

Dubai Climate Change Conference: Wednesday, 6 December 2023

Negotiations continued well into the afternoon to try to ready texts for the Subsidiary Bodies (SBs) close. Closing statements revealed a general dissatisfaction with the state of negotiations on several issues.

Presidency Stocktake

President Al Jaber indicated he will convene a plenary on the morning of Friday, 8 December, to outline the proposed organization of work for the second week. He noted he would invoke different modes of work, pointing to continued technical negotiations, minister-led consultations, and consultations among heads of delegations.

Al Jaber highlighted the Global Stocktake (GST) and Global Goal on Adaptation (GGA) as issues that need further work. He expressed his hope for a meaningful outcome that lays the ground for a just and equitable energy transition, in line with science and the 1.5°C target, and invited bridging proposals on fossil fuels, renewable energy, and energy efficiency.

Organizational Matters

Election of Officers other than the Chair: Given that no nominations were received, Aysin Turpanci, Türkiye, will remain SBI Rapporteur.

Mitigation

Mitigation Ambition and Implementation Work

Programme: The SBs adopted conclusions (FCCC/SB/2023/L.15), in which they agreed to forward the matter to CMA 5 for further guidance taking into account the draft text by the Co-Facilitators.

The EU welcomed that all parties accepted forwarding the draft text to the CMA, but expressed disappointment over the lack of constructive engagement by some parties.

Work Programme on Just Transition Pathways: In informal consultations convened by Co-Facilitators Selam Kidane Abebe (Ethiopia) and Luisa Roelke (Germany), parties reported back from informal informals, especially on the work programme's scope. A streamlined bridging proposal on scope eliminating elements of contention based on informal informals was met with wide support from most parties. Some developed and developing countries expressed disappointment that some of their priority elements on the scope were not carried forward from previous iterations, namely on: the respect, promotion, and consideration of respective obligations related to human rights, gender equality, and the rights of Indigenous Peoples. Parties debated the chapeau of the section on scope, as they could not decide whether the work programme scope "should include" or "shall discuss" the over

20 elements proposed. The Co-Facilitators will produce another iteration of the text for further consultations.

The SBs adopted procedural conclusions (FCCC/SB/2023/L.14), in which they agreed to forward the matter to CMA 5 for its consideration.

Matters Relating to Article 6: Guidance on Article 6.2 (cooperative approaches): The SBSTA adopted conclusions (FCCC/SBSTA/2023/L.12), which forwards a draft text for the CMA's consideration.

Guidance on Article 6.4 (mechanism): During informal consultations, Co-Facilitators Kate Hancock (Australia) and Sonam Tashi (Bhutan) introduced updated draft decision text. They proposed forwarding the text to the CMA to continue consultations. Noting that it incorporates their desired options, most parties expressed their willingness to use the text as the basis for further consultations. Several parties reiterated that the text does not represent consensus, noting there are elements in the text that they will not accept and are unwilling to discuss "ad nauseam." The SBSTA adopted conclusions (FCCC/SBSTA/2023/L.13), which forwards a draft text for the CMA's consideration.

Non-market approaches (NMAs, Article 6.8): The SBSTA adopted conclusions (FCCC/SBSTA/2023/L.11), which forwards a draft text for the CMA's consideration.

Clean Development Mechanism (CDM) Trust Fund Review: The SBI adopted conclusions (FCCC/SBI/2023/L.20).

Bunker Fuels: Rules 10(c) and 16 apply; this item will be considered at SBSTA 60 (June 2024).

Adaptation

Glasgow-Sharm el-Sheikh Work Programme on the GGA: In informal consultations co-facilitated by Mattias Frumerie (Sweden) and Janine Felson (Belize), the Co-Facilitators proposed to forward text stating that the SBs considered this agenda item and agreed to recommend that it be taken up at CMA 5, considering draft decision elements, noting they do not fully reflect parties' views.

A developing country objected, highlighting the only way forward is to have a compilation text that captures all views as options across the various elements. Frumerie reminded parties that the draft elements they proposed were never intended to be deemed final.

In their closing plenary, the SBs adopted conclusions (FCCC/SB/2023/L.13) and recommended that CMA 5 take up this matter. The ENVIRONMENTAL INTEGRITY GROUP (EIG) and EU expressed disappointment over the lack of progress and regretted some parties' positions. Several groups underscored the need for sufficient time during the second week, with the INDEPENDENT ALLIANCE OF LATIN AMERICA AND THE CARIBBEAN (AILAC) and LEAST DEVELOPED COUNTRIES (LDCs) emphasizing the GGA is a key part of the package to be adopted

at the meeting. The LIKE-MINDED GROUP OF DEVELOPING COUNTRIES (LMDCs) emphasized its constructive engagement but highlighted a lack of balance in the Co-Facilitators' text and emphasized the importance of common but differentiated responsibilities and respective capabilities (CBDR-RC) and equity.

Report and review of the Adaptation Committee (AC): The SBs applied Rules 10(c) and 16. The issue will be on the agendas of SB 60 (June 2024).

National Adaptation Plans: The SBI adopted conclusions (FCCC/SBI/2023/L.23) and will continue considering this matter at SBI 60 (June 2024).

Matters Relating to LDCs: The SBI adopted conclusions (FCCC/SBI/2023/L.24).

Loss and Damage

Report of the Executive Committee of the Warsaw International Mechanism for Loss and Damage Associated with Climate Change Impacts: The SBs adopted draft conclusions (FCCC/SB/2023/L.12), containing a draft decision for consideration by the COP and/or CMA, with a footnote pointing to pending Presidency consultations on the governance of the WIM. The EIG lamented the lack of progress on the issue of formal participation barriers facing some developing countries.

Santiago Network: The SBs adopted conclusions (FCCC/SB/2023/L.17), containing a draft decision for consideration by the COP and/or CMA, with a footnote pointing to pending Presidency consultations on the governance of the WIM. SWITZERLAND offered to host the physical location of the Network's Secretariat in Geneva or provide support for hosting the Secretariat in another location.

Transparency

Reporting by Annex I Parties: Technical review of information reported by Annex I parties in their biennial reports and national communications: Rules 10(c) and 16 apply; this item will be considered at SBSTA 60 (June 2024).

Technical review of GHG inventories of Annex I parties: Rules 10(c) and 16 apply; this item will be considered at SBSTA 60 (June 2024).

Technical review of GHG inventories and other information by Annex I parties: Rules 10(c) and 16 apply; this item will be considered at SBSTA 60 (June 2024).

Status of submission and review of national communications and biennial reports from Annex I parties: Rules 10(c) and 16 apply; this item will be considered at SBI 60 (June 2024).

Compilations and syntheses of biennial reports from Annex I parties: Rules 10(c) and 16 apply; this item will be considered at SBI 60 (June 2024).

Report on national GHG gas inventory data from Annex I parties: Rules 10(c) and 16 apply; this item will be considered at SBI 60 (June 2024).

Reporting by non-Annex I parties: Information contained in national communications from non-Annex I parties: Rules 10(c) and 16 apply; this item will be considered at SBI 60 (June 2024).

Provision of Financial and Technical Support under the Convention: In informal consultations co-facilitated by Sandra Motshwanedi (South Africa) and Julia Gardiner (Australia), parties could not reach agreement on the substance and agreed to bracket the entire text. The SBI adopted procedural conclusions (FCCC/SBI/2023/L.22) in which it agreed to continue considering the matter at SB 60, taking into account the draft text prepared at SBI 59.

Report of the Consultative Group of Experts: The SBI adopted conclusions (FCCC/SBI/2023/L.15).

Summary reports on the technical analysis of biennial update reports of non-Annex I parties: The SBI adopted procedural conclusions (FCCC/SBI/2023/L.16).

Provision of Financial and Technical Support for Reporting under Paris Agreement Article 13: In informal consultations co-facilitated by Sandra Motshwanedi (South Africa) and Julia Gardiner (Australia), parties shared feedback from informal informals and their views on the draft CMA decision text. Parties failed to reach an agreement and find common ground on the draft text.

One developing country group stated that it is working on a revised list of activities under the "2024-2028 Dubai transparency capacity workplan" and hoped it would find consensus. A few developed and developing countries proposed bracketing all paragraphs relating to GEF guidance, preferring to wait for the outcome on this agenda item to ensure consistency, which one developed country opposed. Parties requested more time to discuss the draft decision text in the second week.

In its procedural conclusions (FCCC/SBI/2023/L.21), the SBI agreed to forward the matter to the CMA for further guidance considering the draft text.

Global Stocktake

The First GST: During the informal consultations, Co-Facilitators Alison Campbell (UK) and Joseph Teo (Singapore) introduced draft SB conclusions, which the SBs would forward to the CMA. The Co-Facilitators emphasized that the document to be forwarded to the CMA is not agreed text, and further explained that it does not reflect recent inputs by parties provided in informal consultations, due to the difficulty of incorporating all the inputs in a manner that parties would find acceptable.

Many parties expressed their disappointment and dissatisfaction with this proposed mode of work, questioning why they spent so much time consulting and providing their inputs if such inputs were not captured in the text. One party preferred forwarding a compilation of all parties' inputs and using that as a basis for further consultations under the CMA. Parties agreed to send the text to the CMA, along with a compilation of all the options that various parties wanted to see but were not yet in the text.

The SBs adopted conclusions (FCCC/SB/2023/L.11) and forwarded further consideration to the CMA.

Finance

Long-term climate finance: In informal consultations, co-facilitated by Carlos Fuller (Belize), parties considered a new iteration of draft text, which many commended as an improvement. Developing countries underscored the need to reflect their concerns about a lack of a common methodology to track the USD 100 billion goal and a common definition of climate finance. On the methodology, some developing country groups lamented the existence of "different reports," while a developed country emphasized the report by the OECD is the only one with project-level data and should be used as a primary source. One party called for a common methodology agreed on by parties, opposed by a developed country who stated her understanding that the long-term finance discussions would sunset once information on the achievement of the goal starts becoming available.

SCF: In informal consultations under the COP and CMA, Co-Facilitators Ali Waqas (Pakistan) and Apollonia Miola (EU) invited views on the draft text. Groups and parties welcomed the Co-Facilitators' effort but were hesitant to engage in substantive comments on what some called a "behemoth" and "monstrosity" of a text, pointing to its 16 pages and 96 paragraphs.

With many calling for balance between the COP and CMA decisions and especially among the three reports, Waqas clarified that the skew towards text on Paris Agreement 2.1(c) on aligning finance flows is reflective of the focus of parties' submissions. The Co-Facilitators will revise the text with a view to reduce redundancies and better highlight options and divergences.

Second Review of the Functions of the SCF: In its conclusions (FCCC/SBI/2023/L.25), the SBI agreed to continue consideration of this matter at SBI 61 (November 2024).

New Collective Quantified Goal on Climate Finance

(NCQG): In informal consultations, co-facilitated by Amena Yauvoli (Fiji), parties discussed a new draft text iteration, focusing particularly on paragraphs related to guidance for work in 2024. Parties agreed this part of the text was now more streamlined.

Parties found general convergence on topics, including: providing a mandate for the current Co-Chairs of the *ad hoc* work programme on the NCQG to continue work; not micromanaging the work of the Co-Chairs, for example by defining a strict organization of work; creating a space conducive for deliberating on packages of options and negotiating text; and ensuring deliberations continue to be party-driven and inclusive. Informal consultations continued in the evening.

Report of, and guidance to, the Global Environment

Facility (GEF): In informal consultations, co-facilitated by Richard Muyungi (Tanzania), parties commented on transparency-related paragraphs in a draft CMA decision text. Many commended the text as an improvement on the previous version. Others expressed concern that the text was now too “transparency-heavy.”

On inviting the GEF to assess the feasibility of streamlining processes to enable parties to supplement their funding for Biennial Transparency Reports (BTRs) from their System for Transparent Allocation of Resources (STAR) allocation, some expressed concern on the impact this could have on the implementation of projects on the ground.

On calls to at least double the financial resources allocated to preparing BTRs in the GEF ninth replenishment (GEF-9) and an invitation for the GEF to prepare an information note on the cost structure for financing BTRs to inform GEF-9 negotiations, which were supported by developing countries, many developed countries saw these as pre-emptive of GEF-9 outcomes.

Parties’ views also diverged on a paragraph requesting the GEF to take measures to ensure developing countries’ ability to access GEF resources. A developed country stated it would be inappropriate for the COP to instruct the GEF on treating individual project proposals, while two developing country groups stressed this was not a project proposal-related issue and the replenishment process should not impose eligibility conditions on parties. Informal consultations will continue.

Compilation and Synthesis of, and Summary Report on the In-Session Workshop on, Biennial Communications of Information under Paris Agreement Article 9.5: Discussions opened in informal consultations under the CMA. Co-Facilitators Elena Pereira (Honduras) and Kelly Sharp (Canada) invited views on the revised draft decision text. Several groups and parties questioned the rationale for removing only some elements, and leaving others in the text. Key concerns related to, among others, envisioned linkages with the enhanced transparency framework and the GST, and the timeline for revising the reporting guidelines. Delegates also debated references to parties providing information on a voluntary basis, including with respect to enhancing predictability, and balance with references to developed countries.

In informal discussions under the COP, several developed countries reiterated their opposition to a substantive COP decision on the matter. The Co-Facilitators will liaise with parties to identify a way forward before preparing the next iteration of text.

Technology Development and Transfer

Joint Annual Report of the Technology Executive Committee (TEC) and the Climate Technology Centre and Network (CTCN): The SBs adopted conclusions, which contained draft decisions for the COP and CMA (FCCC/SB/2023/L.9 and FCCC/SB/2023/L.10, respectively). CHILE welcomed the decision, but suggested further work could have been achieved, including on national systems of innovation, with adequate negotiation time.

Capacity Building

Capacity Building under the Convention and Paris Agreement: The SBI adopted conclusions (FCCC/SBI/2023/L.18) containing a draft COP decision and conclusions (FCCC/SBI/2023/L.19) containing a draft CMA decision.

Response Measures

Matters Relating to the Forum on the Impact of the Implementation of Response Measures serving the Convention, the Kyoto Protocol, and the Paris Agreement: A contact group convened, co-chaired by Catherine Goldenberg (US) and Peter Govindasamy (Singapore). After a lengthy discussion confirming the draft decisions would remain up for discussion in their entirety during the second week, parties agreed to forward the texts to the SBs. The SBs adopted procedural conclusions (FCCC/SB/2023/L.16), in which they agreed to forward the matter to the COP, CMP, and CMA, taking into account the draft text.

Agriculture

Sharm el-Sheikh Joint Work on Implementation of Climate Action on Agriculture and Food Security: The SBs adopted procedural conclusions (FCCC/SB/2023/L.8), in which they agree to continue the consideration of the matter at SB 60, taking into account the document prepared at SB 59.

Science and Review

Research and Systematic Observation: The SBSTA adopted conclusions (FCCC/SBSTA/2023/L.10).

The SBSTA also recommended draft decisions for consideration by the COP (FCCC/SBSTA/2023/L.7/Add.1) and CMA (FCCC/SBSTA/2023/L.7/Add.2).

Greenhouse Gas Data Interface: The SBSTA adopted conclusions (FCCC/SBSTA/2023/L.8).

Social Considerations

Gender: The SBI adopted conclusions (FCCC/SBI/2023/L.17), which contain a draft COP decision. The EU, MEXICO, CANADA, NORWAY, CHILE, COLOMBIA, COSTA RICA, BRAZIL, and the US expressed disappointment with the outcome and sought a more ambitious programme to mainstream gender perspectives, with many stressing the role of Indigenous women and women’s access to finance.

Matters relating to Action for Climate Empowerment (ACE): Rules 10(c) and 16 were applied. This issue will be on the SBI 60 agenda. The EU and CANADA expressed disappointment, with the EU regretting the “static positions” of some countries prevented an outcome.

Administrative, Financial, and Institutional Matters

SAUDI ARABIA objected to a reference to a Secretariat report. SBI Chair Munir suggested removing the report on the policy and criteria for engagement and collaboration with non-party stakeholders (FCCC/SBI/2023/INF.12/Rev.1) from the footnotes in the SBI conclusions and draft COP and CMP decisions. With that clarification, the SBI adopted conclusions (FCCC/SBI/2023/L.14) with addenda containing draft COP and CMP decisions (FCCC/SBI/2023/L.14/Add.1 and Add.2, respectively) as orally amended.

Other Matters

International Transaction Log: The SBI recommended that the CMP adopt the report (FCCC/KP/CMP/2023/6).

SB Closing Statements

Cuba, for the G-77/CHINA, cited the GST decision as its top priority and called for a CMA decision on response measures. He highlighted the importance of incorporating different views in the texts and having enough space for negotiations, particularly for the just transition pathways work programme. He stressed CBDR-RC

and putting poverty eradication and sustainable development at the core of climate action.

Spain, for the EU, called for building on the positive experience of operationalizing and capitalizing the loss and damage fund and hoped that decisions adopted at this COP will keep 1.5°C alive. Moving forward, she stressed the importance of decisions on the GST, GGA, and work programme on just transition pathways.

Switzerland, for the EIG, welcomed the progress made on loss and damage but pointed out that important issues still need to be addressed, particularly on the GST, just transition pathways work programme, Santiago Network, and Article 6. He also expressed his disappointment on the lack of progress of the GGA and mitigation work programme and encouraged parties to engage constructively to keep the 1.5°C goal alive.

Australia, for the UMBRELLA GROUP, called out the limited progress on the mitigation work programme and expressed disappointment that the gender decision did not take note of the reports or include gender-responsive language. She stressed the need to galvanize global efforts to achieve concrete outcomes, particularly on the GST.

Samoa, for the ALLIANCE OF SMALL ISLAND STATES, welcomed the operationalization of the loss and damage fund and the decision on a Santiago Network host. She underscored deep concern with the state of the GGA negotiations. She also noted the lack of consideration for the special circumstances of small island developing states.

Zambia, for the AFRICAN GROUP, called for a robust GGA framework with figures, targets, and indicators, and underlined hopes that the GGA will receive due attention at the ministerial level in week two.

Bolivia, for the LMDCs, expressed concern that the process seemed Co-Facilitator-driven, citing the GGA. He underscored any outcome that does not reflect equity and CBDR would be unacceptable, noting developing countries' needs run into trillions of dollars, yet it remains uncertain whether the USD 100 billion commitment had been met.

Senegal, for the LDCs, expressed concern that the GST text remains insufficient to stay below 1.5°C. She expressed disappointment in the progress of mitigation, adaptation, the second review of the SCF's functions, and just transition pathways work programme. She underscored a bold result on the GGA must be part of a balanced political package coming out of COP 28.

Guatemala, for AILAC, called for the GST to address mitigation and adaptation equally, and include clear actionable guidance for ambitious NDCs. She urged adopting a GGA framework that identifies targets and establishes means of implementation.

Saudi Arabia, for the ARAB GROUP, expressed disappointment with the GGA text, noting it does not reflect parties' views, as well as with the MWP consultations, highlighting attempts to rewrite its mandate. He called for a GST outcome that is balanced in terms of treatment of mitigation, adaptation, means of implementation, and response measures.

Uruguay, for ARGENTINA, BRAZIL, and URUGUAY (ABU), welcomed loss and damage results. She called for the GST to be based on CBDR-RC and scientific evidence, and deplored the lack of progress on adaptation issues, especially the GGA. She underscored the importance of the work programme on just transition pathways and developed countries meeting their financial obligations.

Honduras, for the COALITION FOR RAINFOREST NATIONS (CfRN), expressed concerns over the Article 6 mechanism, pointing out flaws in Article 6.2 and proposed options for the Article 6.4 mechanism that may allow emission avoidance activities that jeopardize achieving 1.5°C. She highlighted REDD+ as the most successful framework for removals and emission reduction under the Convention.

CHILDREN AND YOUTH NGOs called out parties' lack of progress, saying resorting to Rule 16 on ACE and failure to deliver a GGA framework are unacceptable. They urged parties to put in the work and serve the international community until negotiations are over.

BUSINESS AND INDUSTRY NGOs called out parties' slow progress on critical issues and attempts by some parties to introduce new barriers to implementing cooperative approaches under Article 6.2. She stressed they need parties to show direction, commitment, and clarity on an ambitious, forward-looking GST outcome.

CLIMATE ACTION NETWORK underscored that the outcomes of the GST must include a full, fast, and fair phase-out of fossil fuels by 2050 at the latest, with a rapid decline by 2030.

DEMAND FOR CLIMATE JUSTICE urged countries to reject efforts to diminish the equity provisions of the Paris Agreement from parties that are "trying to run away from their responsibilities."

FARMERS lamented the lack of constructive dialogue on implementing climate action on agriculture and food security and the loss of another year of action. He called for the GST to raise ambition for credible action on agriculture.

INDIGENOUS PEOPLES' ORGANIZATIONS appreciated the reference to Indigenous Peoples in the GST and loss and damage fund, and called for: Indigenous Peoples' direct access to loss and damage funding and representation in the fund's board; including Indigenous Peoples' rights in the just transition pathways work programme; and human right safeguards in Article 6.4 governance.

LOCAL GOVERNMENTS AND MUNICIPAL AUTHORITIES noted three COP 28 milestones: the inclusion of direct financing for regional governments and communities in the loss and damage fund modalities; the local climate action summit; and the Coalition for High Ambition Multilevel Partnerships for Climate Action, supported by 66 parties.

TRADE UNION NGOs called for transformative decisions that reflect the urgent need for action, including a transition away from fossil fuels. She urged parties to adopt a just transition pathways work programme that has an open-ended mandate, includes observers at the table, and incorporates the International Labour Organization just transition mandate.

WOMEN AND GENDER lamented the lack of progress and outcomes on the agriculture, ACE, and adaptation discussions, and expressed concern about the backtracking and lack of ambition under the Lima Work Programme on Gender. She called for an end to fossil fuels, with just transitions.

Closure of the meeting: The SBSTA adopted its draft report (FCCC/SBSTA/2023/L.9). The SBI adopted its draft report (FCCC/SBI/2023/L.30). The SBs closed at 11:04 pm.

In the Corridors

The hustle of the negotiation building nearly matched the bustle of the other "petals" in the sprawling, flower-shaped Expo venue. But hustle and effort do not always produce results. Adaptation negotiations were, in one observer's words, "dire." Rule 16 befell the Adaptation Committee. After a week, the GGA talks still have not turned to substance and have no agreeable text. One negotiator worried about the further consequences if the GGA "crashes and burns," namely, that there would be a hole in the GST text, where the GGA outcomes were supposed to fit.

The phrase "equally unhappy" again circulated, as GST, just transition, and response measures negotiators (to name a few) passed their work onto the Presidency. After what a delegate called an overnight "marathon of so-called surgical" insertions, the text will be delivered as it previously stood, with the lengthy list of insertions compiled for ministers' consideration.