views on this issue (FCCC/CP2011/4/Rev.1) and the agenda item was forwarded to COP 22.

**REPORT OF THE ADAPTATION COMMITTEE:** The COP took note of the report of the Adaptation Committee (FCCC/SB/2015/L.3).

**WIM:** The COP took note of the WIM's report (FCCC/SB/2015/L.5/Rev.1).

**DEVELOPMENT AND TRANSFER OF TECHNOLOGIES AND IMPLEMENTATION OF THE TECHNOLOGY MECHANISM: Joint Annual Report of the TEC and the CTCN:** The COP took note of the report of the Technology Mechanism (FCCC/SB/2015/L.4).

**REPORTING FROM AND REVIEW OF ANNEX I PARTIES TO THE CONVENTION:** The COP took note of two SBI conclusions on the outcome of the first round of IAR (2014-2015) (FCCC/SBI/2015/L.20), and the revision of guidelines for NCs by parties in Annex 1 to the Convention Part II (FCCC/SBI/2015/L.23).

**REPORTING FROM NON-ANNEX I PARTIES TO THE CONVENTION:** The COP took note of two SBI conclusions on the work of Consultative Group of Experts on National Communications from Non-Annex I Parties (FCCC/SBI/2015/L.21), and provision of financial and technical support (FCCC/SBI/2015/L.24).

**CAPACITY BUILDING UNDER THE CONVENTION:** The COP adopted a decision on this item (FCCC/CP/2015/L.6).

**IMPLEMENTATION OF CONVENTION ARTICLE 4, PARAGRAPHS 8 AND 9: Matters Related to the Buenos Aires Programme of Work on Adaptation and Response Measures (Decision 1/CP.10):** The COP took note of conclusions on the Nairobi work programme (FCCC/SBSTA/2015/L.19).

**Matters Relating to LDCs:** The COP adopted a decision on the extension of the mandate of the LDC Expert Group (FCCC/SBI/2015/10/Add.1).

**GENDER AND CLIMATE CHANGE:** The COP took note of SBI conclusions on this item (FCCC/SBI/2015/L.31).

**OTHER MATTERS REFERRED TO THE COP BY THE SUBSIDIARY BODIES:** The COP noted that no other matters were raised under this item.

**ADMINISTRATIVE, FINANCIAL AND INSTITUTIONAL MATTERS: Audit Report for Financial Statements:** The COP discussed this issue jointly with the budget performance for the biennium 2014-2015.

**Budget Performance for the Biennium 2014-2015:** The COP adopted a decision for this sub-item and the audit report for financial statements (FCCC/SBI/2015/L.27).

**Programme Budget for the Biennium 2016-2017:** The COP adopted a decision forwarded by SBI 42 on the programme budget for the biennium 2016-2017 (FCCC/SBI/2015/10/Add.1).

**Decision Making in the UNFCCC Process:** The COP decided to continue to hold discussions on this item at SBI 44 and report to COP 22.

**MATTERS RELATING TO FINANCE: Long-term Climate Finance:** The COP adopted a decision on this sub-item (FCCC/CP/2015/L.2).

**Report of the SCF:** The COP adopted a decision on this sub-item (FCCC/CP/2015/L.5).

**Report of the GCF:** COP 21 Vice-President Sylla said this sub-item is still under consideration.

**Report of the GEF to the COP and Guidance to the GEF:** The COP adopted a decision on this sub-item (FCCC/CP/2015/L.8).

ANTIGUA AND BARBUDA lamented the process of discussions on COP items on finance matters. She said that because focus was given to streamlining rather than to negotiations due to limited time, many issues important to SIDS were left out. She asked this to be reflected in the report of the COP. Echoing the same concerns, Bolivia, for G-77/CHINA, said the group reserves its right to bring up these issues at the next SBI.

The EU noted that parties agreed, in light of the exceptional circumstances of COP 21, to focus on streamlining a decision. She expressed support for the approach taken and looked forward to discussing the items again at COP 22.

COP 21 Vice-President Sylla said the comments will be reflected in the report of the COP. He then suspended the COP.

#### **CMP 11 PLENARY**

The meeting was chaired by CMP 11 Vice-President Cheikh Ndiaye Sylla (Senegal).

**ORGANIZATIONAL MATTERS: Approval of the Report on Credentials:** The CMP adopted the report on credentials (FCCC/CP/2015/9 and FCCC/KP/CMP/2015/7), with the addition of the Cook Islands, Egypt, Fiji, Haiti, Honduras, Kiribati, Nicaragua, Pakistan, Panama and the Former Yugoslav Republic of Macedonia.

**Election of Replacement Officers:** The CMP elected officers and alternative members to the Adaptation Fund Board, JISC, CDM EB, Compliance Committee, and the COP and CMP Bureaus. He noted the list of nominations is available on the UNFCCC website and urged parties to submit nominations for the remaining vacant positions by 29 January 2016.

**Status of Ratification of the Doha Amendment to the Kyoto Protocol:** CMP 11 Vice-President Sylla informed parties that, since the Secretariat's statement on 2 December 2015, two additional instruments of ratification, from Argentina and Sri Lanka, had been received, bringing the total to 57. He reported 87 more are required to bring the Amendment into force. The CMP took note of the information, urging all parties to ratify as soon as possible.

**REPORTS OF THE SUBSIDIARY BODIES: Report of the SBSTA:** The CMP took note of the oral report by SBSTA Chair Wojtal and adopted the report of SBSTA 42 (FCCC/SBSTA/2015/2 and Add.1 and Add.2), including one decision forwarded by SBSTA 42, on the training programme for members of expert review teams participating in annual reviews under Protocol Article 8 (on review by expert teams).

The CMP also adopted the report of SBSTA 43 (FCCC/SBSTA/2015/L.15). The CMP further adopted three decisions, forwarded by SBSTA 43 on methodological issues under the Kyoto Protocol (FCCC/SBSTA/2015/L.27/Add.1 and Add.2), and on a technical review in 2016 of GHG inventories and initial reports for the second commitment period from Annex I parties that are also parties to the Kyoto Protocol (FCCC/SBSTA/2015/L.30/Add.1).

**Report of the SBI:** The CMP took note of the oral report by SBI Chair Yauvoli, and adopted the report of SBI 42 (FCCC/SBI/2015/10 and Add.1) and the report of SBI 43 (FCCC/SBI/2015/L.19).

**ISSUES RELATING TO THE CDM:** The CMP adopted a decision on this item (FCCC/KP/CMP/2015/L.4).

**ISSUES RELATING TO JI:** The CMP adopted a decision on this item (FCCC/KP/CMP/2015/L.1).

**REPORT ON THE HIGH-LEVEL MINISTERIAL ROUNDTABLE ON INCREASED AMBITION OF THE KYOTO PROTOCOL COMMITMENTS:** CMP 11 Vice-President Sylla informed that parties were unable to reach consensus on this issue. He noted that, pursuant to the draft rules of procedure being applied, the item will be included on the provisional agenda of CMP 12. Noting the urgency to reach a solution on this issue, he said the COP 21 Presidency will conduct intersessional consultations on the way forward.

**REPORTING FROM AND REVIEW OF PARTIES INCLUDED IN ANNEX I: Annual Compilation and Accounting Report for Annex B Parties under the Kyoto Protocol:** Upon the recommendation of SBI 43, the CMP took note of the report on this matter (FCCC/KP/CMP/2015/6 and Add.1/Rev.1).

**CLARIFICATION OF SECTION G (ARTICLE 3.7) OF THE DOHA AMENDMENT:** The CMP adopted a decision on this issue (FCCC/SBSTA/2015/L.29/Add.1).

**CAPACITY-BUILDING UNDER THE KYOTO PROTOCOL:** The CMP adopted a decision on this item (FCCC/KP/CMP/2015/L.6).

**OTHER MATTERS REFERRED TO THE CMP BY THE SUBSIDIARY BODIES:** The CMP took note of the information that no matters were raised under this item.

**ADMINISTRATIVE, FINANCIAL AND INSTITUTIONAL MATTERS: Audit Report and Financial Statements for 2014:** This item was considered with the budget performance for the biennium 2014-2015.

**Budget Performance for the Biennium 2014-2015:** The CMP adopted a decision on this sub-item and the sub-item on the audit report and financial statements for 2014 (FCCC/SBI/2016/L.26).

**Programme Budget for the Biennium 2016-2017:** Upon the recommendation of SBI 42, the CMP adopted two decisions on this sub-item, on the programme budget for the biennium 2016-

2017 and on the methodology for the collection of international transaction log fees in the biennium 2016-2017 (FCCC/SBI/2015/10.Add.1).

CMP 11 Vice-President Sylla said that the CMP would reconvene to address the remaining items on Friday, 11 December.

### IN THE CORRIDORS

Thursday morning dawned with reports that the previous night's *indaba* and informal consultations had lasted until dawn. The few exhausted high-level delegates that were to be found in the hallways of Le Bourget gave mixed reports on progress in the informals.

Some seemed rather pessimistic, perhaps magnified by the lack of sleep, reporting on "very limited movement" on the key political issues and saying that parties had spent much of their time reading statements reiterating long-held positions. Another said that, perhaps, "just enough flexibility" had been shown to enable compromises to start materializing.

Those in the venue remained in limbo throughout the day, waiting impatiently for the "penultimate" draft text, as foreseen by COP 21 President Laurent Fabius on Wednesday evening. Others clustered informally to continue hashing out language to bridge various parties' proposals, in preparation for the final push towards an agreement expected by some as early as Thursday night.

The wait was longer than anticipated, with Thursday's Comité meeting being postponed twice, first from 3:00pm to 7:00pm, and then finally to 9:00pm. Throughout the day, delegates continued stressing that differentiation, finance and ambition remained the outstanding issues, a fact confirmed in the evening meetings of the Comité, where COP 21 President Laurent Fabius observed that these issues remained bracketed in the new text.

With the finish line in sight, the COP Presidency and the Secretariat seemed to be aiming to leave as little as possible to chance. Several delegates reported "unprecedented" personal attention by the French Presidency to engage parties' raising concerns in plenary and ensure their issues were addressed. One reported that the very highest levels were throwing all of their effort into smoothing the path towards agreement, with UN Secretary-General Ban Ki-moon engaging in bilaterals with parties on key issues. As was to be expected, ministerial engagement ramped up as well, with a number of countries holding their own bilaterals.

Around the venue's cafeterias, several delegations expressed concern over the rapid pace of negotiations and the large number of bilaterals and consultations, saying these were overwhelming for small delegations while also noting that precious negotiation time was quickly ticking away. One committed, but exhausted, delegate quipped during the COP plenary, "I won't use the word disorganized, but we now find ourselves in a dynamic process that makes attending to all remaining issues difficult." Nevertheless, as the meeting turned nocturnal, after a long day of waiting and with a long night of negotiation ahead, another delegate reminded the weary, "there is just too much at stake to fail."

**ENB SUMMARY AND ANALYSIS:** The *Earth Negotiations Bulletin* summary and analysis of COP 21 will be available on Tuesday, 15 December 2015, online at: <http://www.iisd.ca/climate/cop21/enb/>



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