

MARRAKECH HIGHLIGHTS: MONDAY, 14 NOVEMBER 2016

On Monday, 14 November, the UN Climate Change Conference continued in Marrakech, Morocco. Contact groups under the APA, COP and CMP continued throughout the day. In the evening the SBI, SBSTA and APA closing plenaries convened. The SBI and SBSTA closing plenaries will resume on Tuesday, 15 November.

SBI CLOSING PLENARY

SBI Chair Tomasz Chruszczow opened the meeting.

ORGANIZATIONAL MATTERS: Election of Officers

Other than the Chair: The SBI elected Zhihua Chen (China) as the SBI Vice-Chair and Tuğba İcmeli (Turkey) as the SBI Rapporteur.

REPORTING FROM AND REVIEW OF ANNEX I PARTIES TO THE CONVENTION: Revision of the Guidelines for the Preparation of NCs by Annex I Parties, Part II: UNFCCC Reporting Guidelines on NCs: Chair Chruszczow noted that the revised guidelines are “nearly ready,” but “the outstanding issue” remains unresolved. The SBI adopted draft conclusions (FCCC/SBI/2016/L.42).

Many parties expressed regret that the guidelines had not been adopted. Several parties, including NEW ZEALAND, the US, NORWAY and SWITZERLAND, expressed their intention to voluntarily apply the revised guidelines, or consider including some of the guidelines’ elements, in their seventh NCs.

The RUSSIAN FEDERATION said applying the draft guiding principles would not ensure transparency, consistency and comparability of NCs and advocated applying only adopted principles.

MATTERS RELATING TO THE KYOTO PROTOCOL MECHANISMS: Review of the Modalities and Procedures for the CDM: Chair Chruszczow noted conclusions had not been reached and negotiations would continue at SBI 46.

REPORT OF THE WIM EXCOM: The SBI adopted conclusions (FCCC/SB/2016/L.8) and recommended a draft decision for consideration by the COP. NICARAGUA said the WIM should be implemented solely “in virtue of” the Convention.

DEVELOPMENT AND TRANSFER OF TECHNOLOGIES: Joint Annual Report of the TEC and the CTCN: The SBI adopted conclusions (FCCC/SB/2016/L.5).

TOR FOR THE REVIEW AND FUNCTIONS OF THE SCF: The SBI adopted conclusions (FCCC/SBI/2016/L.40).

CAPACITY-BUILDING IN DEVELOPING COUNTRIES:

Third Comprehensive Review of the Implementation of the Capacity-building Framework under the Convention: The SBI adopted conclusions and recommended a draft decision for consideration by the COP (FCCC/SBI/2016/L.38).

Third Comprehensive Review of the Implementation of the Capacity-Building Framework under the Kyoto Protocol: The SBI adopted conclusions and recommended a draft decision for consideration by the CMP (FCCC/SBI/2016/L.39).

IMPACT OF THE IMPLEMENTATION OF RESPONSE MEASURES: Improved Forum and Work Programme: The SBI adopted conclusions (FCCC/SB/2016/L.6).

Modalities, Work Programme and Functions under the Paris Agreement of the Forum on the Impact of the Implementation of Response Measures: The SBI adopted conclusions (FCCC/SB/2016/L.7).

Matters Relating to Protocol Article 3.14: Chair Chruszczow noted no conclusion had been reached and that consideration of this sub-item would continue at SBI 46.

Progress on the Implementation of Decision 1/CP.10: Chair Chruszczow noted no conclusion had been reached and that consideration of the item would continue at SBI 46.

GENDER AND CLIMATE CHANGE: The SBI adopted conclusions and recommended a draft decision for consideration by the COP (FCCC/SBI/2016/L.37).

ADMINISTRATIVE, FINANCIAL AND INSTITUTIONAL MATTERS: Chair Chruszczow noted the sub-items on budget performance for the biennium 2016-2017, the audit report and financial statements for 2015, other financial matters and reports on activities related to the implementation of Convention Article 6 were considered back-to-back. The SBI adopted a single conclusion on these matters (FCCC/SBI/2016/L.41) and recommended draft decisions to the COP (FCCC/SBI/2016/L.41/Add.1) and CMP (FCCC/SBI/2016/L.41/Add.2) for consideration.

CLOSING STATEMENTS: Thailand, for the G-77/CHINA, highlighted, *inter alia*: the urgency of enhancing pre-2020 action and support; concerns about basing funding for developing country participation on per capita GDP; and concerns about the approach being taken to the 2017-2018 biennial budget.

The EU welcomed the meeting’s progress on capacity building, a constructive FSV and agreement on the ToR of the review of the SCF, and expressed disappointment at the lack of progress on the CDM and NCs.

Australia, for the UMBRELLA GROUP, underlined the importance of current transparency arrangements for pre-2020 action, and welcomed progress on adaptation, technology, capacity building and gender.

Costa Rica, for AILAC, said the beginning of the PCCB’s work is a “step in the right direction” and stressed the importance of establishing a public registry for NDCs.

Maldives, for AOSIS, and Republic of Korea, for the EIG, lamented the lack of progress on strengthening the CDM. Mali, for the AFRICAN GROUP, welcomed progress on NAPs and on

gender, inviting parties to implement gender-related activities. The EIG advocated making climate action more gender-responsive.

Panama, for CfRN, reminded parties that the SBI is expected to take action on REDD+ in 2017.

UKRAINE stated for the record that the report on national GHG inventory data for the period 1990–2014 (FCCC/SBI/2016/19) does not address the issue of double-counting.

INDONESIA, with many others, welcomed the strategic workstream for guiding the implementation of the WIM's function of enhancing action and support to address loss and damage.

TUNGOS highlighted trade unions as a resource for identifying the components of a sustainable and just transition. WOMEN AND GENDER welcomed the gender action plan, noting the Paris Agreement's goals will not be achieved without gender equality. YOUNGOS urged all countries to identify a focal point for ACE and incorporate ACE into their NDCs.

CAN characterized the public registry as "crucial infrastructure," saying it should be designed to track the history of changes in NDCs. Noting observers' access had been limited due to conflict of interest concerns, CJN! called for adopting guidelines to ensure entities with potential or perceived conflicts of interest are not admitted into the process.

FARMERS called for technology transfer and an ambitious financing framework, particularly for farmers in developing countries. INDIGENOUS PEOPLES advocated a complete programme for indigenous peoples to strengthen participation.

CLOSURE AND REPORT OF THE SESSION: The Secretariat reported on the budgetary and administrative implications of decisions adopted at the meeting thus far, noting the need for an additional €320,000 for implementation of gender-related activities in 2017.

SBSTA CLOSING PLENARY

SBSTA Chair Carlos Fuller opened the plenary.

NWP: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.22).

REPORT OF THE ADAPTATION COMMITTEE: The SBSTA adopted conclusions (FCCC/SB/2016/L.4).

DEVELOPMENT AND TRANSFER OF TECHNOLOGIES AND IMPLEMENTATION OF THE TECHNOLOGY MECHANISM: Joint Annual Report of the TEC and the CTCN: The SBSTA adopted conclusions (FCCC/SB/2016/L.5).

Technology Framework under Paris Agreement Article 10.4: The SBSTA adopted conclusions (FCCC/SB/2016/L.21).

ISSUES RELATING TO AGRICULTURE: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.23).

MATTERS RELATING TO SCIENCE AND REVIEW: Research and Systematic Observation: The SBSTA adopted conclusions, following minor changes, and forwarded a draft decision for consideration and adoption by the COP (FCCC/SBSTA/2016/L.26 and Add.1).

Advice on How the Assessments of the IPCC Can Inform the Global Stocktake Referred to in Paris Agreement Article 14: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.24).

IMPACT OF THE IMPLEMENTATION OF RESPONSE MEASURES: Forum and Work Programme: The SBSTA adopted conclusions (FCCC/SB/2016/L.6).

Modalities, Work Programme and Functions under the Paris Agreement of the Forum on the Impact of the Implementation of Response Measures: The SBSTA adopted conclusions (FCCC/SB/2016/L.7).

Matters Relating to Protocol Article 2.3: The SBSTA did not reach conclusions on this sub-item, and it will be considered at SBSTA 46.

METHODOLOGICAL ISSUES UNDER THE CONVENTION: GHG Data Interface: The SBSTA could not reach an agreement and SBSTA 46 will continue consideration of this sub-item.

Bunker Fuels: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.25).

METHODOLOGICAL ISSUES UNDER THE KYOTO PROTOCOL: LULUCF: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.20).

CCS in Geological Formations as CDM Project Activities: The SBSTA adopted conclusions and forwarded a draft decision for consideration and adoption by the CMP (FCCC/SBSTA/2016/L.19 and Add.1).

MATTERS RELATING TO PARIS AGREEMENT ARTICLE 6: Guidance on Cooperative Approaches: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.28).

Rules, Modalities and Procedures for the Mechanism: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.29).

Work Programme under the Framework for Non-Market Approaches: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.30).

MODALITIES FOR THE ACCOUNTING OF FINANCIAL RESOURCES PROVIDED AND MOBILIZED THROUGH PUBLIC INTERVENTIONS IN ACCORDANCE WITH PARIS AGREEMENT ARTICLE 9.7: The SBSTA adopted conclusions (FCCC/SBSTA/2016/L.27).

CLOSING STATEMENTS: Thailand, for the G-77/CHINA, emphasized that adaptation, including mitigation co-benefits, continues to be the key priority for developing countries.

Recognizing the common understanding reached on the strategic role of the technology framework in bringing transformational change, Mexico, for the EIG, commended the work of the TEC and CTCN, including on linkages with the Financial Mechanism.

Australia, for the UMBRELLA GROUP, underscored the importance of completing work on cooperative approaches in order to send a signal to the private sector to shift investments. Panama, for CfRN, called for all actors, including the private sector, to follow UNFCCC practices to ensure environmental integrity.

Maldives, for AOSIS, said Paris Agreement market mechanisms should move beyond offsetting to contribute to overall mitigation and that proceeds should be directed towards adaptation, while non-market mechanisms should start with fossil fuel subsidy reform and the phase-out of inefficient and polluting technologies.

The EU highlighted the conclusions on how IPCC assessments can inform the global stocktake.

Mali, for the AFRICAN GROUP, the Democratic Republic of the Congo, for the LDCs, the PHILIPPINES and SRI LANKA expressed disappointment that parties could not reach agreement on how to address the impacts of climate change on agriculture, stressing agriculture's importance to food security and livelihoods, and for eradicating poverty and hunger.

Calling finance and technology the two fundamental pillars of the Paris Agreement, Guatemala, for AILAC, highlighted progress in these areas.

Many groups highlighted the conclusions on the WIM as paving the way to more constructive work going forward.

RESEARCH AND INDEPENDENT NGOs stressed the need to build and maintain partnerships, and improve the science and policy interface.

TUNGOS highlighted the link between protecting the climate and protecting livelihoods.

WOMEN AND GENDER raised concerns over carbon offset and market-based approaches that lead to further marginalization of women, elderly people and other groups.

Underscoring that communities cannot wait another four years, YOUNGOS urged addressing financing for adaptation and for loss and damage.

BINGOS highlighted the need for concise, balanced and comprehensive approaches to the Technology Mechanism.

CAN welcomed progress on the technology framework, but expressed disappointment with the lack of progress on modalities for accounting of finance. CJN! stressed that “achieving the 1.5°C goal” does not leave space for carbon offsetting mechanisms.

FARMERS lamented the lack of substantive outcomes on agriculture. INDIGENOUS PEOPLES stressed indigenous peoples should have access to all funds under the GCF.

COP CONTACT GROUPS AND INFORMAL CONSULTATIONS

DEVELOPMENT AND TRANSFER OF TECHNOLOGIES: Linkages between the Technology Mechanism and Financial Mechanism of the Convention: Informal consultations focused on a draft decision prepared by the co-facilitators. Views differed on a reference inviting developing countries to use support from the GCF Readiness and Support Programme to implement technology action plans. Many parties, opposed by others, agreed to delete the reference to the Poznan strategic programme on technology transfer, since all its funds have already been allocated.

In the afternoon, a GCF representative clarified that matters related to the implementation of technology action plans “should be oriented to other modalities rather than readiness under the GCF.”

Parties then exchanged views on paragraphs emphasizing the importance of developing countries’ access to financial resources for actions at all stages of the technology cycle, and providing guidance to the GCF, *inter alia*, prioritizing CTCN-supported projects.

A number of developed countries, opposed by a large group of developing countries, proposed deleting the latter paragraph, noting guidance to the GCF should be addressed under the respective COP agenda sub-item. Some developed countries made bridging proposals.

Informal consultations continued in the afternoon.

MATTERS RELATING TO FINANCE: Sixth Review of the Financial Mechanism: Parties commented on a revised text on updated guidelines for the review, with some opposing additions to the text on sources of information and on criteria. In order to complete the work and “have a review,” other groups, opposed by one party, suggested to add “*inter alia*” at the beginning of the list of criteria and delete some, but not all, additions. Informal informals among parties continued.

Long-term Climate Finance: Parties discussed a revised draft decision text.

On in-session workshops, views differed on, *inter alia*, workshop topics and text requesting the Secretariat to conduct a needs assessment programme for developing countries. On workshop topics, some preferred focusing on developing countries’ access to climate finance and setting a new quantified goal for finance, while others supported focusing on the role of policies and enabling environments in mobilizing finance at scale. Informal consultations continued in the evening.

Report of the GEF to the COP and Guidance to the GEF: Considering a streamlined co-chairs’ text on the guidance, parties’ views differed on textual proposals, including: that the GEF, in its deliberation on the strategy for the seventh replenishment, take into account “any CMA decisions”; and that “all requests for funding which meet GEF focal area strategies and standards are duly and timely examined and responded.” Parties were invited to consult informally.

Initiation of a Process to Identify the Information to be Provided by Parties According to Paris Agreement Article 9.5: Parties’ views differed on a non-exhaustive list of elements with options under sections on: objectives and scope; existing arrangements to build upon; linkages; next steps; and timeline and other arrangements.

They also differed on the way forward, including before COP 23. The co-chairs will revise the text.

CMP CONTACT GROUPS AND INFORMAL CONSULTATIONS

MATTERS RELATED TO THE CDM: Hlobosile Sikhosana-Shongwe (Swaziland) and Karoliina Anttonen (Finland) co-facilitated informal consultations, leading parties through a draft decision, and nearly all paragraphs were bracketed. On the preambular paragraphs, some parties underscored concerns with the CDM, including the lack of demand for CERs and ratifications of the Doha Amendment, and suggested changing how the SBSTA notes, rather than expresses satisfaction with, the CDM’s results. Parties agreed to delete references to the Paris Agreement. Informal consultations will continue.

APA CONTACT GROUPS AND INFORMAL CONSULTATIONS

FURTHER MATTERS RELATED TO IMPLEMENTATION OF THE PARIS AGREEMENT: In informal consultations, parties examined a list of nine possible matters not being addressed under the work programme of the Paris Agreement under Decision 1/CP.21.

Parties considered whether to provide recommendations to the COP on how or where these matters could be taken up. BRAZIL, supported by the EU and US, suggested Article 4.10 (common timeframes) be housed in the SBI and Article 12 (education, training and public awareness) in the SBI or SBSTA.

CHINA, Kenya, for the AFRICAN GROUP, the PHILIPPINES, SAUDI ARABIA and TUVVALU sought a comprehensive arrangement for all the items in the table of “orphan issues.”

Underlining that these items have a “home” under the CMA, AUSTRALIA cautioned against duplication in attempting to conduct the necessary preparatory work.

On the Adaptation Fund, views diverged on whether a G-77/China draft decision should be forwarded to the COP. After some debate, parties agreed the draft decision would be annexed to the APA co-chairs’ reflections note, with clear indication that it has not been agreed.

MATTERS RELATING TO THE GLOBAL STOCKTAKE: In informal consultations, parties agreed to include a paragraph in the APA conclusions welcoming the advice of the SBSTA on how IPCC assessments can inform the global stocktake.

On possible guiding questions for submissions, SOUTH AFRICA stressed modalities are about “how,” while the draft questions asked “what and who.”

On questions relating to linkages and context, NEW ZEALAND, the US, JAPAN and the EU advocated separating the context of the global stocktake from a question on increasing ambition.

On sources of input, Solomon Islands, for the LDCs, and NEW ZEALAND called for a flexible definition of “all elements,” and not limiting them to adaptation, mitigation and MOI.

On outcome/outputs, the EU suggested framing the question around long-term goals and the global stocktake’s purpose. COLOMBIA and Saudi Arabia, for the ARAB GROUP, proposed asking what the outcome should be.

Co-Facilitator Nagmeldin Elhassan (Sudan) said after minimal revisions the questions would be adopted as part of the APA conclusions.

MPGs FOR THE TRANSPARENCY FRAMEWORK FOR ACTION AND SUPPORT: After introducing minor amendments to an informal note prepared by the co-facilitators, Co-Facilitator Xiang Gao (China) invited reflections. Many parties expressed their support for the note and readiness to begin technical work. Several, including the EU, SAUDI ARABIA and NEW ZEALAND, supported ensuring the document is not renegotiated in the APA contact group.

FURTHER GUIDANCE IN RELATION TO THE MITIGATION SECTION OF DECISION 1/CP.21: In the informal consultations, Co-Facilitator Sin Liang Cheah (Singapore) invited parties' views on guidance for accounting for parties' NDCs and next steps.

Many countries, including INDIA, underscored: that accounting is key for transparency; the importance of building on existing arrangements; the need for differentiation and flexibility to accommodate the full diversity of NDCs; and the need for common metrics. The US underscored that guidance needs to recognize that parties have a common path but different starting points and paces.

On next steps, countries agreed to have a roundtable, as proposed by Colombia, for AILAC, and China, for the LMDCs, instead of workshops. Views diverged on whether the roundtable should take place immediately prior to or during the next session, or interessionally, and on whether it should produce outcomes.

FURTHER GUIDANCE IN RELATION TO THE ADAPTATION COMMUNICATION, INCLUDING, *INTER ALIA*, AS A COMPONENT OF NDCS: Co-Facilitator Richard Muyungi (Tanzania) introduced the co-facilitators' draft note.

Argentina, for the G-77/CHINA, requested, *inter alia*: recognizing linkages with the global stocktake; reflecting the notion that parties are able to choose the appropriate vehicle for communications; and clarifying the status of the annexed table.

Parties then discussed the workplan going forward. Ecuador, for the LMDCs, supported by Saudi Arabia, for the ARAB GROUP, proposed development of a synthesis report on adaptation communications as a component of NDCs, based on submissions by parties. NEW ZEALAND opposed.

Parties eventually agreed to request the Secretariat to develop an information note, identifying possible information for adaptation communications, considering the guidelines for different vehicles mentioned in Paris Agreement Article 7.11 (submission and updating of the adaptation communication), as well as the elements captured in parties' submissions and the annexed table.

They agreed that the information paper should be followed by: new submissions; a synthesis report of submissions; and a workshop, held either in-session, or in conjunction with a session.

CONTACT GROUP ON AGENDA ITEMS 3-8: APA Co-Chair Sarah Baashan invited reports from the co-facilitators, who noted that agreements regarding further work are captured in the revised draft conclusions.

APA Co-Chair Jo Tyndall presented the draft conclusions text, noting it takes into account parties' input from the previous contact group session.

A large number of parties commended the co-chairs and co-facilitators for their work during this session. They also called for, *inter alia*, giving sufficient recognition to a draft decision proposed by the G-77/China on the Adaptation Fund serving the Paris Agreement. Co-Chair Baashan proposed additional language in the draft conclusions that refers to the draft decision and reflects that other parties viewed such a decision as premature.

Tuvalu, for the LDCs, and others appealed for clarity on how to advance APA's work beyond May 2017. APA Chair Tyndall proposed a general call for submissions. Parties agreed.

APA CLOSING PLENARY

APA Co-Chair Baashan presented, and parties adopted, draft conclusions (FCCC/APA/2016/L.4 and Add.1). She explained that the APA Co-Chairs intend to release their informal reflections note with an overview of the outcomes of this resumed session, based on the views that parties put forward at, and expressed through their submissions for, this session.

CLOSURE OF AND REPORT ON THE SESSION: The Secretariat reported on the preliminary administrative and budgetary implications, informing that actions: under item 3 (further guidance in relation to the mitigation section of Decision 1/CP.21) will require €65,000; under item 4 (further guidance in

relation to the adaptation communication) will require €65,000; under item 5 (MPGs for the transparency framework for action and support) will require €427,000; and other mandated activities will require additional funds of €557,000.

APA Rapporteur Anna Serzysko (Poland) presented, and parties adopted, the report of the APA 1-2 session (FCCC/APA/2016/L.5).

CLOSING STATEMENTS: Thailand, for the G-77/CHINA, stressed the importance of demonstrating that work is progressing given the early entry into force of the Paris Agreement, and called for accelerating the implementation of pre-2020 actions, and enhancing MOI provision.

Switzerland, for the EIG, urged against "backsliding" and lamented the lack of agreement to "move on essential work" in the second week.

Australia, for the UMBRELLA GROUP, expressed concern about the slow pace of progress, noting the group will encourage its experts to continue informal discussions.

The EU welcomed having a clear way forward on each item. Recognizing the importance of the Adaptation Fund serving the Paris Agreement to many parties, she expressed the EU's commitment to remaining a major contributor to adaptation finance.

Maldives, for AOSIS, highlighted, *inter alia*, the critical work ahead to ensure that guidance on features, information and accounting for NDCs can accelerate efforts to limit global temperature rise to 1.5°C.

The Democratic Republic of the Congo, for the LDCs, reiterated the need for real progress and expressed disappointment that more headway was not made.

Saudi Arabia, for the ARAB GROUP, reaffirmed future work should be balanced and underlined that the guiding questions for submissions do not limit the ability of parties to submit views on other issues.

Bolivia, for the LMDCs, underscored the need to address cross-cutting issues, such as differentiation, under all agenda items.

Emphasizing the need to catalyze climate action and "domesticate it in our jurisdictions," Costa Rica, for AILAC, called for clear timelines for future work.

Mali, for the AFRICAN GROUP, stressed, *inter alia*, the role of the Adaptation Fund in serving the Paris agreement, and, that pre-2020 ambition remains of "critical importance."

APA Co-Chair Tyndall proposed, and parties agreed to, suspend APA 1-2 at 11:23pm, and reconvene in Bonn in May 2017 for APA 1-3.

IN THE CORRIDORS

The roar of planes brought ministers and heads of state into Marrakech Menara Airport, over the heads of delegates starting their second week of negotiations. With airplanes drowning out interventions in many meeting room tents, some parties were left "struggling to have their voices heard."

Several carried a sense of foreboding into the late afternoon, worried that three closing plenaries occurring in one evening would mean a long, late night. As the plenaries convened smoothly, adopting conclusions in relatively good time, one observer found little solace, remarking "it is easy to adopt procedural conclusions with little substance, is it not?"

It was a contact group, or rather series of, that continued perhaps latest of them all. As finance-focused delegates sometimes wondered why there was such a strong push for agreement now, on Monday, the last arrivals continued to be heard above, serving as a reminder on the imminent "switch in altitude" from technical work to high-level exchanges, which many observers hoped would show a world united to address climate change.