



## WARSAW CLIMATE CHANGE CONFERENCE: 11-22 NOVEMBER 2013

The 2013 Warsaw Climate Change Conference opens today in Warsaw, Poland, and will continue until 22 November. The Conference includes the 19th session of the Conference of the Parties (COP 19) to the UN Framework Convention on Climate Change (UNFCCC) and the 9th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 9). Three subsidiary bodies will also convene: the Subsidiary Body for Implementation (SBI), the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP).

The conference will consider various agenda items related to finance, mitigation, adaptation and technology. The COP will also hear a report from the ADP concerning progress made during the second year of its mandate to develop “a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties” by 2015 to enter into force no later than 2020.

### A BRIEF HISTORY OF THE UNFCCC AND THE KYOTO PROTOCOL

The international political response to climate change began with the adoption of the UNFCCC in 1992, which sets out a framework for action aimed at stabilizing atmospheric concentrations of greenhouse gases (GHGs) to avoid “dangerous anthropogenic interference with the climate system.” The Convention, which entered into force on 21 March 1994, now has 195 parties.

In December 1997, delegates to the COP 3 in Kyoto, Japan, agreed to a Protocol to the UNFCCC that committed industrialized countries and countries in transition to a market economy to achieve emission reduction targets. These countries, known as Annex I parties under the UNFCCC, agreed to reduce their overall emissions of six GHGs by an average of 5% below 1990 levels in 2008-2012 (first commitment period), with specific targets varying from country to country. The Kyoto Protocol entered into force on 16 February 2005 and now has 192 parties.

### LONG-TERM NEGOTIATIONS IN 2005-

**2009:** Convening in Montreal, Canada, in 2005, CMP 1 decided to establish the *Ad Hoc* Working Group on Annex I Parties’ Further Commitments under the Kyoto Protocol (AWG-KP) in accordance with Protocol Article 3.9, which mandated consideration of Annex I parties’ further commitments at least seven years before the end of the first commitment period. COP 11 created a process to consider long-term cooperation under the Convention through a series of four workshops known as “the Convention Dialogue.”

In December 2007, COP 13 and CMP 3 in Bali, Indonesia, resulted in agreement on the Bali Roadmap on long-term issues. COP 13 adopted the Bali Action Plan and established the *Ad Hoc* Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) with a mandate to focus on mitigation, adaptation, finance, technology and a shared vision for long-term cooperative action. Negotiations on Annex I parties’ further commitments continued under the AWG-KP. The deadline for concluding the two-track negotiations was in Copenhagen in 2009.

**COPENHAGEN:** The UN Climate Change Conference in Copenhagen, Denmark, took place in December 2009. The high-profile event was marked by disputes over transparency and process. During the high-level segment, informal negotiations took place in a group consisting of major economies and representatives of regional and other negotiating groups. Late in the evening of 18 December these talks resulted in a political agreement: the “Copenhagen Accord,” which was then presented to the COP plenary for adoption. After 13 hours of debate, delegates ultimately agreed to “take note” of the Copenhagen Accord. In 2010, over 140 countries indicated support for the Accord. More than 80 countries also provided information on their national mitigation targets or actions. Parties also agreed to extend the mandates of the AWG-LCA and AWG-KP until COP 16 and CMP 6 in 2010.

**CANCUN:** The UN Climate Change Conference in Cancun, Mexico, took place in December 2010, where parties finalized the Cancun Agreements. Under the Convention track, Decision 1/CP.16 recognized the need for deep cuts in global emissions in order to limit the global average temperature rise to 2°C above pre-industrial levels. Parties agreed to consider strengthening the global long-term goal during a Review by 2015, including in relation to a proposed 1.5°C target. They took note of emission reduction targets and nationally appropriate mitigation actions (NAMAs) communicated by developed and developing countries, respectively. Decision 1/CP.16 also addressed other aspects of mitigation, such as: measuring, reporting and verification (MRV); and reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests, and enhancement of forest carbon stocks in developing countries (REDD+).

The Cancun Agreements also established several new institutions and processes, including the Cancun Adaptation Framework, Adaptation Committee, and the Technology Mechanism, which includes the Technology Executive Committee (TEC) and the Climate Technology Centre and Network (CTCN). The Green Climate Fund (GCF) was created and designated as an operating entity of the Convention’s financial mechanism governed by a 24-member board. Parties



agreed to set up a Transitional Committee tasked with the Fund's design and a Standing Committee to assist the COP with respect to the financial mechanism. Parties also recognized the commitment by developed countries to provide US\$30 billion of fast-start finance in 2010-2012, and to jointly mobilize US\$100 billion per year by 2020.

Under the Protocol track, the CMP urged Annex I parties to raise the level of ambition towards achieving aggregate emission reductions consistent with the range identified in the Fourth Assessment Report (AR4) of the Intergovernmental Panel on Climate Change (IPCC), and adopted Decision 2/CMP.6 on land use, land-use change and forestry (LULUCF). The mandates of the two AWGs were extended for another year.

**DURBAN:** The UN Climate Change Conference in Durban, South Africa, took place from 28 November to 11 December 2011. The Durban outcomes covered a wide range of topics, notably the establishment of a second commitment period under the Kyoto Protocol, a decision on long-term cooperative action under the Convention and agreement on the operationalization of the GCF. Parties also agreed to launch the new ADP with a mandate "to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties." The ADP is scheduled to complete these negotiations by 2015. The new instrument should enter into effect from 2020 onwards. In addition, the ADP was also mandated to explore actions to close the pre-2020 ambition gap in relation to the 2°C target.

**DOHA:** The UN Climate Change Conference in Doha, Qatar, took place from 26 November to 8 December 2012. The conference resulted in a package of decisions, referred to as the "Doha Climate Gateway." These include amendments to the Kyoto Protocol to establish its second commitment period and agreement to terminate the AWG-KP's work in Doha. The parties also agreed to terminate the AWG-LCA and negotiations under the Bali Action Plan. A number of issues requiring further consideration were transferred to the SBI and SBSTA, such as: the 2013-15 review of the global goal; developed and developing country mitigation; the Kyoto Protocol's flexibility mechanisms; national adaptation plans (NAPs); MRV; market and non-market mechanisms; and REDD+. Key elements of the Doha outcome also included agreement to consider loss and damage, "such as an institutional mechanism to address loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change."

**ADP 2:** ADP 2 met in Bonn, Germany, from 29 April to 3 May 2013. The session was structured around workshops and roundtable discussions, covering the ADP's two workstreams. Many felt this format was helpful in moving the ADP discussions forward. Several delegates noted, however, that the ADP needs to become more focused and interactive in future sessions.

**BONN:** The Bonn Climate Change Conference took place from 3-14 June 2013. SBI 38 was characterized by an agenda dispute concerning a proposal by the Russian Federation, Belarus and Ukraine to introduce a new item on legal and procedural issues related to decision-making under the COP and CMP. As no solution to the dispute was found, the SBI was unable to launch substantive work. SBSTA 38 achieved what many saw as good progress, *inter alia*, on REDD+ and several methodological issues. The resumed ADP 2 was structured around workshops and roundtables. No agreement was reached on establishing one or more contact groups to move part of the work to a more formal setting. Many, however, felt that switching to a negotiating mode will be important to ensure that the ADP makes progress in future sessions.

## INTERSESSIONAL HIGHLIGHTS

### SIXTH MEETING OF THE TECHNOLOGY

**EXECUTIVE COMMITTEE (TEC 6):** This meeting took place from 26-28 June 2013, in Bonn, Germany. Participants

heard updates on the results of the first CTCN Advisory Board meeting and from the UN Environment Programme (UNEP) and the Secretariat regarding ongoing work and support for activities relating to technology needs assessments. They addressed nascent and possible future TEC collaborations with other relevant institutional arrangements, and discussed two draft technology briefs.

**FIRST MEETING OF EXPERTS ON LONG-TERM FINANCE (LTF):** The meeting, which convened from 16-17 July 2013, in Manila, the Philippines, considered possible pathways for mobilizing scaled-up climate finance; parameters for identifying such pathways; and enabling environments and policy frameworks in the context of mobilization and effective deployment of climate finance in developing countries.

**SECOND MEETING OF EXPERTS ON LTF:** This meeting took place in Bonn, Germany, from 19-20 August 2013, and considered: enabling environments and policy frameworks for effective deployment of climate finance; public policy and financial instruments that facilitate the mobilization of climate finance for mitigation and adaptation activities in developing countries; and parameters for identifying pathways for mobilizing scaled-up climate finance.

**LTF WRAP-UP EVENT:** This event, which took place in Incheon, Republic of Korea, from 10-12 September 2013, consisted of three thematic sessions: pathways for mobilizing scaled-up climate finance; enabling environments and policy frameworks for effective deployment of climate finance; and enabling environments and policy frameworks for mobilizing scaled-up finance. Acknowledging progress made, many representatives stressed that further work is required on: climate finance definitions; predictability of financing; and the role of the private sector.

**12TH SESSION OF THE WORKING GROUP (WG) I AND 36TH SESSION OF IPCC:** At its meeting, held from 23-26 September 2013 in Stockholm, Sweden, IPCC WG I finalized its contribution to the Fifth Assessment Report (AR5) titled "Climate Change 2013: The Physical Science Basis." The Panel then met to approve the WGI Summary for Policymakers and accepted the underlying report, including the Technical Summary and annexes.

**FIFTH MEETING OF THE GCF BOARD:** During the meeting, held from 8-10 October 2013, in Paris, France, the Board developed a roadmap aimed at raising financial resources for the Fund to support developing countries in their efforts to address climate change. The Board decided to implement an initial resource mobilization for the Fund within three months after the adoption of arrangements that will enable the Fund to receive and manage funds.

**MONTREAL PROTOCOL MOP 25:** The 25th Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer took place in Bangkok, Thailand, from 21-25 October 2013. Delegates debated whether or not the Montreal Protocol had a mandate to consider hydrofluorocarbons (HFCs). While delegates could not reach consensus on the amendment proposals to control HFCs under the Protocol, they did agree that the Technology and Economic Assessment Panel (TEAP) would address the technical, financial and legal aspects of management of HFCs using the Montreal Protocol and its mechanisms. There was also an agreement to host a workshop in 2014 related to HFCs.



## WARSAW HIGHLIGHTS: MONDAY, 11 NOVEMBER 2013

In the morning, the opening ceremony of the Warsaw Climate Change Conference was held, followed by opening plenary of COP 19. In the afternoon and evening, opening plenaries of CMP 9, SBI 39 and SBSTA 39 convened.

### OPENING CEREMONY

COP 18/CMP 8 President Abdullah bin Hamad Al-Attiyah, Qatar, highlighted the Doha Climate Gateway and progress made in Doha.

Marcin Korolec, Minister of the Environment, Poland, called on “each party to contribute an ingredient to help cure the planet,” expressing hope that COP 19 will build a solid foundation for addressing climate change.

Reminding delegates of the Olympic motto “faster, higher, stronger,” UNFCCC Executive Secretary Christiana Figueres underscored that what happens at the National Stadium in Warsaw “is not a game: we either all win or lose.”

Welcoming delegates, Hanna Gronkiewicz-Waltz, Mayor of Warsaw, highlighted her city’s sustainable activities in water management, transportation and energy.

Reporting on unprecedented changes in the climate system and their consequences, IPCC Chair Rajendra Pachauri stressed the need for greenhouse gas (GHG) emissions to peak by 2015 and increasing the share of renewable energy.

### COP PLENARY

**ORGANIZATIONAL MATTERS:** Marcin Korolec, Minister of the Environment, Poland, was elected COP 19/CMP 9 President by acclamation.

Parties agreed to apply the draft rules of procedure (FCCC/CP/1996/2) with the exception of draft rule 42 on voting.

On the agenda (FCCC/CP/2013/1), COP President Korolec underlined that the proposed new item on decision-making in the UNFCCC process is distinct from the item on the rules of procedure, and item on the proposal by Papua New Guinea and Mexico to amend Convention Articles 7 and 18. He also assured parties that discussions on the new item will be forward-looking and that its inclusion will not prejudice outcomes.

The COP adopted the agenda as proposed with the agenda item on the second review of the adequacy of Convention Articles 4.2(a) and (b) held in abeyance. PAPUA NEW

GUINEA stressed the need for transparent and effective decision-making in order to address “one of the biggest risks to humanity.”

COP President Korolec indicated that consultations will be conducted on the election of officers. Parties agreed to the accreditation of observer organizations (FCCC/CP/2013/2).

**OPENING STATEMENTS:** Fiji, for the G-77/CHINA, highlighted the “most devastating” effects of typhoon Haiyan on the Philippines, Viet Nam and Palau, stressing that the countries least responsible for climate change are those most affected. Identifying priorities, he highlighted: implementation of outcomes of previous meetings; finance; the Review; loss and damage; technology; and response measures. He emphasized that finance forms the basis of any ambitious action to tackle climate change.

The EUROPEAN UNION (EU) called for progress on, *inter alia*, the loss and damage mechanism, the implementation agenda, and working toward a fair and ambitious post-2020 regime. Australia, for the UMBRELLA GROUP, said COP 19 needs to “cement” recent achievements, and underlined the importance of maintaining confidence in the decision-making procedures of the UNFCCC.

Switzerland, for the ENVIRONMENTAL INTEGRITY GROUP (EIG), indicated that the climate regime should be strengthened by implementing and clarifying mitigation pledges, operationalizing and capitalizing the GCF, and creating common accounting rules for units from market mechanisms. He stated that typhoon Haiyan is a “stark reminder” of the imperative of work under the Convention.

Thanking delegates for their expressions of solidarity following typhoon Haiyan, the PHILIPPINES recalled the appeal he made in Doha for urgent action in the aftermath of typhoon Bopha. Regretting “colossal devastation” in his country following Haiyan, he urged those denying the reality of climate change to descend from “their ivory towers.” He underscored that the world has entered a new era “where even the most ambitious emission reductions by developed countries will not be enough.” Stressing the need for global solidarity, he noted the importance of means of implementation and the need to address loss and damage.

Recalling that the last climate conference took place against the backdrop of hurricane Sandy, Nauru, for the ALLIANCE OF SMALL ISLAND STATES (AOSIS), said it is hard to claim that “we have lived up to the commitments we made to each other” in view of Haiyan. She emphasized the need to



limit global warming to well below 1.5°C using the 2013-15 Review as an opportunity to ensure survival. Swaziland, for the AFRICAN GROUP, highlighted that loss and damage is beyond adaptation measures, and called for ambitious mitigation targets and appropriate levels of support to developing countries. Nepal, for the LEAST DEVELOPED COUNTRIES (LDCs), stressed COP 19 as an opportunity to address “the unfinished business under the Bali Action Plan,” suggesting, *inter alia*, the adoption of workplans on finance and for the ADP.

Papua New Guinea, for the COALITION FOR RAINFOREST NATIONS, called for progress on REDD+, including a concise set of modalities for results-based finance, a mix of public and private sources of finance, and clear MRV guidelines. China, for Brazil, South Africa, India and China (BASIC), said that advancing the implementation of previous commitments is “paramount” to creating the necessary conditions for work under the ADP. He urged for a clear roadmap for the provision of US\$100 billion of annual funding by 2020. Saudi Arabia, for the ARAB GROUP, emphasized: the need for continued differentiation between developed and developing country mitigation commitments; and support for developing country actions, including financing in the 2013-2020 period at levels that are not lower than during the fast-start finance period.

Panama, for the CENTRAL AMERICAN INTEGRATION SYSTEM (SICA), highlighted the need for more ambitious commitments from all parties, and identified loss and damage as “a fundamental requisite” for success in Warsaw. Chile, for the INDEPENDENT ALLIANCE OF LATIN AMERICA AND THE CARIBBEAN (AILAC), called for progress on: finance; framework for various approaches (FVA); adaptation; technology; and transparency, accountability and support for actions. The Dominican Republic, for the CARTAGENA DIALOGUE FOR PROGRESSIVE ACTION, announced the launch of the Quisqueya Platform in October 2013 at a meeting attended by 34 developed and developing countries across regions and negotiating groups.

Nicaragua, for the LIKE-MINDED DEVELOPING COUNTRIES (LMDC), called for: “unconditional” increase of Annex I mitigation targets in 2014; rapid and substantial capitalization of the GCF; operationalization of the loss and damage mechanism; and finalization of the technology mechanism, including by addressing intellectual property rights (IPRs). Tajikistan, for MOUNTAINOUS LANDLOCKED DEVELOPING COUNTRIES, emphasized equal access to the GCF for adaptation, and that developed countries’ efforts alone are not sufficient to stop climate change. Cuba, for the BOLIVARIAN ALLIANCE FOR THE PEOPLES OF OUR AMERICA (ALBA), stressed the need to implement decisions related to finance; and reconfirm the principle of common but differentiated responsibilities (CBDR), and the leadership role of developed countries.

BUSINESS AND INDUSTRY stressed that investment and innovation depend on strong institutions, and the protection of investment and IPRs. Calling on parties to take courageous actions and choose people over corporate interest, ENVIRONMENTAL NGOs emphasized that COP 19 negotiations are about a global emissions budget, which parties should agree to share fairly based on their historical responsibility. INDIGENOUS PEOPLES called for: full and effective participation of indigenous peoples in all UNFCCC processes; more concrete decisions relevant to indigenous peoples; and respect for indigenous peoples’ rights.

## CMP PLENARY

**ORGANIZATIONAL MATTERS:** On the agenda (FCCC/KP/CMP/2013/1), Fiji, for the G-77/CHINA, proposed a new item on modalities and arrangements for the high-level ministerial roundtable to revisit the quantified emission limitation and reduction commitments for the second commitment period. Supported by Australia, the EU objected, stressing that the relevant decision from Doha on the ambition mechanism provides sufficient guidance on this matter. Noting the lack of consensus on its proposal, the G-77/CHINA underlined that the issue could be raised under the agenda item on other matters.

Parties adopted the agenda as originally proposed and agreed to the organization of work (FCCC/KP/CMP/2013/1) without amendment. CMP President Korolec reported that consultations on the election of officers will be conducted.

**OPENING STATEMENTS:** The G-77/CHINA, called for: prompt ratification by all parties of the Doha Amendment to the Protocol; ongoing work under the SBSTA to enhance environmental integrity and avoid “creating loopholes;” and increased ambition by Annex I parties under the ambition mechanism launched at CMP 8.

Noting that the entry into force of the Doha Amendment requires ratification by three fourths of Protocol parties, but has only been ratified by three, the EU highlighted its commitment to ratify. Australia, for the UMBRELLA GROUP, stressed the need to consolidate recent achievements and finalize rules for the second commitment period. Lichtenstein, for the EIG, expressed satisfaction with the Doha Amendment.

Nauru, for AOSIS; Nepal, for the LDCs; Swaziland, for the AFRICAN GROUP; Nicaragua, for the LMDC; and Colombia, for AILAC, called on developed country parties to increase their level of ambition and expedite the ratification of the Doha Amendment. The LDCs also urged Annex I parties that have not taken commitments for the second commitment period to raise their level of ambition. China, for BASIC, urged developed country parties to revisit and significantly increase their emission targets in 2014, and parties that have not undertaken such commitments to raise their level of ambition within the same timeframe.

The LMDC underlined that raising pre-2020 ambition is key to a strong post-2020 regime. Saudi Arabia, for the LEAGUE OF ARAB STATES, underscored the historic responsibility of developed countries to mitigate climate change. Ecuador, for ALBA, said addressing climate change requires a global effort and urged changing the development paradigm.

CLIMATE JUSTICE NOW! called on all Annex I parties to review and increase their targets immediately, and ratify the Doha Amendment. The CLIMATE ACTION NETWORK (CAN) called for countries to come to the UN Secretary-General’s 2014 Summit on climate change with ambitious targets. INDIGENOUS CAUCUS called for operationalizing equity for the indigenous peoples by guaranteeing their full participation. Underlining that this generation holds the world’s atmosphere in trust for future generations, YOUNGOs urged including intergenerational equity and loss and damage in the new agreement.

## SBI PLENARY

**ORGANIZATIONAL MATTERS:** SBI Chair Tomasz Chruszczow (Poland) highlighted the need to streamline discussions and work efficiently. parties adopted the agenda (FCCC/SBI/2013/11) with the item on information in non-annex i national communications held in abeyance.

**OPENING STATEMENTS:** Fiji, for the G-77/CHINA, stressed adaptation and operationalization of a loss and damage mechanism as priorities. Nauru, for AOSIS, reiterated that loss and damage is different from adaptation and mitigation. Panama, for SICA, stressed the importance of a loss and damage mechanism with links to other bodies and institutions in the areas of adaptation, technology and finance. Nepal, for the LDCs, called for strong funding commitments from developed countries, including for adaptation through the Least Developed Countries Fund (LDCF) and the GCF.

Australia, for the UMBRELLA GROUP, highlighted, *inter alia*, International Consultation and Analysis (ICA), NAMAs and further clarifying developed countries' targets. Highlighting the IPCC WGI contribution to the AR5, the EU called for progress on the Review. Mexico, for the EIG, emphasized the need for: enhanced understanding of the diversity of NAMAs; agreement on institutional arrangements for REDD+; and institutional arrangements for loss and damage to be designed on the basis of existing facilities. Swaziland, for the AFRICAN GROUP, called for: more decision-making power for the Consultative Group of Experts (CGE); mitigation actions in the forestry sector; and for institutional arrangements on loss and damage to consider compensation, rehabilitation and insurance. Papua New Guinea, for the COALITION FOR RAINFOREST NATIONS, emphasized that a joint SBI/SBSTA process on coordination of finance for forestry actions is vital for REDD+ implementation.

Tajikistan, for MOUNTAINOUS LANDLOCKED DEVELOPING COUNTRIES, suggested further pre-session meetings prior to the next COP, and identified NAPs as a priority to all developing countries. Bolivia, for ALBA, observed that forests also have adaptation functions, and emphasized adaptation finance.

CAN said there should be "no U-turn" on loss and damage, highlighting that the issue is about climate justice, and protecting human rights and dignity. CLIMATE JUSTICE NOW! called for a mechanism on loss and damage that goes beyond adaptation and cannot be valued in monetary terms.

**LOSS AND DAMAGE:** Noting submissions from the EU and the G-77/China on loss and damage, SBI Chair Chruszczow encouraged parties also to engage informally and bilaterally, and bring textual proposals.

Bolivia, for the G-77/CHINA, stressed that work on loss and damage needs to be meaningful and highlighted the need for additional resources. Nauru, for AOSIS; Timor Leste, for the LDCs; and Tanzania, for the AFRICAN GROUP, urged fulfilling the Doha mandate by establishing a mechanism on loss and damage. EGYPT emphasized linkages between loss and damage, and adaptation, and called for: identifying the needs of developing countries; funding a loss and damage mechanism; and taking into account early warning systems. A contact group will consider the issue.

**OTHER AGENDA ITEMS:** The following agenda items and sub-items were briefly considered and forwarded to contact groups or informal consultations:

- Annex I national communications;
- non-Annex I national communications, including CGE, and financial and technical support;
- coordination of support for mitigation actions in the forest sector by developing countries, including institutional arrangements;
- technology, including: the joint annual report of the TEC and the CTCN; report on modalities and procedures of the CTCN and its Advisory Board; and the Poznan strategic programme on technology transfer;
- response measures, including: forum and work programme; matters relating to Protocol Article 3.14; and progress on the implementation of decision 1/CP.10;
- the 2013–2015 Review;
- Annex I parties whose special circumstances are recognized by the COP;
- a second dialogue under Convention Article 6 on public participation;
- gender, climate change and the UNFCCC;
- completion of the expert review process under Protocol Article 8 for the first commitment period;
- NAMAs, including: composition, modalities and procedures of the team of technical experts under ICA; and work programme to further the understanding of the diversity of NAMAs;
- finance, including the Adaptation Fund and other matters related to finance;
- capacity-building under the Convention and the Protocol;
- matters relating to the Protocol's mechanism and the relevant-sub items;
- NAPs;
- Adaptation Committee Report;
- LDCs; and
- administrative, financial and institutional matters, including the programme budget for 2014-2015.

The SBI also took note of the report on national GHG inventory data from Annex I parties for 1990-2011; and the report of the administrator of the international transaction log.

Highlighting "extraordinary circumstances," SBI Chair Chruszczow proposed, and parties agreed, to defer to SBI 40 the consideration of items on procedures, mechanisms and institutional arrangements for appeals against decisions of the CDM Executive Board, and privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol. SAUDI ARABIA highlighted that this does not constitute a precedent for future rulings in the SBI.

#### **SBSTA PLENARY**

**ORGANIZATIONAL MATTERS:** On the agenda (FCCC/SBSTA/2013/4), SBSTA Chair Richard Muyungi (Tanzania) proposed including a new sub-item on clarification of the text in section G, Article 3.7 *ter* of the Doha Amendment under the item on methodological issues under the Protocol. Parties agreed, adopting the agenda and agreeing to the organization of work. On opening statements, the SBSTA also agreed that parties submit these to the Secretariat for posting online.

**AGRICULTURE:** SBSTA Chair Muyungi proposed a contact group to consider this issue. Fiji, for the G-77/CHINA, supported by BRAZIL, EGYPT, INDIA, ALGERIA, ARGENTINA and others, opposed, explaining that it had not been previously agreed. The US, the EU, SWITZERLAND, CANADA, NEW ZEALAND and AUSTRALIA, expressed willingness to discuss this issue and supported a contact group. SBSTA Chair Muyungi will consult with parties informally and report back to the SBSTA. The workshop on agriculture will take place as planned.

**BUNKER FUELS:** On emissions from fuel used for international aviation and maritime transport, the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO) reported on relevant work (FCCC/SBSTA/2013/MISC.20).

CUBA, on behalf of Algeria, Argentina, Brazil, China, the Democratic Republic of the Congo, Ecuador, Egypt, India, Malaysia, Nicaragua, the Philippines, Saudi Arabia and Venezuela, said that measures taken to combat climate change, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. CHINA said he welcomed ICAO's "reaffirmation" of CBDR and stated that IMO recognizes the principles of the UNFCCC, including CBDR. The REPUBLIC OF KOREA expressed concern over unilateral approaches to aviation and stated that emissions from shipping should be considered under the IMO.

JAPAN underlined that the principle of non-discrimination in the Chicago Convention on International Civil Aviation conflicts with CBDR, and said the former should guide the aviation sector. She said CBDR is not appropriate for the shipping industry because of the complex registration of vessels. SINGAPORE, supported by PANAMA, called ICAO and IMO the "most competent" bodies to address emissions in their respective sectors. The SBSTA will consult informally.

**OTHER AGENDA ITEMS:** The following agenda items and sub-items were briefly considered and forwarded to contact groups or informal consultations:

- Nairobi Work Programme;
- report of the Adaptation Committee;
- methodological guidance for REDD+;
- coordination of support for mitigation actions in the forest sector by developing countries;
- technology, including: the joint annual report of the TEC and CTCN; report on modalities and procedures for CTCN; and third synthesis of non-Annex I technology needs;
- research and systematic observation;
- response measures, including: forum and work programme; and matters relating to Protocol Article 2.3;

- methodological issues under the Convention and sub-items;
- methodological issues under the Kyoto Protocol and sub-items;
- markets and non-market mechanisms, including FVA; non-market-based approaches; and the new market mechanism (NMM);
- the 2013-2015 Review; and
- work programme on clarification of quantified economy-wide emission reduction targets of developed countries.

**OTHER MATTERS:** The SBSTA considered a proposal by Brazil to address the development by the IPCC of a reference methodology on historical responsibilities to guide domestic consultations for the 2015 agreement under the SBSTA. The US, supported by the EU, AUSTRALIA, SWITZERLAND, CANADA, NEW ZEALAND, NORWAY and ISRAEL, opposed consideration of this issue, whereas VENEZUELA, INDIA, CUBA, CHINA, BOLIVIA and SAUDI ARABIA supported it. SBSTA Chair Muyungi said he would consult parties and report to the SBSTA plenary.

**IN THE CORRIDORS**

Delegates breathed a sigh of relief as the COP agenda was adopted smoothly on Monday morning, confirming that the ghosts of the stalled SBI session in June "were exorcized." According to rumors, this was a close call, as agreement on the inclusion of the new agenda item on decision-making in the UNFCCC process had been reached minutes before the opening ceremony. Some lamented, however, that the painless adoption of the heavily loaded agenda had been marred by two hours of opening statements. As a result, no time was left for opening statements under the SBSTA in the evening.

While the adoption of the agenda did not create any drama, the COP opening plenary was nonetheless highly emotional with many evoking the devastation caused by typhoon Haiyan in the Philippines, Viet Nam and other countries in the region. A powerful speech by Nadrev Saño, the Climate Change Commissioner from the Philippines, brought tears to the eyes of many, as he announced that, in solidarity with his people, he would voluntarily fast until the COP reaches a meaningful outcome and delivers real ambition on climate action.



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NEGOTIATIONS



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## WARSAW HIGHLIGHTS: TUESDAY, 12 NOVEMBER

In the morning, the opening plenary of the ADP took place. Throughout the day, a number of contact groups, informal consultations, workshops and other events convened under the SBI, SBSTA and ADP. These included, *inter alia*: a SBSTA in-session workshop on agriculture; SBI in-session workshop on gender and climate change; forum on response measures in-forum workshop on cooperation on response strategies; second meeting of the structured expert dialogue on the 2013-2015 Review; ADP briefing on overview of institutions, mechanisms and arrangements under the Convention; and a contact group on loss and damage.

### ADP

**IMPLEMENTATION OF ALL THE ELEMENTS OF DECISION 1/CP.17:** Opening the third part of ADP 2, Co-Chair Kishan Kumarsingh (Trinidad and Tobago) highlighted that, by the end of the Warsaw session, half of the ADP's lifetime will have passed. He called for a draft negotiating text by December 2014 and a negotiating text by May 2015. He drew attention to the Co-Chairs' note on the organization of work (ADP.2013.16. InformalNote) and welcomed parties' submissions. He explained that the ADP's work will also be informed by technical papers on adaptation (FCCC/TP/2013/10) and pre-2020 ambition (FCCC/TP/2013/8 and Add.s 1&2).

On workstream 1 (2015 agreement), Co-Chair Kumarsingh said that parties are now ready to "shift gears" by moving forward, and not in reverse, and define the content and elements of the 2015 agreement. On workstream 2 (pre-2020 ambition), he called for a common understanding of the concrete outcome in Warsaw.

He explained that open-ended consultations, facilitated by questions from the Co-Chairs, will take place in a plenary setting, expressing hope that this more formal setting will provide for a dynamic, transparent and inclusive exchange. The Co-Chairs will also consult with parties on the need for further sessions in 2014, in addition to the three sessions already agreed.

**OPENING STATEMENTS:** Fiji, for the G-77/CHINA, highlighted the Convention's principles and the need to avoid their reinterpretation. He called for a fair, ambitious and equitable outcome under the Convention in accordance with its principles that will include mitigation, adaptation and means of implementation. Swaziland, for the AFRICAN GROUP, highlighted the need for a global goal for adaptation.

The EU called for progress on substantive elements of the new agreement and setting out a timeline for delivering it. Regarding workstream 2, he called for: specific options with tangible results; new pledges and implementation of existing ones; and scaled up action in areas with high mitigation potential, includ-

ing HFCs. Australia, for the UMBRELLA GROUP, emphasized the need to build momentum towards an effective agreement, with all parties contributing "to the best of their abilities"; and to lay the groundwork for the elements of a negotiating text. On workstream 2, he encouraged countries that have not yet submitted pledges, including 20 out of the top 50 emitters, to do so.

Switzerland, for the EIG, called for a decision on the elements, structure and scope of the new agreement. He identified the need to strengthen international cooperation, including by sending a clear signal to the Montreal Protocol to phase down HFCs.

Nauru, for AOSIS, highlighted its submission on mitigation opportunities and strategies to overcome obstacles to their wider implementation. Opposing a non-binding pledge-and-review regime, Nepal, for the LDCs, suggested two contact groups for each workstream; called for exploring a range of options to increase pre-2020 ambition; and urged capturing the implementation of the AWG-LCA outcome for 2013-2020, particularly regarding finance.

China, for BASIC, welcomed the Brazilian submission proposing that the IPCC develop a reference methodology on historical responsibilities. Chile, for AILAC, urged building bridges within the variety of realities, capacities and responsibilities among countries, and expressed readiness to "dive deeper" into defining elements of the 2015 agreement, particularly on adaptation, finance, and transparency of action and support.

Venezuela, for the LMDCs, emphasized that "applicability to all" does not mean uniformity of application and stated that enhanced Annex I ambition in 2014 is crucial for success under workstream 1. Saudi Arabia, for the ARAB GROUP, called for: clear commitments by developed countries taking into account the principles of CBDR, and fairness and justice in sharing atmospheric resources; ratification of the Doha Amendment to the Kyoto Protocol; and operationalization of the GCF and the TEC.

Bolivia, for ALBA, stressed that "climate is not a lucrative business opportunity" and cautioned against transferring developed countries' obligations to developing countries through bank loans, carbon markets, risk insurances and private investment. Papua New Guinea, for the COALITION FOR RAINFOREST NATIONS, called for new and additional financial and technical support for the implementation of REDD+ activities, to be accompanied by a new governance architecture.

Panama, for SICA, supported, *inter alia*, a finance roadmap for sustainable and predictable public finance supplemented by private sector funding; a solid oversight and monitoring mechanism with respect to finance, technology transfer and capacity building; and streamlined access to existing institutions.

PERU called for more ambitious goals and a clear roadmap for the 2015 agreement with additional meetings before COP 20. He stressed the importance of negotiating an agreement that



is politically feasible and sustainable, and urged agreement on criteria for assessing past and present aid.

BINGOs underscored the importance of engaging business in the ADP process, noting that innovation and investment depend on clear rules and strong markets. CAN called for a common set of equity indicators for assessing parties' future pledges. CLIMATE JUSTICE NOW! urged governments to take more ambitious action based on equity. INDIGENOUS PEOPLES called for a human rights-based approach, stressing the need for full participation by indigenous peoples at all levels. AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS indicated that the new agreement must include sufficient support to deal with climate change impacts, and strong rules on accounting and compliance. WOMEN AND GENDER urged a shift away from a profit-driven paradigm, and called for measures that are: based on science; gender responsible; and reflect a human rights-based approach. YOUNGOS stressed that the principle of intergenerational equity should be central to the ADP.

**OVERVIEW OF INSTITUTIONS, MECHANISMS AND ARRANGEMENTS UNDER THE CONVENTION:** In the afternoon, the ADP convened to consider an overview of institutions, mechanisms and arrangements under the Convention. Co-Chair Runge-Metzger identified the state of play under the Convention as "a natural entry point" into discussions under both ADP workstreams. The Secretariat presented the overview (FCCC/ADP/2013/INF.2), noting an online interface for future reference.

Lamenting that critical aspects of REDD+ have been left out, BRAZIL requested that the document and online platform be amended to reflect the context of adequate and predictable support from developed countries and ongoing work on REDD+ financing. The PHILIPPINES underscored the need to address the adaptation funding crisis, and called for predictable, adequate and sustainable funding to make the existing institutions work. IRAN stressed the principle of CBDR.

CHINA underscored the review and implementation of Annex I parties' commitments during the Protocol's second commitment period and called for comparable mitigation efforts by Annex I parties with no current commitments under the Protocol. NEPAL called for capitalizing the GCF and ensuring all features of NAMAs are enabled through support to developing countries.

The EU suggested looking at existing institutions on adaptation, mitigation, finance and technology, to assess adequacy or identify gaps to be filled to deliver on core elements of the 2015 agreement. Underscoring a financial mechanism without adequate resources and certainty as a structural problem, ANTIGUA AND BARBUDA recommended that any future financial mechanism be under the Convention so that it is subject to review. She cautioned against reversing the polluter pays principle through loans from developed countries to developing countries for adaptation and mitigation.

PAPUA NEW GUINEA called for clarifying what constitutes climate finance, expressing concern that significant amounts are channeled to the private sector or fall under official development assistance. Calling for a practical way to address technology transfer, INDIA lamented that IPRs have "turned into a taboo" under the UNFCCC. NAURU called on developed countries to: raise the level of ambition using the ambition mechanism; help developing countries design, prepare and implement their NAMAs; and capitalize on the mitigation potential of renewable energy and energy efficiency.

#### SBSTA

**WORKSHOP ON AGRICULTURE:** In the morning, an in-session SBSTA workshop on agriculture took place, facilitated by Hans Åke Nilsagård (Sweden) and Selam Kidane Abebe

(Ethiopia). SBSTA Chair Muyungi opened the workshop, noting his ongoing consultations on the establishment of a SBSTA contact group on agriculture.

The IPCC presented on various impacts of climate change on agriculture explaining that the sector is vulnerable to climate extremes, with implications for food security. The UN FOOD AND AGRICULTURE ORGANIZATION discussed challenges, opportunities and success stories of practical implementation of adaptation and identification of adaptation co-benefits in agriculture.

In the panel discussion, SWITZERLAND and INDIA shared their experiences on the impact of climate change on agriculture. JAPAN and COLOMBIA discussed practices and approaches to deal with adaptation in agriculture. The EU, and Malawi, for the AFRICAN GROUP, highlighted scientific knowledge to enhance adaptation while promoting agricultural productivity.

During the ensuing discussion, Egypt, for the G-77/CHINA, underscored that the SBSTA's consideration of agriculture must focus on adaptation, and welcomed further consideration of this issue at SBSTA 40. Among several key issues for adaptation in the agricultural sector, he identified loss and damage as "crucial."

Several developing countries, including VIET NAM, SRI LANKA, ARGENTINA and THAILAND, underlined climate vulnerability of their agricultural sectors, including: reduced yields; increased incidents of pests and diseases; droughts; and threatened livelihoods of rural populations dependent on agriculture. The Gambia, for the LDCs, and Egypt, for the G-77/CHINA, and several other developing countries called for finance and technology transfer to aid adaptation efforts at the local level and include agriculture in NAPs.

AUSTRALIA noted common challenges faced by many agricultural countries, despite varying national circumstances. BRAZIL highlighted that tropical agriculture is more vulnerable, and underscored the need to focus on adaptation, not co-benefits. He suggested establishing a platform for collecting information.

The US identified knowledge management, capacity building and technology transfer as commonalities. CANADA noted many countries mentioned locally-appropriate approaches and the need to increase resilience. CHINA stressed food security as a priority and called for work on this issue to remain in accordance with the Convention's principles, particularly CBDR.

The Secretariat will prepare a report of the workshop for SBSTA 40, and informal consultations on whether to convene a contact group will continue.

**STRUCTURED EXPERT DIALOGUE ON THE 2013-2015 REVIEW:** The second structured expert dialogue on the 2013-2015 Review of the adequacy of the long-term global goal and the overall progress made towards achieving it took place in the afternoon, co-facilitated by Andreas Fischlin (Switzerland) and Zou Ji (China).

Thomas Stocker, IPCC, presented the main findings of IPCC WG I's contribution to AR5, highlighting that: warming of the climate system is unequivocal; human influence on the climate system is clear; and limiting climate change will require substantial and sustained reductions of GHGs. Discussions addressed: sea level rise projections; impacts of 2°C warming on small islands; reliability of projections; and assessment of climate models.

Detlef van Vuuren, Integrated Assessment Modeling Consortium, presented on representative concentration pathways (RCPs), noting that emission scenarios only include baseline scenarios and do not cover climate policy. Jonathan Gregory, IPCC, outlined causes of global mean sea level rise, stressing the non-linear relationship between emission trends and sea level



rise. Krishna Kumar Kanikicharla, IPCC, presented on regional changes, focusing on dry days, monsoons, variability of El Niño Southern Oscillation, and tropical cyclones.

During the discussion, parties asked questions related to, *inter alia*: approximating pre-industrial emission levels; predicting thresholds; assessing the feasibility of RCP 2.6; forecasting extreme weather events under various scenarios; identifying targets other than temperature; and including adaptation costs in the long-term global goal.

**FORUM ON THE RESPONSE MEASURES IN-FORUM WORKSHOP:** The in-session workshop was co-facilitated by SBSTA Chair Richard Muyungi and SBI Chair Thomasz Chruszczow.

A UNFCCC consultant gave an overview of the work of the forum, noting that parties have expressed satisfaction with the forum as a venue to discuss the impact of response measures.

The G-77/CHINA stressed that cooperation on response strategies is to be viewed in the context of sustainable development and poverty eradication, in accordance with the Convention's principles and provisions. She highlighted the forum as a good platform to facilitate and strengthen cooperation. SAUDI ARABIA emphasized the importance of cooperation, identified questions that parties can explore, and underscored that the work of the forum has just started and should be continued. KUWAIT identified the forum as the right place to report on the impact of response measures, highlighting that this issue should also be addressed in national communications.

The UN DEVELOPMENT PROGRAMME highlighted a programme that supports developing countries undertaking mitigation actions. The INTERNATIONAL LABOUR ORGANIZATION underscored the importance of decent work and green jobs. The INTERNATIONAL TRADE UNION CONFEDERATION highlighted cooperation on response strategies. The INTERNATIONAL CENTRE FOR TRADE AND SUSTAINABLE DEVELOPMENT presented on climate change and trade, arguing that response measures should be the result of cooperation. The SOUTH CENTRE highlighted the need to enhance cooperation between Annex I and non-Annex I parties.

### SBI

**LOSS AND DAMAGE:** The contact group on loss and damage met in the afternoon. Drawing attention to submissions by the G-77/China, the EU, Switzerland and Norway, Co-Chair Robert Van Lierop (St. Kitts and Nevis) invited parties to exchange views on the mandate from Doha and structuring work in Warsaw.

The G-77/CHINA, supported by AOSIS, the LDCs, the AFRICAN GROUP and others, called for textual discussions based on its recent submission, and stressed the need for a system to address loss and damage instead of an *ad hoc* humanitarian approach. AOSIS, the LDCs, the AFRICAN GROUP and others urged discussion on functions and modalities. The PHILIPPINES called for mobilizing resources for the GCF.

The US proposed consideration of responses within and outside the UNFCCC. The EU said institutional arrangements should draw on the Convention's bodies and called for engaging all relevant stakeholders. NORWAY highlighted knowledge building, coordination, and action and support as elements of institutional arrangements. SWITZERLAND stressed the need for common ground on functions of institutional arrangements. NEW ZEALAND identified loss and damage as part of a continuum that prioritizes mitigation and adaptation first, and pointed to loss and damage solutions already in place. Informal consultations will be held.

### WORKSHOP ON GENDER AND CLIMATE CHANGE:

In the afternoon, an in-session SBI workshop on gender and climate change took place, co-facilitated by Lilian Portillo (Paraguay) and Georg Børsting (Norway), and moderated by Jane Chigyal (Federated States of Micronesia).

Delegates heard a report from the Secretariat on gender composition of bodies under, and delegations to, the UNFCCC; and on the work of the Collective Working Group on the COP 18 Gender Decision, including an analysis of submissions by parties and observers.

A panel on gender balance in the UNFCCC process shared experiences of a parliamentary union, national governments and the UN system, highlighting: creation of spaces for women; creative sanctions; securing buy-in from all; quotas; consistent funding and training for developing-country delegates; and supportive environments created by women leaders. Panelists also called for moving towards implementation of decision 23/CP.18 (gender balance and participation of women), including through a concrete timeline for action and a global fund for supporting women delegates.

The second panel discussed capacity-building activities to promote greater participation of women in the UNFCCC process. Presenters emphasized the importance of: the institutionalization of capacity-building and training; tailor-made capacity building; development of analytical skills; communication; and monitoring and reporting mechanisms. One panelist called for: a framework for continuing cooperation; a roadmap to set priorities, a timetable and targets; and a permanent training programme.

A third panel addressed the issue of gender-sensitive climate policy.

In the discussions, the UNITED ARAB EMIRATES called for further in-session workshops and events. ICELAND noted that gender balance is merely one aspect of gender equality. UGANDA suggested building institutionalized frameworks for reporting on gender and climate change, and incorporating gender reporting in national communications. The EU called for gender workshops under the SBI on, *inter alia*, mitigation, adaptation, technology and finance.

### IN THE CORRIDORS

On Tuesday, the Warsaw National Stadium swarmed as delegates buzzed around the halls in what one delegate called "one of the busiest days in the history of the UNFCCC process."

The day's packed agenda included a number of informal groups on market mechanisms, including those on Clean Development Mechanism and Joint Implementation reform, non-market approaches and the new market mechanism. Multiple meetings did not seem to yield much common ground. While some seemed keen to complement the familiar Kyoto mechanisms with new ones, others pointedly asked "why establish new mechanisms — where will the demand come from?" Some also continued to question the fundamental need for market mechanisms, stressing the need for robust domestic mitigation measures instead. The only agreement emerging was that concrete results, especially regarding new mechanisms, will take time.

Delegates continued to be moved by the plight of those affected by typhoon Haiyan. In the contact group on loss and damage, references to the damage in her country moved a Philippine delegate to tears. Throughout the day, red circles appeared on some participants' lapels to show solidarity with Naderev Saño, the Climate Change Commissioner from the Philippines, and join his voluntary fast. One delegate explained that this show of support extends beyond the growing number of civil society representatives and even the halls of the UNFCCC conference venue, as individuals from around the world are pledging to fast in the hope of a meaningful outcome at COP 19.



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## WARSAW HIGHLIGHTS: WEDNESDAY, 13 NOVEMBER

In the morning, the COP plenary convened. The CMP and SBSTA plenaries took place in the afternoon. Throughout the day, a number of contact groups, informal consultations, workshops and other events convened under the COP, SBI, SBSTA and ADP. These included: second meeting of the structured expert dialogue on the 2013-2015 Review; ADP workshop on lessons learned from relevant experiences of other multilateral environmental agreements (MEAs); ADP open-ended consultations on elements of the 2015 agreement; ADP open-ended consultations on workstream 2; a SBSTA/SBI contact group on the 2013-2015 Review; and a COP contact group on issues related to finance.

### COP PLENARY

**ORGANIZATIONAL MATTERS: Dates and Venue of Future Sessions:** PERU offered to host COP 20/CMP 10 from 1 to 12 December 2014 in Lima. FRANCE offered to host COP 21/CMP 11 from 30 November to 11 December 2015 in Paris. COP President Korolec will consult with parties on offers to host future sessions.

**MATTERS RELATING TO FINANCE: Work Programme on Long-term Finance (LTF):** LTF Programme Co-Chair Mark Storey (Sweden) reported on the extended work programme on LTF (FCCC/CP/2013/7), highlighting the need for transparency in the definition and tracking of LTF, and calling for identifying ways of scaling up private finance for adaptation.

The Philippines, for the G-77/CHINA, said a successful outcome in 2015 depends on progress on predictability, accountability and sustainability of LTF. Egypt, for the AFRICAN GROUP, underlined that the level of action on climate change is related to the level of support provided to developing countries, stressing the gap in adaptation finance. MALDIVES encouraged developed countries to develop a burden-sharing agreement to reach the US\$100 billion annual goal. Colombia, for AILAC, urged: clarity and predictability in the provision of finance; clarity in the scale of resources to be mobilized; and sufficient funding for the Adaptation Fund (AF).

The EU indicated that it has fulfilled and reported on LTF obligations. The REPUBLIC of KOREA suggested setting up a working group on LTF to start a political dialogue on this issue.

**Report of the Standing Committee on Finance (SCF):** SCF Co-Chairs Diann Black-Layne (Antigua and Barbuda) and Stefan Schwager (Switzerland) introduced the report (FCCC/CP/2013/8). The G-77/CHINA and the AFRICAN GROUP called for work on the MRV of support. BOLIVIA called for attention to forests.

**Green Climate Fund (GCF):** Former GCF Co-Chair Zaheer Fakir (South Africa) presented the GCF report (FCCC/CP/2013/6). He said Manfred Konukiewitz (Germany) and Jose Maria Clemente Sarte Salceda (the Philippines) have been elected as the new GCF Co-Chairs.

The G-77/CHINA, Maldives, for AOSIS, ZAMBIA, BRAZIL and others called for a rapid and substantial operationalization and capitalization of the GCF. The G-77/CHINA underscored that the Fund's Private Sector Facility (PSF) will be country-driven and pursue sustainable development. The AFRICAN GROUP called for an initial mobilization, a replenishment process, and focusing on adaptation finance. INDIA called for balancing mitigation and adaptation funding.

**Arrangements between the GCF and the COP:** COP President Korolec noted that the COP had requested the SCF and GCF Board to develop arrangements between the COP and the GCF. The G-77/CHINA emphasized that: the GCF must be guided by the COP and be accountable to it; and the need to provide guidance on issues, such as eligibility criteria, as soon as possible.

**Report of the Global Environment Facility (GEF):** The GEF presented its annual report (FCCC/CP/2013/3 and Add.1) and an update on the status of resources (FCCC/SBI/2013/INF.9).

On views and recommendations from parties on elements to be taken into account in developing guidance to the GEF (FCCC/CP/2013/MISC.4), the G-77/CHINA expressed support for the GEF's work and requested that the GEF develop a strategy for its replenishment, considering its role in the evolving financial architecture, including the GCF. Highlighting support to technology development and transfer, UGANDA indicated that more resources need to be raised to address developing countries' adaptation and mitigation needs.

**Fifth Review of the Financial Mechanism:** On this issue (FCCC/CP/2013/8 & FCCC/CP/2013/INF.2), the G-77/CHINA emphasized that the Convention's financial mechanism should remain in place for any new agreement, stressing the need to ensure predictability and accessibility, as well as balance in the use of financial resources.

Kamel Djemouai (Algeria) and Herman Sips (the Netherlands) will co-chair a contact group on this and previous agenda sub-items on finance.

**Report on the Work Programme on Results-based Finance for the Full Implementation of Activities in Decision 1/CP.16, Paragraph 70 (REDD+):** Christina Voigt (Norway) presented the report on two workshops of the work programme on results-based finance (FCCC/CP/2013/5).

BRAZIL emphasized the need to highlight the relationship between this and other negotiation tracks. Remarking that so far REDD+ finance has been disbursed mostly through multilateral



and bilateral channels, the G-77/CHINA said REDD+ finance should be under the authority of the COP and part of an overall financing scheme.

Agus Sari (Indonesia) and Christina Voigt (Norway) will co-chair a contact group on results-based finance for REDD+.

**PROPOSAL FROM THE RUSSIAN FEDERATION TO AMEND CONVENTION ARTICLE 4.2(f):** Informal consultations will be facilitated by Iwona Rummel-Bulska (Poland).

**PROPOSAL FROM PAPUA NEW GUINEA AND MEXICO TO AMEND CONVENTION ARTICLES 7 AND 18:** Informal consultations will be facilitated by Iwona Rummel-Bulska (Poland).

**PARTIES' PROPOSALS UNDER CONVENTION ARTICLE 17:** The item will be taken up during the closing plenary.

**DECISION-MAKING IN THE UNFCCC PROCESS:** COP President Korolec noted that this item will be addressed separately from the adoption of the rules of procedure, and the proposal from Papua New Guinea and Mexico to amend Convention Articles 7 and 18. He emphasized that no agenda item has a special status in a party-driven process.

Informal consultations will be facilitated by Gabriel Quijandria Acosta (Peru) and Beata Jaczewska (Poland). Fiji, for the G-77/CHINA, requested that the informal consultations be open-ended and cautioned against duplication, prejudice and overlap.

#### **CMP PLENARY**

**REPORT OF THE COMPLIANCE COMMITTEE:** Compliance Committee Co-Chair Khalid Abuleif (Saudi Arabia) presented the Committee's annual report (FCCC/KP/CMP/2013/3). Ilhomjon Rajabov (Tajikistan) and Ida Kärnström (Sweden) will consult informally.

**JOINT IMPLEMENTATION (JI):** Joint Implementation Supervisory Committee (JISC) Chair Derrick Oderson (St. Kitts and Nevis) introduced the JISC annual report (FCCC/KP/CMP/2013/4 and Corr.1). Noting that JI remains at a critical juncture, he lamented low demand for credits and uncertainty over the future.

Yaw Osafo (Ghana) and Dimitar Nikov (France) will co-chair a contact group.

**CLEAN DEVELOPMENT MECHANISM (CDM):** On the CDM Executive Board (EB) report (FCCC/KP/CMP/2013/5, Parts I and II), CDM EB Chair Peer Stiansen (Norway) called for parties to define the expected role of the CDM in the new regime.

South Africa, for the AFRICAN GROUP, lamented the low level of ambition in emission reduction targets, and called for CDM reform. ZAMBIA said the reform should address, *inter alia*: transparency; accountability; simplified methodologies; and transaction costs.

The EU called for international cooperation to further enhance the CDM's effectiveness, environmental integrity and governance.

The WORLD BANK recommended using the review of CDM modalities as an opportunity for fundamental reforms. CAN called for: reforming additionality requirements; excluding large-scale projects; and establishing a monitoring mechanism and procedures for engagement with local communities.

Giza Gaspar Martins (Angola) and Marko Berglund (Finland) will co-chair a contact group.

**ADAPTATION FUND:** Adaptation Fund Board (AFB) Chair Hans Olav Ibrekk introduced the report of the Adaptation Fund Board (FCCC/KP/CMP/2013/2).

Many parties underscored the need for predictable, adequate and sustainable funding. BELIZE described the gap between the US\$16.5 million raised compared to the expected fundraising target of US\$100 million as "a major blow" to the LDCs." EGYPT highlighted the AF as the main source of adaptation support with direct access and called for a focus on

replenishment options. CLIMATE JUSTICE NOW! emphasized NAPs should be seen as investment, not as cost, and explained underfunding is the result of unreliability of the market. YOUTH lamented that rich countries have avoided their moral obligation to provide funding.

Suzanty Sitorus (Indonesia) and Ana Fornells de Frutos (Spain) will co-chair a contact group.

**ORGANIZATIONAL MATTERS: Status of Ratification of the Doha Amendment to the Kyoto Protocol:** The Secretariat explained that the Doha Amendment requires 144 ratifications to enter into force and that the depository has received instruments of acceptance from Barbados, Mauritius and the United Arab Emirates.

The EU stressed its intention to ratify the Doha Amendment as soon as possible and noted that over 110 other parties will also need to ratify. NORWAY informed that its parliament will soon consider a ratification proposal. Expressing disappointment with the status of ratification, CHINA announced its intention to ratify the Doha Amendment by the end of 2014.

**OTHER MATTERS:** Fiji, for the G-77/CHINA, requested a briefing by the Secretariat on organizing a high-level ministerial roundtable in Bonn in June 2014 to consider information relating to Annex I quantified emission reduction commitments and intentions to increase ambition. The Secretariat will arrange an informal briefing.

#### **ADP**

**ELEMENTS OF THE 2015 AGREEMENT (adaptation):** During the ADP's morning informal consultations on adaptation, the Secretariat introduced a synthesis of submissions on the costs, benefits and opportunities for adaptation (FCCC/TP/2013/10).

Many parties indicated that the 2015 agreement should: reflect the urgency of adaptation to signal to international institutions, donor countries and private sector the need for partnerships; recognize parties' ongoing adaptation efforts; contain a holistic review component assessing national and global actions and needs; and strengthen the financial mechanism. Stressing transparency as key to building confidence, one party urged finalizing MRV arrangements and clarifying further pledges in Warsaw.

**ELEMENTS OF THE 2015 AGREEMENT (mitigation):** The ADP morning informal consultations continued with mitigation.

A number of parties agreed on the importance to ensure broad participation in the 2015 agreement. Some stressed that mitigation commitments must be differentiated in accordance with CBDR, and that enhanced mitigation by developing countries depends on the provision of means of implementation.

Calls were made for agreement in Warsaw on launching national consultations on mitigation pledges. Parties also discussed the process for defining mitigation commitments, including *ex ante* assessment of pledges, with some calling for common rules and stressing that the assessment must be based on science. Some parties identified the need to balance the flexibility of nationally-determined commitments and the rigidity of commonly agreed rules to ensure environmental integrity.

Suggestions were made to create "an upward spiral of ambition" with facilitative engagement to compare commitments among countries. It was also proposed that the 2015 agreement be flexible and adjustable to developments in science and capabilities. One party stressed that commitments must be fulfilled by domestic means, without relying on offsets.

Parties discussed historical responsibilities, with some proposing to mandate the IPCC to develop a methodology, while others indicated that a focus on historical responsibilities will not ensure achievement of the 2°C goal.

**RELEVANT EXPERIENCE OF OTHER MEAs:** The ADP workshop on relevant experience of other MEAs took place in the afternoon. Co-Chair Kumarsingh identified the workshop as an opportunity to identify concrete arrangements to enhance pre-2020 ambition under workstream 2.

Secretary-General John Scanlon, Convention on International

Trade in Endangered Species of Wild Fauna and Flora (CITES), highlighted that: the CITES includes clear obligations; the rules allow for voting, which has been used; and national authorities are the “engine room” of implementation.

Jorge Ocaña, UNEP Chemicals, highlighted National Implementation Plans under the Stockholm Convention on Persistent Organic Pollutants (POPs). He said lessons learned could be from the creation of national action plans and provision of support through the Convention’s financial mechanism, the Secretariat and implementation agencies.

Megumi Seki, Secretariat of the Montreal Protocol on Substances that Deplete the Ozone Layer, emphasized that the Protocol is one of the most successful MEAs with universal membership; offers sufficient incentives for all countries to join in; and is supported by industry. She added that the Protocol’s success hinges on science-based broadening of the scope for action, and confidence and trust among parties.

In discussions, parties addressed: enabling parties to opt out of new obligations; relationship between UNEP and the CITES Secretariat; application of the precautionary principle under the Montreal Protocol; differentiation between developed and developing countries’ obligations; addressing GHGs under the Montreal Protocol; provisions concerning participation, especially of non-parties; and the impact of obligations on non-parties.

**WAY FORWARD ON WORKSTREAM 2:** During open-ended consultations in the afternoon that were open to observers Co-Chair Runge-Metzger asked parties to focus on a workstream 2 outcome and concrete actions to raise ambition. The Secretariat presented a technical paper on mitigation benefits of actions, initiatives and options to enhance ambition (FCCC/TP/2013/8 and Add.s 1&2).

Nauru, for AOSIS, proposed a process focused on renewable energy and energy efficiency involving submissions, technical papers and expert workshops. Nepal, for the LDCs, called for implementation of pledges, expanding their scope and tightening the rules, and stressed means of implementation as essential to workstream 2.

Malaysia, for the G-77/CHINA, said enhanced Annex I commitments should be the first step and called for, *inter alia*, ratifying the Doha Amendment, and establishing a mechanism matching mitigation and adaptation proposals with finance and technology. CHINA called for: an outcome that recognizes elements beyond mitigation; and work programmes on the adequacy of financial support and IPRs. INDIA emphasized that the Montreal Protocol addresses ozone depleting substances, not HFCs.

AUSTRALIA urged all parties to make pledges and noted the need to focus on HFCs. The EU suggested: further technical work to draw on the experience of other bodies and further workshops; opportunities for ministers to show leadership in other processes, including the Montreal Protocol; and promoting the UNFCCC’s catalytic role.

Colombia, for AILAC, noted the need for emissions to peak in 2015, calling for, *inter alia*, increased ambition on REDD+ and a ministerial session in June 2014.

### **SBSTA PLENARY**

The SBSTA plenary convened briefly in the evening. SBSTA Chair Muyungi reported on his informal consultations on issues relating to agriculture and other matters. The latter focused on Brazil’s proposal requesting the IPCC to develop a reference methodology for calculating historical emissions.

On agriculture, the SBSTA agreed on conclusions that acknowledge the exchange during the in-session workshop. It also agreed to consider, at SBSTA 40, the Secretariat’s report on the workshop and submissions by parties and observer organizations.

On other matters, Fiji, for the G-77/CHINA, requested recording its endorsement of the Brazilian proposal and that the issue be considered in a contact group. Noting lack of consensus on the way forward, SBSTA Chair Muyungi invited parties to continue consulting informally.

### **CONTACT GROUPS, WORKSHOPS AND OTHER MEETINGS**

**STRUCTURED EXPERT DIALOGUE ON THE 2013-2015 REVIEW:** In the afternoon, the second meeting of the structured expert dialogue on the 2013-2015 Review continued, co-facilitated by Andreas Fischlin (Switzerland) and Zou Ji (China).

Corinne Le Quéré, IPCC, noted that the largest contribution to total radiative forcing is the increase of atmospheric carbon dioxide (CO<sub>2</sub>), adding that fossil fuels and cement production currently account for about 90% of total CO<sub>2</sub> emissions.

Reto Knutti, IPCC, stressed that cumulative carbon determines warming, which is largely independent of the emissions profile. He said most aspects of climate change will persist for many centuries even if CO<sub>2</sub> emissions are stopped.

In the discussion, participants addressed: the saturation of sinks; the fact that high uncertainty in projected temperature increases implies a lower carbon budget; assessment of the risk of carbon cycle feedbacks; adaptation costs; and action on short-lived GHGs.

TEC Chair Antonio Pflüger presented an overview of the evolution and enhancement of institutional arrangements on technology transfer.

SCF Co-Chair Diann Black-Layne underscored that although the amount of climate finance has increased, it is inadequate to meet the 2°C target.

Robert Dixon, the GEF, provided an overview of GEF climate change investments in adaptation, mitigation and enabling activities.

In the discussion, participants addressed: financial difficulties of the AF and its direct access modalities; the possibility of applying aspects of the AF to the GCF; and the upcoming operationalization of the CTCN.

**2013-2015 REVIEW:** The SBI/SBSTA contact group on the 2013-2015 Review met in the morning, co-chaired by Gertraud Wollansky (Austria) and Leon Charles (Vanuatu). Delegates discussed: conclusions from SBSTA 39; how to inform the ADP’s work; and the structure of the final report.

On SBSTA conclusions, many delegates expressed support for procedural conclusions. BOTSWANA and SOUTH AFRICA suggested that the conclusions reflect that the Review consider all elements discussed under the ADP, including adaptation, technology transfer and finance. The PHILIPPINES, BRAZIL and other developing countries underscored the need for balanced input by developed and developing country experts.

On informing the ADP’s work, many countries cautioned against duplicating efforts. Trinidad and Tobago, for AOSIS, suggested a “phased” approach that considers the ADP’s progress and a forum to transmit the work of this contact group to the ADP. The US and SWITZERLAND highlighted the value of ongoing dialogue within delegations in sharing information.

On the final report, the EU suggested it might not be possible to agree to an “elaborate” synthesis report, whereas AOSIS said a compilation report would be “setting the standard too low.” Delegates’ views differed as to whether to proceed with the preparation of draft text or bullet points for the conclusions. Informal consultations will be held.

**ISSUES RELATING TO FINANCE (COP):** In the evening contact group on issues related to finance, parties exchanged views on prioritization and sequencing of sub-items.

The Philippines, for the G-77/CHINA, suggested sequencing from easier to more difficult and said the Group will try to provide text soon. The EU proposed having “a clear starting and landing point,” and the US stated it looks forward to the high-level ministerial dialogue on finance. Many parties agreed that the sub-item on arrangements between the GEF and the COP is the least contentious one, while LTF is the most difficult one. Many developing countries, including Colombia, for AILAC, and SAUDI ARABIA, stressed LTF as a priority. Discussions on the sub-items, based on their alphabetical order on the COP agenda, will continue in informal consultations on Thursday.

**IN THE CORRIDORS**

On Wednesday, delegates settled into familiar routines. Several seemed pleased with the way the new ADP Co-Chairs were leading the discussions and starting with adaptation. One delegate branded the style as “a good balance between guiding us toward an outcome, while staying inclusive.” Yet, many noted that statements in today’s open-ended consultations struck familiar notes, “creating a cacophony of views.” Yet, as Co-Chair Runge-Metzger reminded, “it’s only Wednesday.” NGOs in particular welcomed China’s way of “stirring it up,” as a delegate put it, by raising a point of order to allow observers into the ADP’s open-ended consultations on both workstreams.

Discussions on finance under the COP also left some with a sense of *déjà-vu*. Despite former GCF Co-Chair Zaheer Fakir’s poetic invocation of Victor Hugo in the COP plenary,

saying “nothing is stronger than an idea whose time has come,” in reference to the GCF’s implementation, differences crept into the contact group on finance. Replaying the refrain from Doha that this COP is a “finance COP,” developing countries stressed their expectations for tangible deliverables. A developed country suggested no big, new finance commitments would be forthcoming, calling Warsaw an “implementation COP,” prompting a developing country party to ask what there would be to implement, “empty funds?”

**#COP4Haiyan Solidarity Operation:** Look for the Twitterstorm to be launched on Thursday by youth delegates to raise funds for the Philippines: #COP4Haiyan.



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## WARSAW HIGHLIGHTS: THURSDAY, 14 NOVEMBER

Throughout the day, a number of contact groups, informal consultations, workshops and other events convened under the COP, CMP, SBI, SBSTA and ADP. These included: ADP workshop on urbanization and the role of governments in facilitating climate action in cities; ADP open-ended consultations on elements of the 2015 agreement; SBI informal consultations on national adaptation plans (NAPs); COP informal consultations on issues related to finance; SBI informal consultations on the review of CDM modalities and procedures; SBI informal consultations on the AFB report; SBI informal consultations on loss and damage; and SBI/SBSTA informal consultations on the development and transfer of technologies.

### ADP

**TECHNOLOGY:** During the ADP's morning open-ended consultations on technology, parties agreed to open all open-ended consultations to observers. Co-Chair Kumarsingh invited parties to focus their discussions on how technology development and transfer could be reflected in the 2015 agreement and institutional arrangements for the post-2020 period.

Malaysia, for the G-77/CHINA, stressed that technology development and transfer are key to enabling low-emission trajectories in developing countries, and called for identification of specific amounts, timelines and sources of finance to strengthen the current reporting system. VENEZUELA lamented the lack of financial support.

Egypt, for the LMDCs, CHINA and others called for a dedicated window for technology transfer in the GCF. The LMDCs, with PAKISTAN, called for: a work programme on MRV of technological support; and, with CHINA, ECUADOR and others, removal of barriers, including in relation to IPRs. INDIA and PAKISTAN emphasized finance for IPRs. The LMDCs, CHINA, KUWAIT and others said the GCF could provide a dedicated window for IPR issues. JAPAN opposed taking up IPRs, and BOLIVIA, with CUBA, called for a workshop on the issue.

On how technology development and transfer could be reflected in the 2015 agreement, Nauru, for AOSIS, emphasized linking technology development and transfer to the financial mechanism. AOSIS, the LMDCs, Nepal, for the LDCs, and

others urged technology development and transfer for mitigation as well as adaptation. BOLIVIA called for: strengthening the role of the TEC; a workshop to explore its mandate to guide the CTCN; and a repository of reliable technologies accessible to developing countries.

On institutional arrangements for the post-2020 period, AOSIS emphasized linking technology transfer and development to the existing institutions under the financial mechanism. The LDCs said a technology mechanism should be integrated into the new agreement to ensure efficiency and predictability of support.

**FINANCE:** During the ADP's morning open-ended consultations on finance, Co-Chair Runge-Metzger invited delegates to consider climate finance in the 2015 agreement for the implementation of post-2020 commitments and post-2020 institutional arrangements.

BOLIVIA, CHINA, CUBA, ECUADOR, KUWAIT, IRAN, NICARAGUA, SAUDI ARABIA, SIERRA LEONE and VENEZUELA questioned the proposed focus, stressing that developing countries are uncomfortable with concentrating on post-2020 issues without first discussing pre-2020 finance. SWITZERLAND supported the Co-Chairs' proposed approach, saying that focused discussions will enable real progress. Underlining the need to move forward, COLOMBIA urged immediate engagement on substance.

Most parties agreed that the 2015 agreement should build on existing institutions, noting the need for enhancing them. Many developing countries called for: new, additional and scaled up finance; public finance to be the main source of climate finance; MRV of support; a finance chapter in the 2015 agreement with the same legal force as the agreement's other elements; aggregate and individual targets for developed countries' financial commitments; and a finance roadmap, with the US\$100 billion annual target as a starting point. Some also emphasized that South-South cooperation is a voluntary effort.

Several developed countries emphasized the role of enabling environments in encouraging financial flows. JAPAN and the US underscored the need to incentivize both public and private investment, with the US identifying public finance as key for the LDCs, and highlighting the role of private finance in middle- and high-income economies. The US also observed that legally-binding elements of the 2015 agreement are yet to be determined. CANADA said public finance alone will not suffice to address



the needs of the poorest.

SWITZERLAND highlighted the role of biennial reviews by the SCF and the need to strengthen MRV of both public and private finance. He called for strengthened commitment with respect to the overall amount and donor base. NORWAY underlined the need for public finance for adaptation, and called for parties to use carbon-pricing and cost-effective market mechanisms to ensure compliance with the polluter-pays principle. BANGLADESH stressed predictable adaptation finance.

**URBANIZATION AND THE ROLE OF GOVERNMENTS IN FACILITATING CLIMATE ACTION IN CITIES:** In the afternoon, the ADP workshop on pre-2020 ambition focused on urbanization and the role of governments in facilitating action in cities. Workshop facilitator Burhan Gafoor (Singapore) called for using the event to chart concrete options for the ADP's work.

**Opening remarks:** Yunus Arian, Local Governments for Sustainability (ICLEI), and Karin Kemper, World Bank, discussed multi-level governance and highlighted the role of cities in acting and influencing policies at different levels. They emphasized: addressing mitigation and resilience; enabling national-level policies and frameworks; and investing in credit-worthiness and finance for infrastructure of developing country cities.

**Sustainable transport policies:** Cornie Huizenga, Partnership on Sustainable Low Carbon Transport, stressed that the world needs "different transport" and suggested: avoiding unnecessary travel; shifting to cleaner transport; and improving electric vehicles.

Michal Olszewski, Deputy Mayor of Warsaw, discussed challenges of Central and Eastern European cities, underscoring the need for: investment in public spaces; promotion of bicycles as transport vehicles; flexible legislation; and increased awareness.

Juan Camilo Florentino, Ministry of Transport, Colombia, underlined the importance of combining top-down national policies and scaled-up local initiatives.

Emphasizing the growing urban population in China, Jiang Kejun, Chinese National Development Reform Council, emphasized climate-friendly cities as key to his country's low-carbon policy.

Christine Ogut, Kenya Urban Roads Authority, described the development of new mass rapid transport systems in Nairobi and other major cities, highlighting efforts to address inadequate capacity and increase citizens' involvement.

In the ensuing discussions, participants addressed: successful policies promoting energy efficiency and renewable energy in transport and buildings; the financing gap in infrastructure needs of developing countries; and the role of non-state actors in the ADP process.

**Policies in the building sector:** Mohamed El-Soufi, UN-Habitat, presented the Cities for Climate Change Initiative, which seeks to enhance the preparedness and mitigation activities of cities in developing countries and the LDCs.

Savvas Verdis, Siemens/World Business Council for Sustainable Development, underlined the challenge faced

by cities in accessing resources needed to implement green strategies, noting the need for them to be empowered to reach outside their administrative boundaries.

James Drinkwater, World Green Building Council, emphasized the importance of standardizing energy efficiency measures, and welcomed the introduction of mandatory energy auditing and reporting schemes for buildings in some cities.

Inés Lockhart, City of Buenos Aires, stressed the difficulties of implementing energy efficiency measures in her city's residential sector because of the subsidization of energy.

Cheah Sin Liang, Singapore National Climate Change Secretariat, described Singapore's Green Mark Scheme, a green building rating system to evaluate environmental impacts and performance.

In discussions, the US and SOUTH AFRICA expressed interest in further work on this issue under the ADP. INDIA stressed financial and human resources constraints of developing countries, and CHINA said initiatives aimed at greening cities should not replace developed countries' commitments.

### **CONTACT GROUPS AND INFORMAL CONSULTATIONS**

**REDD+ (SBSTA):** During the morning informal consultations on methodological guidance for REDD+, discussions focused on elements of a possible draft decision on guidelines and procedures for the technical assessment of submissions from parties on proposed forest reference emission levels and/or forest reference levels.

Views diverged on the composition of the assessment team, including on whether an expert from the CGE may participate as an observer. Those parties supporting this proposal emphasized the CGE's role in assisting developing countries with capacity building.

Delegates also discussed whether the technical assessment may identify areas for further improvement and capacity-building needs, with several parties arguing that this should be the case only if noted by the party concerned.

Throughout the day, informal consultations continued on methodological guidance for REDD+ and coordination of support for the implementation of activities in relation to mitigation actions in the forest sector by developing countries, including institutional arrangements.

**NATIONAL ADAPTATION PLANS (SBI):** Informal consultations on NAPs convened in the morning. Many parties supported working on the basis of the co-chairs' draft conclusions. Several developing countries supported also having a COP decision to highlight the importance of NAPs to the broader adaptation and development communities. Some developed countries expressed support for a COP 19 decision on the importance of NAPs, while others preferred a more substantive COP decision at a later stage, noting the contact group's limited mandate and opportunities to raise the profile of adaptation in other fora, particularly under the ADP. Informal consultations will continue.

**ISSUES RELATING TO FINANCE (COP):** During the morning informal consultations on finance under the COP, discussions focused on LTF.



Most developing countries stressed a COP decision on LTF as one of the most important ones. Some urged implementation of Convention Article 4.7 (finance and technology transfer), stressing that the provision of resources is an obligation for governments, and noting that financial resources contributing towards the US\$100 billion target will not be “new,” but constitute delivery of a commitment already taken.

A number of developing countries called for, *inter alia*, more concrete outcomes, and clarity and predictability in the form of mid-term targets or quantified pathways to the US\$100 billion target. Many developed countries underscored the need for effectiveness and enabling environments. Some developed countries indicated that no financing commitments would be made in Warsaw and rejected quantified pathways, emphasizing work undertaken towards achieving the 2020 goal. Most concurred on the importance of efforts to achieve the 2°C target; as well as transparency and trust-building.

In the afternoon, informal consultations continued on the SCF and GCF reports. Other sub-items will be taken up during informal consultations on Friday.

**REVIEW OF CDM MODALITIES AND PROCEDURES (SBI):** During informal consultations in the afternoon, parties considered a consolidated list of possible changes to CDM modalities and procedures. Some parties remarked that various elements on the list, including the length of crediting periods, need further elaboration. Proposals were made for technical papers and submissions, potentially followed by a workshop. Some parties expressed frustration over limited progress. Informal consultations on a CMP 9 decision will continue.

**LOSS AND DAMAGE (SBI):** During the afternoon informal consultations, parties exchanged views on possible elements of text and an options paper identifying areas of convergence. One party proposed basing the discussions on elements contained in paragraph 5 of Decision 3/CP.18 (enhancing knowledge and understanding of comprehensive risk management approaches, including slow-onset impacts; strengthening dialogue, coordination, coherence and synergies among relevant stakeholders; and enhancing action and support). Parties identified: purpose and objective; organization and governance; functions; modalities; linkages; and support as broad umbrella categories to frame dialogue towards convergence. The co-chairs will prepare text reflecting parties’ submissions and views for further discussion.

**AFB REPORT (CMP):** In the afternoon contact group, parties exchanged general views on the AFB report and the second review of the AF.

Bahamas, for the G-77/CHINA, expressed concern that resources are not available and a pipeline of projects is waiting for support. With South Africa, for the AFRICAN GROUP, he called for an outcome in Warsaw that provides certainty in terms of available resources. The AFRICAN GROUP underlined the need to diversify funding sources. Jamaica, for AOSIS, called for a modality to ensure adequate and predictable resources for the AF. Malawi, for the LDCs, raised concern over the low price of Certified Emission Reductions.

The G-77/CHINA noted the technical nature of some recommendations for action by the CMP in the AFB report and asked for clarification on the specific set of decisions required to address these issues. The EU drew attention to achievements of the AF and expressed willingness to take note of the report.

CAN underscored that parties cannot leave Warsaw knowing the AF is on its “deathbed.” Informal consultations will be held.

**TECHNOLOGY (SBI/SBSTA):** During the afternoon informal consultations on the development and transfer of technologies, delegates considered a draft COP decision on modalities and procedures of the CTCN, and a draft COP decision on the joint annual report of the TEC and CTCN. On the latter, parties’ views diverged on proposed text requesting the TEC to address IPRs. Some objected, saying that the TEC is already requested to explore enabling environments and barriers. On the third synthesis report on non-Annex I technology needs, parties expressed disappointment at the lack of time to address the issue adequately. One party stated that deferring this item to SBSTA 40 would not affect the implementation of technology needs assessments. Other parties stressed the need for implementation actions.

#### **IN THE CORRIDORS**

On Thursday, the pressure of multiple parallel meetings seemed to start to wear on delegates. In various meeting rooms, requests were made to avoid overlapping meetings under similar agenda items. Delegates were also spotted frantically making notes on draft texts at the venue’s coffee shops. Some seemed concerned, as the back-to-back meetings meant less time to study text and provide comments. One rather upbeat delegate said he was impressed with how everyone is “rolling up their sleeves” with extra meetings scheduled in the evening to work on draft texts “when we’re not meeting on a thousand other things.”

The issue of finance took center stage this time in the ADP’s open-ended discussions in the morning, with points of order by several developing countries asking to focus on finance in the pre-2020 period before addressing the post-2020 period. Their interventions reflected widespread concerns that pre-2020 finance may not be forthcoming. Others, however, welcomed the more structured discussions and worried that procedural deliberations delayed substantive discussions on a crucial issue.

The virtual space showed an equally fervent pace as the negotiations. An online petition started by Naderev Saño, the Climate Commissioner for the Philippines, gathered over 10,000 signatures in little over a day.

**#COP4Haiyan Solidarity Operation:** On Friday, volunteers from Polish Humanitarian Action, a non-governmental organization specializing in emergency response, will be present at the entrances of the National Stadium to collect funds for the relief and reconstruction in the Philippines after Super Typhoon Haiyan. A fund-raising initiative Twitterstorm was also launched on Thursday by youth delegates through four NGOs active in the Philippines, see: <http://bit.ly/1cX8WiQ>. As Naderev Saño said, “If not us, then who? If not here, then where? If not now, then when?”



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## WARSAW HIGHLIGHTS: FRIDAY, 15 NOVEMBER 2013

Throughout the day, a number of contact groups and informal consultations were held under the SBI, SBSTA and ADP. These included: ADP open-ended consultations on elements of the 2015 agreement and the way forward under workstream 2; SBI informal consultations on national adaptation plans (NAPs); SBSTA informal consultations on methodological guidance for REDD+; SBI/SBSTA informal consultations on the development and transfer of technologies; SBI/SBSTA contact group on the forum on response measures; SBI/SBSTA informal consultations on the Adaptation Committee; and SBI/SBSTA contact group on the 2013-2015 Review. The COP President's informal stocktaking plenary convened in the evening.

### PRESIDENT'S INFORMAL STOCKTAKING PLENARY

In the evening, COP President Korolec convened an informal stocktaking plenary. He commended positive progress, while noting that issues are moving at different paces.

SBSTA Chair Muyungi explained that the SBSTA has concluded its work on ten items. On items requiring more time, possibly beyond the first week, he identified *inter alia* REDD+ institutional arrangements. He said parties have indicated they wish to reconvene to discuss the Brazilian proposal under other matters on Saturday.

SBI Chair Chruszczow highlighted that more time is needed to consider politically sensitive issues, including: loss and damage; response measures; composition, modalities and procedures of the team of technical experts under international consultations and analysis; and the budget.

ADP Co-Chair Kumarsingh reported that parties have engaged constructively and substantively on both ADP workstreams, and announced that an ADP stocktaking plenary will be held on Saturday.

Fiji, for the G-77/CHINA, urged agreement on pending technology issues, and loss and damage. He highlighted reassurances from the ADP Co-Chairs about the transparent way the negotiations were being guided.

Nauru, for AOSIS, urged fulfilling the Doha mandate on loss and damage. She noted positive progress on the 2013-2015 Review, and some technology items, while stressing the need for more efforts on finance.

Nepal, for the LDCs, stressed the need to deliver on loss and damage, REDD+ and NAPs. Regarding the ADP, he called for COP 19 to deliver on timelines and deliverables under both workstreams. He also called for a clear roadmap on finance.

Switzerland, for the EIG, expressed his "disappointment" with the first week of negotiations and called for parties to: send strong signals of progress under both ADP workstreams; fulfill the MRV mandates from Cancun; and deliver on the Doha mandate on loss and damage.

The RUSSIAN FEDERATION emphasized: clearing the way for elaborating the new universal agreement as a strategic goal for Warsaw; the need to send a strong signal on follow-up actions; and ensuring sufficient allocations for the UNFCCC budget.

The PHILIPPINES expressed "deep concern" over lack of progress on loss and damage, and matters related to finance; and described some parties drastically lowering their targets as "dangerous."

COP President Korolec indicated that he will convene the next stocktaking plenary on Monday.

### ADP

#### CONTENT AND ELEMENTS OF THE 2015

**AGREEMENT: Capacity Building:** During the ADP's morning open-ended consultations on capacity building, Co-Chair Kumarsingh asked parties to consider how capacity building can be reflected in the 2015 agreement and institutional arrangements for the post-2020 period.

Parties recognized that capacity building: is a cross-cutting issue; should figure prominently in the 2015 agreement; and be country-driven. Many developing countries said capacity building should focus on both mitigation and adaptation.

Pakistan, for the LMDCs, the DOMINICAN REPUBLIC, and Nepal, for the LDCs, stressed the need for support for capacity building. St. Kitts and Nevis, for AOSIS, CHINA and the REPUBLIC OF KOREA called for a capacity-building window under the Convention's financial mechanism. The EU emphasized the role of the private sector, especially in terms of technology.

On institutional arrangements, the EU and JAPAN suggested strengthening the Durban Forum on Capacity-Building. SOUTH AFRICA said the Durban Forum has not had the opportunity "to prove itself." INDONESIA stressed the role of the Forum's national focal points. The US called for encouraging existing bodies under the Convention that carry out capacity building. ALGERIA stressed that these bodies should be provided with adequate support. The REPUBLIC OF KOREA and JAPAN proposed mainstreaming capacity building in all aspects of the 2015 agreement.

SAUDI ARABIA, supported by CHINA and Swaziland, for the AFRICAN GROUP, urged building countries' capacity to identify their capacity-building needs, and called for a working group on capacity building. The AOSIS stressed the need for a stand-alone body.

The LDCs, AOSIS, SOUTH AFRICA, CUBA and others called for MRV of the delivery of capacity building. The EU and the US highlighted their reporting on capacity-building activities.

Parties noted the importance of assessing past capacity-building efforts and sharing lessons learned. They also identified the need for coordination among all bodies under the Convention and other organizations on capacity building. COLOMBIA called for "an innovative look" to identify the recipients and multipliers



of capacity building. The US underscored the need for developing countries to build enabling environments.

**Transparency:** On transparency of actions and support, many parties emphasized the need for more work on MRV of support. Swaziland, for the AFRICAN GROUP, stressed the need for improved transparency in finance, technology and capacity-building commitments through clarifying specific amounts, timelines and sources. SAINT LUCIA called for: a robust and transparent MRV system built on lessons learned from fast-start finance; indicators to assess the impact of support; standardized format for reporting by developed countries; and simplification of reporting by developing countries. The US highlighted that transparency can enhance the provision of support, and emphasized the need for equal transparency rules for providers and receivers.

The LMDCs highlighted developed and developing countries' differentiated responsibilities with respect to commitments and reporting, warning that attempts to develop common accounting rules applicable to all would delay action and progress. The AFRICAN GROUP, supported by ALGERIA, cautioned against overburdening developing countries and against equal obligations for Annex I and non-Annex I parties.

Calling for a common transparency and accountability framework for both up-front information on commitments and *ex post* MRV, AUSTRALIA clarified that the intention is not that the same rules apply to all parties under all circumstances or create unreasonable burdens. With SWITZERLAND, she underlined that parties' capacities will evolve over time.

On transparency of mitigation commitments, the US proposed a staged approach to maximize participation, with: all parties submitting nationally-determined mitigation commitments under a single but flexible set of rules applicable to all; a global consultation process; and regular reviews at the implementation stage.

Regarding up-front information requirements when establishing mitigation commitments, the EU recognized the need for flexibility, while calling for information on: targets and target periods; sectors and GHGs covered; methodologies used; approaches to market mechanisms; and the accounting system for the land-use sector.

Regarding MRV for developed country mitigation, Nepal, for the LDCs, supported by CHINA, called for: accurate, complete and regular reviews; and stressed the need to avoid lowering the standards of the MRV and compliance system of the Kyoto Protocol.

**Adaptation:** ADP Co-Chair Kumarsingh invited parties to examine: how the current adaptation framework could be strengthened; and adaptation in the 2015 agreement, including a proposed global goal.

Many countries recognized the central role of NAPs and underlined the global, regional, national and local dimensions of adaptation. PERU reiterated the proposal by AILAC to use national communications to reinforce NAPs and identify gaps. SAUDI ARABIA said NAPs should be a requirement for all countries. INDONESIA, CHINA and the REPUBLIC OF KOREA stressed the link between adaptation and sustainable development.

On finance, Malaysia, for the G-77/CHINA, with INDIA, CHINA, KENYA and EGYPT expressed concern over lack of funding for adaptation. MALI called for funding for NAPs. INDIA highlighted financing for technology transfer. The US indicated its commitment to supporting adaptation.

On institutional arrangements, many called for strengthening the existing institutions addressing adaptation under the Convention.

The G-77/CHINA, BANGLADESH, KENYA and others called for a global adaptation goal based on the proposal made by the African Group, determined by estimating adaptation needs according to emission scenarios. AUSTRALIA, NORWAY, the REPUBLIC OF KOREA and the US stressed the technical difficulty of aggregating adaptation to a quantified global goal,

with the US adding that setting such a goal could be counter-productive. ADP Co-Chair Kumarsingh invited the African Group, Australia, the US and others to consult on the proposed global goal on adaptation.

NEPAL, the PHILIPPINES and Nauru, for AOSIS, stressed the link between mitigation and adaptation. AOSIS stressed that small island developing States will be unable to adapt to some climate change impacts, and underscored that only ambitious and timely mitigation can reduce loss and damage.

**Technology:** In the afternoon, the ADP's open-ended consultations continued on technology. ADP Co-Chair Kumarsingh requested parties to reflect on technology development and transfer in the 2015 agreement, and institutional arrangements in the post-2020 period. Many parties stressed: the Technology Mechanism as an important building block of the 2015 agreement; the need to strengthen related institutions; and the importance of addressing both mitigation and adaptation. Many called for financial resources and linkages with the financial mechanism, with ARGENTINA stating: "we have the car, now we need to fill up the tank."

The US, with CANADA, highlighted IPRs as critical for innovation. CANADA emphasized that IPRs are sufficiently addressed in other fora, and the US, the EU and SWITZERLAND stated that IPRs are not the main barrier to technology transfer. Highlighting "an impasse" in the SBI/SBSTA morning informal consultations on technology, the PHILIPPINES noted that enhanced action on technology is required for meaningful actions in the post-2015 agreement. Together with SOUTH AFRICA and Swaziland, for the AFRICAN GROUP, he called for a built-in review mechanism for addressing the adequacy of support.

The AFRICAN GROUP also called for: Annex I countries to leverage private-sector support; and learning from other multilateral agreements. The EU suggested the 2015 agreement promote international technology cooperation, and emphasize the role of the CTCN and the importance of the public and private sectors. He added that the Technology Mechanism should be the technology component for the post-2020 period and stressed the importance of enabling environments.

Parties also called for: mapping technology needs through TNAs; supporting traditional and indigenous knowledge transfer; engaging with other intergovernmental institutions to avoid duplication; and promoting synergies between the Technology Mechanism bodies.

Co-Chair Kumarsingh urged parties to further discuss IPRs.

**WORKSTREAM 2:** In the afternoon open-ended consultations on the way forward under workstream 2, ADP Co-Chair Runge-Metzger called on parties to focus on what can be achieved to reach decisions in Warsaw.

ECUADOR stressed that progressing to close the pre-2020 ambition gap is a starting point for moving forward under workstream 1. Venezuela, for LMDCs, supported by KUWAIT and ALGERIA, called for, *inter alia*: clarity on finance and support for identifying developing country needs; addressing economic and social consequences from the implementation of response measures; and rapid capitalization and operationalization of the GCF.

SOUTH AFRICA, the FEDERATED STATES OF MICRONESIA and BOLIVIA underlined the mitigation, implementation, finance and technology gap. Cameroon, for COMIFAC, highlighted the role of reducing, halting and reversing deforestation in closing the mitigation gap. SOUTH AFRICA called for increased means of implementation for non-Annex I countries. MALI called for building on the US\$100 billion goal, with SOUTH AFRICA proposing a portal to match funding with required support.

Many developing countries urged ratification of the Doha Amendment to the Kyoto Protocol and raising the ambition of Protocol parties' commitments, as well as commitments by developed countries not parties to the Protocol. BOLIVIA called for: free access to patents to enable developing countries to

address climate change; and an operational institution to address loss and damage with an executive board and a finance facility for the pre-2020 period.

The US: supported a work plan to raise ambition by identifying win-win mitigation opportunities; encouraged countries to clarify their pledges to understand pre-2020 ambition and countries that have not yet made Cancun pledges to do so; suggested developing a system under FVA to ensure transparency and prevent double counting of emission reductions; and proposed a global effort to advance sub-national emission reduction actions in the pre-2020 timeframe. The UNITED ARAB EMIRATES welcomed cooperative initiatives among cities in green energy urban development.

#### **CONTACT GROUPS AND INFORMAL CONSULTATIONS**

**REDD+ (SBSTA):** In the morning SBSTA informal consultations on methodological guidance for REDD+, delegates considered elements of a possible draft decision on guidelines and procedures for the technical assessment of submissions from parties on proposed forest reference emission levels and/or forest reference levels.

Discussions focused on text urging developed country parties and relevant international organizations to support the development and assessment of forest reference emission levels and/or forest reference levels. Divergent views remained on broader finance-related issues. Progress was made on text concerning the scope of guidelines and procedures for the technical assessment of submissions by parties.

Informal consultations continued in the afternoon.

**NATIONAL ADAPTATION PLANS (SBI):** Informal consultations on NAPs convened in the morning with parties considering a draft COP decision. Discussions focused on text regarding parties and relevant organizations submitting information on their experience with the initial guidelines for the NAPs process. Informal consultations will continue.

**TECHNOLOGY (SBI/SBSTA):** In the morning informal consultations on development and transfer of technologies and implementation of the technology mechanism, parties reviewed draft decisions on: the report on modalities and procedures of the CTCN and its Advisory Board; the Poznan Strategic Programme on Technology Transfer; the third synthesis report on non-Annex I parties' technology needs; and the joint annual report of the TEC and CTCN. There was general agreement on the draft decisions, with the exception of the joint annual report.

On that report, some developed countries expressed concern over text requesting the TEC to consider participating as an observer in bodies, such as the World Intellectual Property Organization and World Trade Organization. Proposals were also made to move to the preamble references to decision 2/CP.17 (support to the CTCN). Several developing countries expressed concern that reconsidering specific paragraphs could reopen compromises already made on the draft text. One party underscored the need to avoid deadlock and send a strong message on the importance of the TEC and CTCN.

No agreement was reached. The Co-Chairs will consult with the SBI and SBSTA Chairs.

**2013-2015 REVIEW (SBI/SBSTA):** Informal consultations and an SBI/SBSTA contact group on the 2013-2015 Review convened in the morning. After some amendments, the contact group agreed on draft conclusions. The draft conclusions refer, *inter alia* to: further meetings of the structured expert dialogue in 2014; consideration of IPCC WG II and III contributions to the AR5, and other inputs; and submissions on how the Review will inform the ADP's work. Co-Chair Charles thanked parties for "good discussions" and said they had enhanced understanding of each party's concerns.

**FORUM ON RESPONSE MEASURES (SBI/SBSTA):** An SBI/SBSTA contact group on the forum on the impact of the implementation of response measures convened in the morning. SBSTA Vice-Chair Narcis Paulin Jeler (Romania) explained that further work is needed on the draft conclusions. He

proposed establishing "an unchaired drafting group" for "active participants and anyone else willing." SBSTA Vice-Chair Jeler also suggested parties consider his paper on possible elements for draft conclusions and a draft decision. The G-77/CHINA opposed this as premature and preferred proceeding with text submitted by parties.

Informal consultations continued in the afternoon.

#### **FRAMEWORK FOR VARIOUS APPROACHES**

**(SBSTA):** In the afternoon, delegates consulted informally on a draft COP decision on the framework for various approaches. Several brackets were inserted in the text and informal consultations continued in the evening.

#### **REVIEW OF CDM PROCEDURES AND MODALITIES**

**(SBI):** In the afternoon, parties consulted informally on elements of a draft CMP decision and SBI conclusions on the review of the modalities and procedures of the CDM.

Discussions focused on how the SBI should refer to a consolidated list of suggested changes to CDM modalities and procedures received to date, prepared by the Co-Chairs. Parties also exchanged views on issues to be covered in a technical paper. Informal consultations continued in the evening.

#### **REPORT OF THE ADAPTATION COMMITTEE (SBI/**

**SBSTA):** During the afternoon informal consultations on the Adaptation Committee's report, parties considered the Chair's revised draft COP decision text.

Discussions focused on: changes in the rules of procedure; shortfall in resources; and encouraging parties to make available sufficient resources for the successful and timely implementation of the Committee's three-year workplan. One party stressed the need to strengthen the Adaptation Committee in order for the Cancun Adaptation Framework to have a solid foundation. Agreement was reached on a decision text to be forwarded to the COP.

#### **IN THE CORRIDORS**

By Day 5, most delegates had figured out the layout of the conference venue and internalized the stadium's round shape. Some also felt that discussions on some issues were going "in circles." On technology discussions under the ADP, familiar controversies emerged concerning IPRs. In the SBI/SBSTA technology discussions, parties debated whether to refer to the World Trade Organization and World Intellectual Property Organization. Some also commented that progress on national adaptation plans slowed and, according to one delegate, impeded parties from focusing attention on loss and damage. One negotiator noted that the live meetings schedule briefly slotting "Loss and Damage: 4 pm until ..." indicated that no one could, at this stage, estimate an end time, or date, for completing negotiations on this issue. Some items, such as REDD+, broke the mold, making comparatively good progress. One delegate, however, suggested that progress on REDD+ was an attempt to "save the day," as consensus on other issues was not forthcoming.

UNFCCC Executive Secretary Christiana Figueres sought to bring inspiration to the proceedings by drawing attention to photographs showcasing CDM projects during an afternoon event on the CDM Changing Lives Photo and Video Contest. She said these photos are proof that the CDM is not an "esoteric" exercise, and that the mechanism is a "treasure trove" of ideas and tools for negotiators currently working to develop new market mechanisms. However, negotiations on the various agenda items related to market mechanisms were not progressing as smoothly. Many brackets filled the texts on the framework for various approaches, and delegates also struggled to find common ground on changes to the CDM modalities and procedures. As the conference approached its mid-mark, one negotiator commented: "It remains to be seen if we will be able to gather enough enthusiasm and spirit of compromise to take the bold steps required to achieve a successful and meaningful outcome here in Warsaw."



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## **WARSAW HIGHLIGHTS: SATURDAY, 16 NOVEMBER**

The ADP informal stocktaking plenary took place in the morning and afternoon. The SBI and SBSTA closing plenaries took place in the evening, continuing late into the night. Throughout the day, a number of contact groups and informal consultations were held.

### **SBSTA CLOSING PLENARY**

The SBSTA closing plenary convened at 00:16 am.

**NAIROBI WORK PROGRAMME:** The SBSTA adopted conclusions and forwarded a draft COP decision (FCCC/SBSTA/2013/L.34 & Add.1).

**ADAPTATION COMMITTEE'S REPORT:** Joint SBI and SBSTA conclusions were adopted, containing a draft COP decision (FCCC/SB/2013/L.2).

**METHODOLOGICAL GUIDANCE FOR REDD+:** Co-Chair Peter Graham (Canada) reported that brackets remain in the draft decisions pending discussions on REDD+ finance. Papua New Guinea, for the COALITION FOR RAINFOREST NATIONS, called for a REDD+ package with three elements, including: methodological guidance; an institutional arrangement; and a COP work programme on REDD+ finance. The SBSTA adopted conclusions and forwarded draft COP decisions (FCCC/SBSTA/2013/L.33 and Add.1-2).

**COORDINATION OF SUPPORT FOR THE IMPLEMENTATION OF ACTIVITIES IN RELATION TO MITIGATION ACTIONS IN THE FOREST SECTOR BY DEVELOPING COUNTRIES:** Joint SBI and SBSTA conclusions were adopted (FCCC/SB/2013/L.5).

**TECHNOLOGY: Joint annual report of the TEC and CTCN:** SBSTA Chair Muyungi reported that parties were unable to reach agreement on this issue, taken up jointly by the SBI and SBSTA, and that he would inform the COP/CMP President accordingly.

**Modalities and procedures of CTCN and its Advisory Board:** Joint SBI and SBSTA conclusions were adopted and a draft COP decision forwarded (FCCC/SB/2013/L.3 and Add.1).

**Third synthesis report of non-Annex I TNAs:** The SBSTA adopted conclusions (FCCC/SBSTA/2013/L.27).

**RESEARCH AND SYSTEMATIC OBSERVATION:** The SBSTA adopted conclusions (FCCC/SBSTA/2013/L.25).

**RESPONSE MEASURES: Forum and work programme:** Joint SBI and SBSTA conclusions were adopted (FCCC/SB/2013/L.4).

**Protocol Article 3.14:** This issue was taken up jointly with the SBI agenda item on Protocol Article 2.3 with agreement to consider it at SB 40.

**ISSUES RELATED TO AGRICULTURE:** SBSTA Chair

Muyungi read out, and parties agreed to, the conclusions agreed to during the SBSTA plenary on Wednesday (FCCC/SBSTA/2013/L.35).

AUSTRALIA, for Canada, Japan, Norway, the Russian Federation and the US, lamented the lack of discussions on agriculture; expressed concern with the way the conclusions were adopted; and hoped SBSTA 40 will build on areas of commonality. SWITZERLAND, for the EIG, regretted that no contact group was established and the confusion around the adoption of conclusions. The EU lamented that submissions from parties were not considered at SBSTA 39. Fiji, for the G-77/CHINA, the Gambia, for the LDCs, INDIA, EGYPT, BOLIVIA, the PHILIPPINES, SAUDI ARABIA, ARGENTINA and other developing countries supported the way conclusions were adopted, noting that procedures were carried out correctly, with EGYPT, BOLIVIA, ARGENTINA and NICARAGUA stressing the role of agriculture in adaptation.

**METHODOLOGICAL ISSUES UNDER THE CONVENTION: Work programme on the revision of guidelines for the review of biennial reports and national communications, including inventory reviews, for developed countries:** The SBSTA adopted conclusions and forwarded a draft decision (FCCC/SBSTA/2013/L.32 & Add.1).

**General guidelines for domestic MRV of domestically supported NAMAs by developing countries:** The SBSTA adopted conclusions (FCCC/SBSTA/2013/L.28).

**Revision of UNFCCC reporting guidelines on Annex I annual inventories:** The SBSTA adopted conclusions and forwarded a draft decision (FCCC/SBSTA/2013/L.29 and Add.1).

**GHG data interface:** The SBSTA adopted conclusions (FCCC/SBSTA/2013/L.23).

**Bunker fuels:** The SBSTA adopted conclusions (FCCC/SBSTA/2013/L.22).

**METHODOLOGICAL ISSUES UNDER THE PROTOCOL: Implications of the implementation of decisions 2/CMP.7 to 4/CMP.7 and 1/CMP.8:** The SBSTA adopted conclusions (FCCC/SBSTA/2013/L.31).

**LULUCF under Protocol Articles 3.3 and 3.4, and under the CDM:** The SBSTA adopted conclusions (FCCC/SBSTA/2013/L.26).

**HCFC-22 and HFC-23:** The SBSTA adopted conclusions and recommended draft CMP conclusions (FCCC/SBSTA/2013/L.24 and Add.1).

**Clarification of text in section G, Protocol Article 3.7ter of the Doha Amendment to the Protocol:** Facilitator Nagmeldin Elhassan (Sudan) reported that the informal group was unable to complete work on this issue but had agreed to invite the CMP to consider these issues further with a view to adopting a decision



at this session. The SBSTA adopted conclusions reflecting this (FCCC/SBSTA/2013/L.31).

**MARKET AND NON-MARKET MECHANISMS UNDER THE CONVENTION:** SBSTA Chair Muyungi reported that no agreement was reached on the sub-items on FVA, non-market-based approaches and NMM. He also said there was no consensus to continue work during the second week under the COP. Referring to the rules of procedure, he said the issue will be considered by SBSTA 40.

NEW ZEALAND, for Australia, Canada, Japan, Kazakhstan, New Zealand, Norway, Ukraine and the US, with the EU and PAPUA NEW GUINEA, expressed support for asking the COP Presidency to facilitate work on these issues in the coming week. Colombia, for AILAC, underlined the need to fulfill the mandate given in Doha. Mexico, for the EIG, said specific mandates should prevail over procedural rules.

BOLIVIA, with NICARAGUA, CUBA, the PHILIPPINES, VENEZUELA, MALAYSIA, Angola, for the AFRICAN GROUP, CHINA and Senegal, for the LDCs, highlighted the lack of consensus and supported considering the issue at SBSTA 40.

Noting lack of consensus, SBSTA Chair Muyungi asked, and parties agreed, to accept his proposal to use rule 16 of the rules of procedure and consider each of the three sub-items at SBSTA 40.

**2013-2015 REVIEW:** Joint SBI and SBSTA conclusions were adopted (FCCC/SB/2013/L.1).

**WORK PROGRAMME ON CLARIFICATION OF DEVELOPED COUNTRY QUANTIFIED ECONOMY-WIDE EMISSION REDUCTION TARGETS:** The SBSTA adopted conclusions and forwarded draft COP conclusions (FCCC/SBSTA/2013/L.30 & Add.1).

**OTHER MATTERS: Brazilian Proposal:** SBSTA Chair Muyungi reported that no consensus had been reached and the issue could not be discussed at this session.

Fiji, for the G-77/CHINA, supported by VENEZUELA, BOLIVIA, INDIA, NICARAGUA, ARGENTINA, MALAYSIA and the PHILIPPINES, lamented that no strong signal will be sent from Warsaw on objective and science-based information on historical responsibilities. BRAZIL regretted that the IPCC has not been requested to provide this information.

SWITZERLAND highlighted scientific information that includes not only historical contributions, but capacity as well as current and future emissions. The EU identified the need for domestic consultations on commitments in the 2015 agreements based on a broad range of indicators, including past, current and future emissions, and different capabilities.

**CLOSURE OF THE SESSION:** SBSTA 39 adopted its report (FCCC/SBSTA/2013/L.21). Parties asked for their statements to be made available on the UNFCCC website. AUSTRALIA, for Japan, Canada, Australia and the US, noted that SBSTA's consideration of the joint annual report of the TEC and CTCN was not completed at this session and should be considered at SBSTA 40.

The INTERNATIONAL INDIGENOUS PEOPLES FORUM underlined that traditional forest management has contributed to adaptation and mitigation and called for inclusion of human rights indicators in REDD+ results-based payments. FARMERS asked parties to develop a work programme on agriculture focused on food security, adaptation and mitigation. Highlighting agriculture, CAN identified the need to: promote biodiverse, small-scale agriculture; include safeguards; and promote food security. CLIMATE JUSTICE NOW underlined that all issues under the SBSTA should focus on increasing ambition and called markets a "dangerous distraction" from the need to undertake emissions reductions. YOUNGOS cautioned against creating a new market mechanism.

SBSTA Chair Muyungi thanked delegates and closed the meeting at 2:56 am.

## SBI CLOSING PLENARY

The SBI closing plenary first convened in the afternoon and reconvened at 00:42 am.

**ORGANIZATIONAL MATTERS:** The SBI elected Ilhomjon Rajabov (Tajikistan) as SBI Vice-Chair, and Mabafokeng F. Mahahabisa (Lesotho) to continue as Rapporteur.

**ANNEX I NATIONAL COMMUNICATIONS AND GHG INVENTORY DATA: Sixth national communications:** The SBI adopted conclusions and forwarded draft COP decisions (FCCC/SBI/2013/L.7 & Add.1-2).

**Annex B parties' annual compilation and accounting report:** The SBI adopted conclusions (FCCC/SBI/2013/L.3).

**MATTERS RELATING TO THE PROTOCOL'S MECHANISMS: Review of CDM modalities and procedures:** The SBI adopted conclusions and forwarded a draft CMP decision (FCCC/SBI/2013/L.9 & Add.1).

**Review of JI guidelines:** The SBI adopted conclusions (FCCC/SBI/2013/L.11).

**Modalities for expediting the continued issuance, transfer and acquisition of JI emission reduction units:** The SBI adopted conclusions (FCCC/SBI/2013/L.12).

**Modalities for expediting the establishment of eligibility of Annex I parties with commitments during the second commitment period:** The SBI adopted conclusions and forwarded a draft CMP decision (FCCC/SBI/2013/L.14 & Add.1).

**LDCs:** The SBI adopted conclusions with minor amendments (FCCC/SBI/2013/L.2).

**NAPs:** The SBI adopted conclusions and forwarded a draft CMP decision (FCCC/SBI/2013/L.10 & Add.1).

**LOSS AND DAMAGE:** The SBI adopted conclusions (FCCC/SBI/2013/L.15), forwarding the issue to the COP for further consideration.

**MATTERS RELATING TO FINANCE: Adaptation Fund:** The SBI adopted conclusions (FCCC/SBI/2013/L.6 & Add.1).

**TECHNOLOGY: Poznan strategic programme on technology transfer:** The SBI adopted conclusions (FCCC/SBI/2013/L.4).

**CAPACITY BUILDING: Capacity building under the Convention:** The SBI adopted conclusions (FCCC/SBI/2013/L.19).

**Capacity building under the Protocol:** The SBI adopted conclusions (FCCC/SBI/2013/L.18/Rev.1).

**RESPONSE MEASURES: Protocol Article 3.14:** The SBI agreed to reflect in its report that the item will be considered at SBI 40.

**Implementation of Decision 1/CP.10:** The SBI agreed to reflect in its report that the item will be considered at SBI 40.

**ANNEX I PARTIES WHOSE SPECIAL CIRCUMSTANCES ARE RECOGNIZED BY THE COP:** The SBI adopted conclusions (FCCC/SBI/2013/L.17). TURKEY requested asking the UNFCCC Secretariat to revise the technical paper (FCCC/TP/2013/3) on this issue.

**ADMINISTRATIVE, FINANCIAL AND INSTITUTIONAL MATTERS: Budget performance for the Biennium 2012-2013:** On the draft conclusions (FCCC/SBI/2013/L.20), SBI Chair Chruszczow reported that no consensus had been reached on a reference to a COP decision on the budget for the biennium 2014-2015. Underscoring the importance of the proposed paragraph, the Philippines, for G-77/CHINA stressed developing countries' concerns over the Secretariat's policy concerning their participation in thematic bodies of the Convention. The US opposed the paragraph, saying it prejudices the outcome of discussions on the 2014-2015 programme budget.

Noting the lack of consensus, technical nature of the decision and that the issue can be considered in context of the programme



budget for 2014-2015, SBI Chair Chruszczow encouraged parties to find language acceptable to all.

**Programme Budget for the Biennium 2014-2015:** The SBI agreed to recommend that COP 19 and CMP 9 further consider this matter and forward text as an annex to the SBI conclusions (FCCC/SBI/2013/L.22). Many developing countries called for the urgent adoption of a balanced budget. Many developed countries stressed that the text annexed does not reflect the full range of proposals.

**NON-ANNEX I NATIONAL COMMUNICATIONS: CGE:** At 5:30 am on Sunday morning, SBI Chair Chruszczow informed parties on agreement on the CGE.

**Financial and technical support:** The SBI adopted conclusions (FCCC/SBI/2013/L.5).

**NAMAs BY DEVELOPING COUNTRIES: Team of technical experts under ICA:** No agreement was reported.

**Work programme to further the understanding of the diversity of NAMAs:** The SBI adopted conclusions (FCCC/SBI/2013/L.8).

**OTHER MATTERS: Date of the completion of the expert review process under Protocol Article 8 for the first commitment period:** Brazil, for G-77/CHINA, stressed the information as relevant for the ADP negotiations. Supported by NICARAGUA, BOLIVIA, CHINA and CUBA, he expressed concern at the reluctance of Annex I parties to agree on a date. The EU, supported by the RUSSIAN FEDERATION, AUSTRALIA, NEW ZEALAND, NORWAY and JAPAN underscored that this is “a simple technical matter,” noted that the relevant information will be publicly available by-mid 2014; and cautioned against compromising the integrity of the expert review process.

The SBI adopted conclusions (FCCC/SBI/2013/L.13), forwarding the issue to SBI 40 for consideration. SBI Chair Chruszczow noted that he will report to the COP President for him to decide whether to further consult parties on the way forward.

**Gender and climate change:** The SBI adopted conclusions (FCCC/SBI/2013/L.16).

**Convention Article 6 (education, training and public awareness):** The SBI adopted conclusions (FCCC/SBI/2013/L.21).

**CLOSING STATEMENTS:** Closing statements were made in the afternoon SBI closing plenary, with observer organizations making their statements first. YOUNGOs stressed the urgent need for a strong mechanism on loss and damage, highlighting certain climate change impacts, such as sinking lands and ocean acidification. INDIGENOUS PEOPLES called for the establishment of: a permanent institution to address loss and damage; and a technical advisory body, with participation of the UN Permanent Forum on Indigenous Issues and the Special Rapporteur on the rights of indigenous peoples.

ENGOs indicated that the CDM and JI have increased net emissions, urging delegates to reform these mechanisms. Noting that some positive steps have been undertaken, WOMEN AND GENDER called for additional funding for the participation in the UNFCCC process.

Recognizing the importance of adaptation for developing countries, Fiji, for the G-77/CHINA, welcomed the organization of a work programme on cooperation on response strategies, but expressed disappointment on, *inter alia*: lack of progress on the forum on the impact of the implementation of response measures; and the “adaptation funding crisis.” Australia, for the UMBRELLA GROUP, expressed satisfaction with progress under the SBI, urging delegates to continue to work on, *inter alia*, NAPs, NAMAs and the Technology Mechanism.

Noting that several items remain to be completed, Nauru, for

AOSIS, singled out loss and damage as particularly important, drawing attention to the need to address the economic, human, and social impacts of climate change. Nepal, for LDCs, asked that the SBI be given time to address loss and damage “in a constructive manner” and that the CGE be given a longer mandate.

**PLENARY SUSPENSION:** On Sunday morning, SBI Chair Chruszczow reported that parties were able to reach agreement on the CGE. Noting lack of quorum, he suspended the SBI at 5.33 am and said the SBI closing plenary will reconvene on Monday.

#### ADP

**CONSULTATIONS ON WORKSTREAM 2:** During ADP open-ended consultations on the way forward under workstream 2 in the morning, ADP Co-Chair Runge-Metzger stressed the need to focus on concrete outcomes.

Nauru, for AOSIS, and PAKISTAN called on developed countries to take the lead on mitigation. INDIA and CHINA expressed concern over Annex I countries lowering their level of ambition. CANADA said the ambition gap cannot be closed solely by developed countries. SWITZERLAND, AUSTRALIA and CANADA called on parties that have not already done so to submit mitigation pledges.

BOLIVIA suggested a workshop on means of implementation and developed countries’ mitigation efforts. The EU welcomed international cooperative initiatives while INDIA warned against shifting the responsibility to developing countries.

Many developing countries indicated that workstream 2 should address not only mitigation but also means of implementation, which should be increased. The PHILIPPINES called for a pathway to the US\$100 billion target and, with PAKISTAN, capitalizing and operationalizing the GCF.

AOSIS, supported by SWITZERLAND and MEXICO, proposed a work programme on areas of high mitigation potential with an initial focus on energy efficiency and renewable energy. The EU suggested mandating the UNFCCC Secretariat to identify technology research for increased mitigation ambition. MEXICO proposed a SBSTA work programme on the promotion of technologies with a high-level political dialogue to increase ambition based on CBDR. The US, supported by CANADA and AUSTRALIA, called for harnessing the mitigation potential of sub-national actors. CHINA said these local efforts fall under national action.

On HFCs, CANADA urged “a strong signal” to markets to develop safe alternatives. INDIA and SAUDI ARABIA underlined that HFCs “belong” under the UNFCCC. The EU emphasized shared responsibility with the Montreal Protocol. CHINA said the UNFCCC principles should apply to the phase-out of HFCs. MEXICO underscored the health co-benefits of addressing short-lived climate pollutants.

The PHILIPPINES and CHINA urged the ratification of the Doha Amendment. The EU indicated that implementing legislation is already in place.

ZAMBIA called for establishing a contact group under workstream 2 to start drafting text.

**STOCKTAKING PLENARY:** The ADP stocktaking plenary took place in the morning and afternoon. ADP Co-Chair Kumarsingh identified goals for Warsaw, including: progress on elements of the post-2015 agreement and clarity on pre-2020 ambition. ADP Co-Chair Runge-Metzger outlined key messages under workstream 2: working under the Convention’s principles and provisions; accelerating the implementation of previous decisions; enhancing ambition under the Convention; and proposals for specific initiatives to increase ambition. Underlining links between the pre- and post-2020 periods, ADP Co-Chair Kumarsingh summarized areas where further work is needed, including: mitigation commitments; a global goal

for adaptation and strengthening NAPs; mobilized and scaled-up finance; enhancement of the Technology Mechanism and discussion on IPRs; and definition of MRV. He requested parties to reflect on: what can and should be captured in a decision in Warsaw; and how the ADP Co-Chairs can support their work.

Malaysia, for the G-77/CHINA, called for information on the framework the Co-Chairs will use to organize all the inputs. Nauru, for AOSIS, called for a decision on the “Warsaw workplan” to enhance mitigation ambition. Nepal, for the LDCs: requested that the Co-Chairs compile a summary of views and submissions from parties and observer organizations; called for a more formal working mode through contact groups and a roadmap with new ambitious targets; and identified political will as the key missing element.

The EU called for: robust international rules ensuring environmental integrity; ambition with commitments that are fair to everyone; a decision on the elements of the 2015 agreement; and new and improved pledges under the Kyoto Protocol ambition review.

Swaziland, for the AFRICAN GROUP, called for clarity on structuring the negotiations, including: a space for discussions on science and equity; a workplan for 2014, including requests for submissions. Under workstream 2, he supported the four building blocks identified by the Co-Chairs, and called for clarity on finance.

SINGAPORE, with NORWAY, called for defining a clear way forward towards a 2015 agreement. He also suggested discussing linkages between different issues, and identifying what needs to be decided in Warsaw.

The REPUBLIC OF KOREA urged focusing on common rules for defining national commitments. INDIA lamented the lowering of Annex I parties’ ambition and identified the need for a balanced decision on all elements. NICARAGUA stressed increasing pre-2020 ambition in context of Annex I parties reviewing the ambition of their QELRCs under the Doha Amendment. The US supported a concise decision and conclusions enabling work towards 2015 and capturing areas of convergence.

Calling for a balanced outcome, the Philippines, for the LMDCs, emphasized that action needs to be guided by the Convention’s principles and provisions, warning that paths leading away from the UNFCCC may lead to “unchartered territory and failure.” COLOMBIA, for Costa Rica, Panama and Peru, identified the need to move into more concrete work modalities as soon as possible to achieve a solid outcome under the ADP in Warsaw. Switzerland, for the EIG, stated that balance between workstreams 1 and 2 should not be used “as a pretext to slow down” the negotiations. He said progress is needed under both, but “lack of progress in one is not a reason not to advance in the other.”

CHINA called for Warsaw deliverables on the organization of work and additional ADP meetings. He proposed a COP decision requesting the ADP to continue its work in a focused way. With AOSIS and SOUTH AFRICA, he expressed his disappointment with the lack of ambition, proposing that the COP decision urge Annex I parties to increase their level of ambition in line with science and CBDR. He also stressed the need for a roadmap to the US\$100 billion target. SOUTH AFRICA expressed concern with some Annex I countries lowering their pledges. She suggested the ADP Co-Chairs prepare an informal summary on discussions under workstream 1, and recommended a COP decision instructing the SBs, as well as other relevant organizations, to provide timely information to the ADP.

NEW ZEALAND suggested “working back” from what needs to be done by December 2015 to determine guidance needed from Warsaw, and called for moving to a smaller, yet

transparent, setting to reach a concise but substantive decision. The RUSSIAN FEDERATION called for a concrete and pragmatic decision with a clear indication of the building blocks and process to follow. BANGLADESH notified it has submitted its instrument of acceptance of the Doha Amendment to the depositary. BOLIVIA lamented gaps in mitigation, finance and technology transfer, and suggested discussions to understand the finance requirements of developing countries.

Co-Chair Kumarsingh noted that the Co-Chairs will capture parties’ reflections and ideas in a draft decision for further discussions.

### **CONTACT GROUPS AND INFORMAL CONSULTATIONS DECISION-MAKING IN THE UNFCCC PROCESS**

**(COP):** In the morning, open-ended informal consultations were held on decision-making in the UNFCCC process. Some parties sought reassurance that this issue would not be conflated with, or prejudice the outcome of, discussions on the rules of procedure; and the proposal from Papua New Guinea and Mexico to amend Convention Articles 7 and 18.

Some parties emphasized the need to understand the meaning of “consensus;” and to clarify the role of the presiding officer and the Secretariat. One party stressed the need for “a clear legal environment, where we do not deviate from procedures that are not in force but yet applied.” Some parties highlighted that the rules of procedure have not been adopted because of lack of agreement on voting rules, and called for a forward-looking process, without re-opening past decisions.

There was convergence on a party-driven process and the need to: respect the sovereignty of all parties; recognize that all have an opportunity to be heard; and ensure inclusiveness, legitimacy and transparency. Some parties emphasized the need to avoid taking decisions “in the corridors or backrooms,” citing COP 15 as an example.

While there was some convergence on the timeliness of discussions to increase the effectiveness of negotiations, some expressed concern over “sacrificing inclusiveness for effectiveness.” Others called for revisiting recent practices that have favored the adoption of decisions as “a package.” Many questioned the way small negotiating groups are constituted, stressing that some parties with an interest in the issue may not get invited.

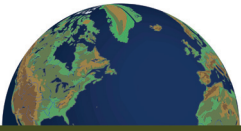
On the outcome, some parties called for a COP 19 decision on decision-making in the UNFCCC process, while others underscored the need to keep the discussion open, without getting “fixated” on a formal outcome.

Informal consultations will continue.

### **IN THE CORRIDORS**

After many late nights of negotiations, the first week of the conference came to an end, with exhausted delegates leaving the venue early on Sunday morning. In their weariness, some delegates pondered the wider impact of all their work, and many expressed concern over some Annex I parties’ low or reduced mitigation ambition. One delegate commented: “we are supposed to be moving far and fast, but it feels as if we are moving backwards.” In the streets surrounding the venue, over 1,200 people participating in a Saturday afternoon march for climate justice shared the same sentiment, displaying banners calling for “System Change, not Climate Change.”

Some bleary-eyed delegates expressed hope that limited progress made this first week was only a warm up for the “big game” in the second week when ministers arrive to “flex their political muscles.”



## WARSAW HIGHLIGHTS MONDAY, 18 NOVEMBER 2013

In the morning, the resumed SBI closing plenary and the COP President's informal stocktaking plenary convened. Throughout the day, a number of contact groups, informal consultations and other meetings were held under the COP, CMP and ADP. These included: ADP open-ended consultations on the implementation of all the elements of both workstreams; open-ended informal consultations on decision-making in the UNFCCC process; and informal consultations on the Clean Development Mechanism (CDM).

### **SBI RESUMED CLOSING PLENARY**

SBI Chair Chruszczow thanked parties for their hard work Saturday night and into Sunday morning.

### **NON-ANNEX I NATIONAL COMMUNICATIONS:**

**CGE:** The SBI adopted conclusions and draft COP decisions (FCCC/SBI/2013/L.24 & Add.1-2).

**NAMAs BY DEVELOPING COUNTRIES:** Team of technical experts under ICA: The SBI adopted conclusions (FCCC/SBI/2013/L.23). Switzerland, for the EIG, welcomed the work on the text, noting it empowers both the CGE and the ICA process, and represents the final building block of the MRV system.

**CAPACITY BUILDING:** Capacity building under the Protocol: The SBI adopted conclusions (FCCC/SBI/2013/L.18/Rev.1).

### **ADMINISTRATIVE, FINANCIAL AND**

**INSTITUTIONAL MATTERS: Budget performance for the biennium 2012-2013:** The SBI Chair informed that parties could not reach consensus and the SBI adopted conclusions and forwarded a draft decision to the COP (FCCC/SBI/2013/L.20).

**REPORT ON THE SESSION:** The Secretariat reported on the budgetary implications of activities requested under several agenda items. SBI rapporteur Mabafokeng Mahahabisa (Lesotho) introduced the report, noting substantive conclusions will be inserted in its final version.

AUSTRALIA, for Canada, the US, New Zealand and Japan, called for reflecting in the report that no consensus had been reached on the TEC and CTCN annual report, and that this item should be considered at SBI 40. BANGLADESH cautioned against forwarding this item to SBI 40, and, with CUBA, called on parties to devote time to concluding this issue in Warsaw.

SBI Chair Chruszczow said this issue was forwarded to the COP, and the SBI adopted its report on the session (FCCC/SBI/2013/L.1). He closed the meeting at 12:29 pm.

### **PRESIDENT'S INFORMAL STOCKTAKING PLENARY**

Opening the stocktaking plenary, COP/CMP President Korolec described work under the COP and CMP as progressing smoothly, and drew attention to finance as an area where "significant progress" has been made and where efforts need to be continued.

SBSTA Chair Muyungi informed parties that the SBSTA has successfully concluded, having adopted 15 conclusions. He indicated parties were unable to conclude three items, which will be forwarded to the COP/CMP President: REDD+ institutional arrangements (joint SBI/SBSTA item); response measures forum and work programme (joint SBI/SBSTA item); and methodological issues under the Protocol relating to Articles 5, 7 and 8. He noted two items on which no progress was made: report of the TEC and CTCN (joint SBI/SBSTA item); and market and non-market mechanisms, which will be taken up by SBSTA 40.

SBI Chair Chruszczow announced that the SBI closed and explained that while important steps had been taken, outstanding issues remained, including: REDD+ institutional arrangements; response measures; loss and damage; and the budget for the biennium 2014-2015. He reported that parties expressed diverging views on whether consideration of the report of the TEC and CTCN should be forwarded to SBI 40 or COP 19, and remitted this matter to the COP President.

ADP Co-Chair Runge-Metzger reported that draft decision text has been circulated and will be considered in the afternoon.

President Korolec asked the SBI and SBSTA Chairs to continue work on outstanding issues and report to him on Tuesday, 19 November; and announced that Ministers Bomo Edna Molewa (South Africa) and Lena Margareta Ek (Sweden) would assist him on loss and damage.

Fiji, for the G-77/CHINA, requested that those SBSTA items that have not been completed should be allocated appropriate time under the COP and CMP. Switzerland, for the EIG, welcomed progress on, inter alia, REDD+, noting slow progress on: market mechanisms; budget; enabling decisions for the ratification of the Kyoto Protocol's second commitment period; and loss and damage. Australia, for the UMBRELLA GROUP, called for a strong signal from Warsaw that the ADP is on track to deliver, and said mitigation commitments from all will be necessary. He also highlighted progress on loss and damage. Bangladesh, for the LDCs, called for setting up an international mechanism on loss and damage in Warsaw, and lamented lack of agreement on the budget, calling for adaptation activities to be given high priority.



Chile, for AILAC, called for progress on the development and transfer of technologies, and the implementation of the Technology Mechanism. Nauru, for AOSIS, urged reaching a decision on loss and damage. Papua New Guinea, for the COALITION FOR RAINFOREST NATIONS, said REDD+ is “a package within reach” at COP 19. The EU called for concluding work on the budget for 2012-2013.

#### ADP

##### ADP OPEN-ENDED CONSULTATIONS ON THE IMPLEMENTATION OF ALL THE ELEMENTS UNDER BOTH WORKSTREAMS: In the morning, ADP

Co-Chairs presented draft text on the implementation of all the elements of decision 1/CP.17, consisting of: draft Co-Chairs’ conclusions; and a draft decision on pre-2020 ambition and post-2020 action, including an annex with indicative elements of the 2015 agreement. Noting that “this week is about decision time,” ADP Co-Chair Kumarsingh emphasized that the draft decision is “merely indicative” and “not prejudicial to further work.” He invited delegates to reflect on it and come back with reactions in the afternoon.

In the afternoon, ADP Co-Chair Kumarsingh invited parties’ initial reflections on the draft decision text. Malaysia, for the G-77/CHINA, expressed concern that there is no: mention of equity or loss and damage; roadmap on technology transfer; emphasis on key Convention principles and provisions; and scaled up mitigation commitments for developed countries. Nepal, for the LDCs, lamented a lack of focus on support.

Venezuela, for the LMDCs, underscored the need to enhance ambition on finance, technology and capacity building. INDIA expressed concern that the text “presumes” that in the 2015 agreement each party will have commitments on mitigation, adaptation, finance, technology development and transfer, and capacity building.

Calling for narrowing down and clearly defining the elements in the text, Switzerland, for the EIG, expressed readiness to accept the text as a starting point.

Nauru, for AOSIS, called for a workplan with specific mandates and deliverables. COLOMBIA, reflecting the views of AILAC, described the text as a “good basis,” underscoring that parties need to leave Warsaw knowing how to move forward, calling for a compliance mechanism in the 2015 agreement.

Describing the text as a “very good version zero,” Swaziland, for the AFRICAN GROUP, called for, *inter alia*: more ambition; and *ex ante* information not only on mitigation, but also on adaptation and means of implementation. The EU called for: a workplan with deadlines; up-front transparency and an assessment phase under workstream 1; and concrete actions under workstream 2.

BOLIVIA highlighted that the draft text lacks discussion of means of implementation, and underlined that developing countries undertake voluntary NAMAs, not commitments. On “nature and extent of differentiation,” IRAN preferred using agreed and common Convention language. Noting that the text does not reflect the different views expressed, ECUADOR called for “quick” submissions from parties on their expectations, and said he was ready to engage without necessarily using the Co-Chairs’ text. CHINA, called for working in a focused way, and an outcome text that is balanced “both between and within” the two workstreams. Consultations continued in the evening.

##### CONTACT GROUPS AND INFORMAL CONSULTATIONS DECISION-MAKING IN THE UNFCCC PROCESS

(COP): The afternoon open-ended informal consultations on decision-making in the UNFCCC process were co-facilitated

by Gabriel Quijandria Acosta (Peru) and Beata Jaczewska (Poland). Parties agreed to open this and the following meetings to observers.

Parties welcomed the forward-looking nature of, and identified elements for, discussions, including: “party-drivenness”; transparency and openness; inclusiveness; fairness and equal treatment; efficiency and effectiveness; responsibilities of parties, presiding officers and the Secretariat; the need to avoid package deals; and that discussions of the proposal from Mexico and Papua New Guinea to amend Convention Articles 7 and 18 be kept separate from these discussions. The Secretariat will prepare a paper listing issues for substantive discussions. Informal consultations will continue.

CDM (CMP): In the afternoon, delegates consulted informally on a draft decision on issues relating to the CDM. On governance, they discussed text encouraging the CDM Executive Board (EB) to enhance its interaction with designated national authorities and designated operational entities. On baseline and monitoring methodologies and additionality, views diverged on whether to request the EB to: simplify the monitoring methodologies and procedures by allowing the validation of monitoring plans after registration; remove the threshold of component project activities addressing microscale activities in programmes of activities; extend the use of positive lists, combined with conservative default values for project types where there is a low risk of non-additionality; and improve the financial additionality assessment by including all costs and revenues, notably the revenues expected from certified emission reductions (CERs). Informal consultations will continue.

#### IN THE CORRIDORS

As delegates kicked off the second half of the conference at the Warsaw National Stadium, another conference, deemed “controversial” by many, convened three kilometers away. At the International Coal and Climate Summit, UNFCCC Executive Secretary Christiana Figueres delivered a keynote speech, warning that “the coal industry faces a business continuation risk it can no longer afford to ignore.” Previously, an open letter signed by several NGOs requested Figueres to withdraw from the event, worried that her presence would lend credibility to a conference “that should not be legitimized.” Responding to these concerns, and subsequently gaining a somewhat cautious approval from one NGO representative, Figueres specified in her keynote address that her presence “is neither a tacit approval of coal use, nor is it a call for the immediate disappearance of coal. But I am here to say that coal must change rapidly and dramatically for everyone’s sake.”

Back at the National Stadium, delegates seemed refreshed and even upbeat as the SBI swiftly concluded its work, prompting praise by some delegates for “marvelous” work in completing the MRV system. In the ADP, the production of a draft decision text generated considerable interest. As delegates packed into a meeting room, a delegate noted that while meeting rooms, rather than plenaries, facilitate an interactive environment, this can come at the expense of inclusiveness, as “only those who arrive first will get a seat at the table, and the chance to speak,” while another liked the arrangement, which, to him, is “reminiscent of indabas.” Several noted the “unenviable” task of the Co-Chairs to pen the first ADP draft decision, which some called a “bare minimum,” and others described as “a useful start.” Another delegate seemed pleased with the buzz in the room, in contrast to what he perceived as a “complete lack of urgency” in the negotiations last week. With ministers in town, and “decision time” in the ADP imminent, it remains to be seen if this timid hopefulness is here to stay.



## WARSAW HIGHLIGHTS: TUESDAY, 19 NOVEMBER 2013

On Tuesday afternoon, the opening ceremony of the COP 19 and CMP 9 high-level segment took place. In the morning, afternoon and evening, contact groups, informal consultations and other meetings were held under the COP, CMP and ADP. These included: ADP open-ended consultations on both workstreams; report of the compliance committee; REDD+ finance; and the ADP Co-Chairs' special event.

### OPENING CEREMONY OF THE COP 19 AND CMP 9 HIGH-LEVEL SEGMENT

Donald Tusk, Prime Minister of Poland, opened the high-level segment and welcomed participants. Noting that Poland is hosting the COP/CMP for the second time, he outlined emerging challenges since Poznan: the financial crisis; failure to achieve a global agreement in Copenhagen; shifts in the world energy market; and recent IPCC findings. Emphasizing that "we cannot afford a failure; and cannot play with the climate," he said the key goal for Warsaw is to produce a "sober assessment" of what is necessary to achieve a global agreement.

Calling Warsaw an important stepping stone, UN Secretary-General Ban Ki-moon signaled a "steep climb" ahead. Among areas for action, he highlighted: ratifying the Kyoto Protocol's second commitment period; increasing ambition on mitigation, adaptation and finance for a large-scale transformation; sending the right policy signals to investors; and constructing an action agenda to meet the climate challenge by laying a firm foundation for the 2015 agreement. He invited all delegates to come to the 2014 Climate Change Summit with political leadership and bold announcements for action. He urged participants to "shape this future for all succeeding generations and an environmentally sustainable planet Earth."

John Ashe, UN General Assembly President, stated that, although he understands the challenges of negotiations, "the picture outside this room is bleak." He said parties must reach a deal in 2015, which should include: pre-2020 ambition; a compliance mechanism; and applicability to all. In response to the subnational governments, civil society and business groups that are acting on climate change and asking if parties have abdicated responsibilities, Ashe urged parties to "push back, stand up" and say "we will act."

UNFCCC Executive Secretary Christiana Figueres said COP 19 is held in the context of "a clarion call from science, and a compelling call from the Philippines." She stressed the need for Warsaw to pave the way to Lima and Paris, and called for

ministers' active involvement on core deliverables: finance; "a cornerstone for" the loss and damage mechanism; increased pre-2020 ambition; and elements of the new agreement. She added that they should "focus on what is feasible and necessary, and work with intensity and intent," to "lead us a to meaningful draft agreement that is based on sound science, equitably enacted and applicable to all."

The high-level segment continued with statements from other heads of state and heads of government, deputy heads of state and deputy heads of government, ministers, and other heads of delegations. A webcast of the statements is available at:

<http://bit.ly/HX8VgK>

### INFORMAL CONSULTATIONS AND OTHER MEETINGS

**ADP OPEN-ENDED CONSULTATIONS ON BOTH  
WORKSTREAMS:** In the morning, Co-Chair Runge-Metzger invited parties to continue clarifying their views on the draft text and acknowledged the submission from the LMDCs. He noted that "the time for wish-lists is over" and urged countries to identify areas of convergence.

Various developing countries, including Swaziland for the AFRICAN GROUP, INDIA, MALI, CHINA, Bolivia for the LMDCs, the PHILIPPINES and VENEZUELA, called for a pathway for the delivery of the US\$100 billion target and MRV of support. BRAZIL underlined finance for NAMAs. The US stressed that the US\$100 billion target was made in the context of a wide package of decisions and that new commitments "cannot be made along the way." The LMDCs opposed proposals related to harnessing private investment for mitigation.

On the nature and extent of differentiation, the Gambia, for the LDCs, and BRAZIL preferred using the distinction between Annex I and non-Annex I countries.

On technical opportunities to enhance action, Nauru, for AOSIS, supported by the EU, suggested adding: a timeline calling for submissions by March 2014; a request for the Secretariat to compile a synthesis of technical data, including from external agencies; expert meetings in March and June 2014; and ministerial meetings in 2014, leading up to the UN Climate Summit and COP 20.

INDIA opposed "embarking on a technical process," and, with the LMDCs, cautioned against referring to actions outside the Convention. The EU called for Warsaw to show that "we are on track" to reach a legally-binding agreement in 2015 and narrow the mitigation gap.



CHINA said the negotiations should be focused, emphasizing the need to enhance implementation up to 2020 and the Bali Action Plan (BAP). The LDCs called for reference to the principles of equity and fairness, and confidence building through full implementation of the BAP. SWITZERLAND said the ADP should focus on additionality.

The EU and SWITZERLAND underlined the importance of transparency in the process. BRAZIL called for more clarity on transparency, adding that it is not a goal in itself.

INDIA stressed the need to: increase developed countries' mitigation ambition to at least 40% below 1990 levels; enhance technology transfer; and address IPRs. The PHILIPPINES called for strengthened Annex I countries' reporting on mitigation, finance, technology transfer and capacity building. SAUDI ARABIA, the LDCs and SINGAPORE underscored the importance of developed countries' leadership. SOUTH AFRICA highlighted the scientific assessment of mitigation action by developed countries. VENEZUELA called for assessing the performance of existing institutions.

BRAZIL highlighted the difficulty of spelling out sub-national actors' actions in a multilateral context. SINGAPORE said collaborative work at the sub-national level should be in the context of sharing and learning. The US, JAPAN and CANADA supported facilitating collaborative work on mitigation and adaptation at the sub-national level. Consultations continued throughout the evening.

#### REPORT OF THE COMPLIANCE COMMITTEE

**(CMP):** The morning informal consultations were co-facilitated by Ilhomjon Rajabov (Tajikistan) and Ida Kärnström (Sweden). Parties considered draft decision text revised by the Co-Chairs in accordance with proposals by parties. After a brief discussion, parties agreed to delete text on voluntary contributions to the Trust Fund for Supplementary Activities in support of the work of the Committee for 2014-2015. Following minor textual revisions, agreement was reached on a draft decision to be forwarded to the CMP.

**REDD+ FINANCE (COP):** In the afternoon informal consultations on the work programme on results-based finance for REDD+, delegates discussed the creation of an information "hub" on REDD+ finance, and the role of the GCF. Convergence emerged that the information hub should be a voluntary tool, possibly linked to the UNFCCC web platform, and promote transparency without imposing additional reporting obligations. Delegates agreed that: the GCF should play a central role in results-based finance for REDD+; and existing methodologies should be used. Some delegates underscored the need to: report on how safeguards are being addressed and respected; and recognize the link between safeguards and co-benefits. Others remarked that delegates "should not reopen issues that are already agreed," emphasizing the need to make progress on technicalities on results-based payments.

Informal consultations will continue, based on a draft decision text to be prepared by the Co-Chairs of the work-programme on results-based finance, Agus Sari (Indonesia) and Christina Voigt (Norway).

**ADP CO-CHAIRS' SPECIAL EVENT:** The afternoon event was facilitated by Jamie Peters (YOUNGOs). Participants focused on: how the 2015 agreement could foster enhanced collaboration between non-state actors and governments; and the role the UNFCCC could play in recognizing and strengthening

non-state actors' initiatives and actions. The Secretariat invited participants to address how non-states' actor initiatives can catalyze, foster, facilitate and inspire the UNFCCC process.

ADP Co-Chairs reacted to comments from the floor on: the need for preparatory work with various constituencies to build domestic political momentum by spreading information about benefits in financing the transition to a low-carbon economy and green growth; and perspectives on how equity and fairness could inform the 2015 agreement.

Participants also discussed, *inter alia*: recognition of the role of non-state actors; a just transition for trade unions; the role of private climate finance; human rights-based approach; inter-generational equity; and the role of women in sustainable agriculture and land use.

#### IN THE CORRIDORS

As Monday night's negotiations continued into the night, some delegates left the National Stadium at 6:00 am on Tuesday to be greeted by light of early dawn. During the day, buoyancy came from gender and youth groups. Many wore green ribbons on this "Gender Day" to promote the role of gender approaches in solving the climate crisis. A delegate from youth NGOs facilitated the ADP Co-Chairs' special event, and the theme of intergenerational justice also appeared during the high-level segment in the afternoon, as many speakers called for delegates to think of "not only of your children, but of your children's children." Various high-level officials also presciently reflected a general feeling of frustration with the ADP's discussions, while repeatedly urging concrete outcomes in Warsaw to pave the way to Paris in 2015.

During this second day of discussion of the ADP draft decision, one delegate admitted to a "growing sinking feeling" that parties will not find common ground and instead will "insist on emphasizing the areas of divergence." Paraphrasing Polish Prime Minister Donald Tusk's words during the high-level segment that "each player is competing with his colleagues," one delegate worried that parties were forgetting "that the match can only be won by the team." While many expressed concern about procedural issues currently under discussion and the slow pace of negotiations thus far, a UNFCCC veteran reassured others that COP 19 is a "typical COP" that will "result in some last minute package late Friday night."

**#COP4Haiyan Solidarity Operation:** On Wednesday and Thursday, Polish Humanitarian Action, a non-governmental organization specializing in emergency response, is organizing a charity collection to support the relief and reconstruction in the Philippines after Super Typhoon Haiyan. Volunteers will be present from 8-10 am near the cloakroom on level -2 zone 1, and from 5-8 pm at the main exit of the Stadium on level -1 zone A9. The first collection last Friday amounted to US\$3,063. If each COP 19 participant gives US\$20, approximately US\$200,000 could be collected. Online donations are also possible through <http://www.pah.org.pl>

This collection has been facilitated by the COP 19/CMP 9 Presidency and by the UNFCCC Secretariat.

A fund-raising initiative Twitterstorm was also launched last week by youth delegates through four NGOs active in the Philippines, see <http://bit.ly/1cX8WiQ>



## WARSAW HIGHLIGHTS

### WEDNESDAY, 20 NOVEMBER 2013

On Wednesday, the high-level ministerial dialogue on climate finance took place in the morning and afternoon. Throughout the day, contact groups, informal consultations and other meetings were held under the COP, CMP and ADP. These included ADP open-ended consultations on both workstreams, and COP open-ended informal consultations on decision-making in the UNFCCC process. The COP/CMP President's informal stocktaking plenary was held in the evening.

#### **HIGH-LEVEL MINISTERIAL DIALOGUE ON CLIMATE FINANCE**

The two-part ministerial dialogue mandated by COP 18 considered progress made in mobilizing long-term climate finance, including efforts by developed countries to scale up finance after 2012.

In the morning inaugural session, COP/CMP President Korolec urged "living up to the challenge" of climate finance, while recognizing the difficulty of the task. He called on parties to make progress in Warsaw on adaptation finance, predictability and mobilization from a broad range of financial sources.

UN Secretary-General Ban Ki-moon stressed the need to break down barriers to sustainable investment, including "perverse subsidies." Identifying public and private finance and the operationalization of the GCF as areas for common action, he warned against the costs of inaction.

Jakaya Mrisho Kikwete, President of the United Republic of Tanzania, lamented that "things have not worked out as we had expected," emphasizing the need for: finance flows to the LDCs; improved transparency; and harmonized financial procedures and access to financial resources.

Naoko Ishii, the GEF, underscored that: transition to low-carbon economy requires finance; public finance can play a catalytic role in unleashing private sector potential; and the GCF and the GEF should forge "strong complementarities."

Hela Cheikhrouhou, GCF, said the Fund is "getting ready to open for business." She called on: the GCF Board to adopt the necessary decisions for the Fund's operationalization; developing countries to identify priorities to enable them to make requests to the Fund; and developed countries to contribute to the Fund and catalyze private sector contributions.

The dialogue was subsequently opened by four "icebreakers," and facilitated by Minister Maria Kiwanuka (Uganda) and Minister Martin Lidegaard (Denmark).

Minister Lisel Alamilla (Belize) underlined the need for: predictability of support; milestones in the implementation of the US\$100 billion target; and capitalization and operationalization of the GCF and the Adaptation Fund.

Minister Dalila Boudjemaa (Algeria) stressed the need to avoid a vacuum between 2015 and 2020, and communicating good practices.

Minister Peter Altmeier (Germany) urged delegates to deliver on the US\$100 billion commitment, drawing attention to the need to re-direct private investment.

Todd Stern, US Special Envoy for Climate Change, highlighted collaboration among donor countries to strengthen public finance as a means to leverage private investment.

Fiji, for the G-77/CHINA, called for: scaled up finance; balance between adaptation and mitigation finance; and the immediate capitalization of the GCF. EGYPT stressed the need to define predictability and additionality of climate finance. CHINA emphasized the importance of agreeing on a roadmap for achieving the US\$100 billion target. The EU drew attention to fast-start finance efforts, and stressed climate mainstreaming and enabling environments. Colombia, for AILAC, called for reaching a "higher and more ambitious ground" in Warsaw consisting of: a clear political commitment on scaling up finance, including public finance for adaptation; a credible pathway with mid-term targets and clarity on different sources; and a political process to evaluate progress.

In the afternoon, delivering a keynote address, Nicholas Stern cautioned that "government-induced policy risk" is the biggest barrier to private investment, calling for increased support for greening development in developing countries. Three "ice breakers" opened the discussion.

Minister Tine Sundtoft (Norway) announced her country would continue to finance REDD+ "at least at current levels until 2020."

Secretary of State Edward Davey (UK) announced new contributions totaling £125 million to the LDC Fund and BioCarbon Fund.

Secretary of Environment and Natural Resources Juan José Guerra Abud (Mexico) cautioned that while international support is important, each country has "to do its homework" and elaborate strategies to leverage private investment through public finance.

Numerous developing countries, including NAMIBIA, the DEMOCRATIC REPUBLIC OF THE CONGO and KENYA, emphasized developed countries' obligations to provide finance, and the need to operationalize and capitalize the GCF as soon



as possible, with INDIA cautioning that the lack of enabling environments should not be used as an excuse to delay finance. Malawi, for the LDCs, called for agreement on a finance pathway, with at least half of funds going to adaptation and most to the LDCs. Fiji, for the G-77/CHINA recommended: continuing finance readiness programmes to ensure the GCF is accessible to all; and identifying clarity on a finance pathway to 2020 as a key deliverable for Warsaw. BENIN cautioned against forgetting the polluter-pays principle.

The REPUBLIC OF KOREA called for the establishment of a working group on pre- and post-2020 long-term finance. EL SALVADOR called for: more “agile” finance with less red tape and lower overhead costs. ECUADOR highlighted the need to ensure finance from parties, not only the private sector.

Numerous developed countries, including CANADA, the EU, JAPAN, NORWAY and NEW ZEALAND, highlighted mobilizing private finance, with the EU and SWITZERLAND emphasizing the need to create partnerships between developed and developing countries. NEW ZEALAND proposed launching a Warsaw platform on effective climate finance, including: helping countries set their own priorities; aligning finance with these priorities; supporting outcomes that can be measured and reported; coordinating finance in simplified ways; and ensuring that public finance does not “crowd out” private sector engagement.

Noting the importance of understanding how public finance is leveraging private finance, the WORLD BANK underscored its progress in tracking climate finance and co-benefits of development finance.

CAN called for a roadmap on finance up to 2020, and at least 50% of public finance to be allocated to adaptation.

BINGOs said private capital can be mobilized and redirected by, *inter alia*: shifting the risk-reward ratio in core sector policies; integrating climate into financial policy frameworks; and expanding the development potential of green bonds.

### **INFORMAL CONSULTATIONS AND OTHER MEETINGS**

**ADP OPEN-ENDED CONSULTATIONS ON BOTH WORKSTREAMS:** In the morning, Co-Chair Runge-Metzger invited feedback on the “common threads” contained in the annex to the draft decision, underlining that the annex does not prejudice any outcome.

INDIA cautioned against including such an annex in the draft decision text. With CHINA, BRAZIL, the PHILIPPINES and others, he proposed capturing progress in a Co-Chairs’ reflection note, whereas Colombia, for AILAC, NEW ZEALAND, TRINIDAD AND TOBAGO and others supported working on the annex.

AUSTRALIA suggested focusing on areas of commonality, including: nationally-determined individual commitments with nationally-agreed rules; transparency of support; and reflecting the priority of adaptation. With JAPAN and CANADA, he opposed reference to IPRs.

SINGAPORE called for moving text on common threads to the preamble. With the Gambia, for the LDCs, and INDONESIA, he called for the development of a workplan for 2014, whereas the EU, VENEZUELA, BRAZIL and others expressed concern that negotiating a workplan could distract from the remaining work in Warsaw.

BOLIVIA called for focusing on: clarity on means of implementation; loss and damage; a quantified mid-term finance support target; and MRV of support. The LDCs stressed that the new agreement must be based on CBDR, equity and inter-generational equity, and reflect urgency and adequacy.

The US said areas of convergence include: the agreement is under the Convention’s principles and is applicable to all; nationally-determined commitments; and implementation sensitive to national circumstances. SWITZERLAND highlighted as common ground nationally-determined mitigation actions by all and internationally agreed rules. The EU emphasized as elements for consideration, *inter alia*: the 2°C goal; applicability to all; market mechanisms; and compliance.

The PHILIPPINES called for focus on pre-2020 ambition with actionable items and an agenda for 2014, including targets for support and Annex I parties’ mitigation ambition.

Swaziland, for the AFRICAN GROUP, expressed support for elaborating common threads and called for reference to the global temperature goal and assessment of adequacy of commitments.

SOUTH AFRICA suggested including an equity framework. The AFRICAN GROUP, AILAC and INDONESIA supported a global adaptation goal.

CHINA highlighted the existing differentiation under the Convention’s Annexes. BRAZIL stressed the Annexes arrangement under the Convention is legally binding and not under negotiation. The US stated that a COP decision could enable the “evolution” of the Convention’s Annexes. Reaffirming commitment to a legally-binding agreement, VENEZUELA expressed concern about some parties’ “devaluation” of the Convention’s principles and structure. NEW ZEALAND, supported by the EU, NORWAY and TRINIDAD AND TOBAGO, expressed support for discussing differentiation.

**DECISION-MAKING IN THE UNFCCC PROCESS (COP):** The morning open-ended informal consultations were facilitated by Beata Jaczewska (Poland). Parties considered the Co-Chairs’ preliminary list of possible elements of the scope of discussions.

On possible elements, the EU, supported by MEXICO and INDIA, questioned reference to avoiding package deals, explaining that discussions should focus on the process for achieving outcomes. AUSTRALIA said package deals relate to transparency and inclusiveness. MEXICO requested adding a reference to “work ownership” and, with AUSTRALIA, the RUSSIAN FEDERATION, the EU, SAUDI ARABIA, the US and others, emphasized the distinction between parties’ roles and responsibilities, and those of the President, presiding officers and the Secretariat.

The RUSSIAN FEDERATION, opposed by SAUDI ARABIA, proposed including, without redesigning the scope of discussions, voting and consensus as “decision-making tools.”

On the organization of future work, parties considered whether discussions could be continued in Bonn in June 2014, with SAUDI ARABIA seeking clarity on how a COP agenda item could legally be addressed in the margins of the SBs’ meeting. A procedural conclusions draft will be circulated, and consultations will continue.

### **COP/CMP PRESIDENT’S INFORMAL STOCKTAKING PLENARY**

In the evening, COP/CMP President Korolec invited Co-Chairs and ministers to report on various items.



SBSTA Chair Muyungi indicated that response measures and Articles, 5, 7 and 8 (methodological issues under the Protocol) required more time and that consultations on Article 3, paragraph 7 *ter* of the Doha Amendment have concluded.

On REDD+ institutional arrangements, SBI Chair Chruszczow reported that no agreement had been reached but expressed confidence that a “landing zone” exists.

ADP Co-Chair Runge-Metzger relayed that the Co-Chairs prepared revised text and expressed hope to conclude negotiations in the next hours and close the ADP on Thursday.

On loss and damage, Minister Bomo Edna Molewa (South Africa) and Minister Lena Ek (Sweden) explained that consensus needs to be reached on the organization of aspects of institutional arrangements and supporting their operationalization, adding that initial bilateral ministerial discussions had started.

President Korolec reported that consultations on the Secretariat’s budget had not yielded results and that Tosi Mpanu Mpanu (the Democratic Republic of the Congo) will undertake consultations. He relayed that the Secretariat will compile the announcements on financial contributions made during the ministerial high-level roundtable on climate finance. On CDM consultations, he said the group requested more time.

BANGLADESH stressed the need to articulate a roadmap for an agreement in Paris. He called for progress on: loss and damage; finance; and the programme budget, in particular on adaptation. MEXICO called for establishing, as a minimum, a path to the 2015 agreement. CHINA lamented that little had been achieved on loss and damage, and finance.

AUSTRALIA, for Canada, Japan, Kazakhstan, New Zealand, Norway, Ukraine, and the US, called for outcomes on REDD+, climate finance, and loss and damage, consistent with the Doha mandate.

On the CDM, ECUADOR highlighted the lack of demand on carbon markets and lamented “inappropriate procedures” by the facilitators on guidance related to the CDM.

On Articles 5, 7 and 8, Switzerland, for the EIG, stressed the need for a decision on this issue to ensure prompt implementation of the second commitment period. With CHINA and VENEZUELA, the RUSSIAN FEDERATION stressed that consultations should continue on Thursday, not Wednesday night, noting that effectiveness should not come at the expense of transparency and inclusiveness. President Korolec stated consultations on the issue will take place on Thursday.

On the FVA, non-market approaches and NMM, Switzerland, for the EIG, expressed disappointment that negotiations could not resume and called for engaging on this topic in Warsaw. PAPUA NEW GUINEA called for continued dialogue on markets.

COLOMBIA, for Chile and Peru, supported market and non-market approaches; and, on FVA, urged launching an information-sharing platform in Warsaw. The EU said transparency could be an important first step if oriented toward clear rules and accounting systems, and requested clarity on what was proposed and how the discussion could proceed.

AUSTRALIA, for Canada, Japan, Kazakhstan, New Zealand, Norway, Ukraine, and the US, welcomed consideration of markets at COP 19.

BOLIVIA, supported by VENEZUELA, recalled that SBSTA agreed to defer discussion of the FVA to SBSTA 40 because parties could not reach agreement. ECUADOR supported the President’s proposed consultations on markets that would not

prejudice discussions at SBSTA 40. President Korolec noted the lack of consensus on the issue, adding that he will consult with parties with the view to support work at SBSTA 40.

Another COP/CMP President informal stocktaking plenary will take place on Thursday afternoon after the ADP closing plenary.

### IN THE CORRIDORS

On Wednesday, several delegates sensed “a mood to make progress” on the horizon, with the high-level segment in full-swing, and UN Secretary-General Ban Ki-moon meeting with ministers bilaterally and in small groups. Many welcomed the in-session dialogue on finance, a first in the history of the UNFCCC, with one delegate expressing hope that it would generate “the much needed political momentum.” While one participant seemed surprised, even impressed, with the informal setting on the dais at the start of the dialogue, with high-level officials sitting in armchairs arranged in a half-circle, others lamented that speakers from the floor disobeyed the Chair’s instructions “not to read long prepared statements.” Yet, in those long statements appeared what one delegate called “useful nuggets,” such as the Norwegian promise to continue to finance REDD+ “at least at current levels until 2020,” although he wondered what concrete figures lay behind it.

Outside the ministerial events, many spoke of a “blockage” in discussions on loss and damage. This latest frustration came at the time when others expressed sentiments over other difficult issues, such as finance and the ADP work plan. One delegate expected a late night discussing loss and damage, and other intractable issues, “possibly in conjunction” with each other. In anticipation of discussions on the revised ADP draft decision text starting late in the evening, one delegate remarked “we all want a decision coming out of Warsaw that helps all of us, and avoids unclear pages that require a year to clarify.” With the ADP closing on Thursday, such discussions now face a looming deadline.

### #COP4Haiyan Solidarity Operation:

On Thursday, Polish Humanitarian Action, a non-governmental organization specializing in emergency response, is organizing the third and last solidarity collection to support the relief and reconstruction in the Philippines after Super Typhoon Haiyan. Volunteers will be present from 8:00-10:00 am near the cloakroom on level -2 zone 1, and from 5:00-8:00 pm at the main exit of the Stadium on level -1 zone A9. The first two cash collections amounted to approximately US\$6,000. If each COP 19 participant gives US\$20, approximately US\$200,000 could be collected. Online donations are also possible through <http://www.pah.org.pl>.

This collection has been facilitated by the COP 19/CMP 9 Presidency and by the UNFCCC Secretariat.

A fund-raising initiative Twitterstorm was also launched last week by youth delegates through four NGOs active in the Philippines, see: <http://bit.ly/1cX8WiQ>.



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Room Gdansk, National Stadium, Warsaw

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## **WARSAW HIGHLIGHTS THURSDAY, 21 NOVEMBER 2013**

On Thursday morning, the high-level ministerial dialogue on the Durban Platform for Enhanced Action took place. Throughout the day, contact groups, informal consultations and other meetings were held under the COP, CMP and ADP, including the ADP open-ended consultations on both workstreams. The COP/CMP President's informal stocktaking plenary took place in the evening.

### **HIGH-LEVEL MINISTERIAL DIALOGUE ON THE DURBAN PLATFORM FOR ENHANCED ACTION**

COP/CMP President Korolec opened the high-level ministerial dialogue calling on all parties to work together to protect “the most vulnerable people and the most valuable asset – our planet.”

Encouraging participants to “keep their feet on the ground but raise their eyes to the stars,” UNFCCC Executive Secretary Christiana Figueres stressed that maximum collaborative efforts from all stakeholders are needed to bend the emissions curve.

Jakaya Mrisho Kikwete, President of the United Republic of Tanzania, called for developed countries to continue to lead the way, highlighting: scaling up emission reduction ambition in accordance with the long-term goals and objectives of the UNFCCC; taking a “bold approach” to finance; and closing the pre-2020 ambition gap on mitigation, adaptation, finance, technology and capacity building.

Three “icebreakers” opened the first part of the discussions, which was facilitated by Minister Vivian Balakrishnan (Singapore) who invited participants to have a “brutally honest discussion.”

Minister Xie Zhenhua (China) called for implementing rather than weakening the Convention. Emphasizing developed countries' historical responsibility, he underlined that developing countries will be unable to meet their mitigation and adaptation targets without support.

Encouraging parties to move forward together, Todd Stern, US Special Envoy for Climate Change, highlighted areas of convergence in the ADP negotiations, including: meaningful participation by all; nationally-determined mitigation commitments; strengthened transparency; and submission of

commitments before Paris. He opposed holding on to past differentiation categories, stressing that to be operational, they have to evolve.

Vice-Minister Claudia Salerno Caldera (Venezuela) drew attention to the need to negotiate an agreement under the Convention's principles, rules and Annexes, adding that “they are not up for negotiation.”

Several parties called for a clear roadmap, and urged moving discussions beyond mitigation by addressing adaptation, finance, technology and capacity building.

The EU lamented insufficient progress on a clear timeline for the 2015 agreement and on scaling up pre-2020 ambition, calling on parties to “do their homework.” She said the 2015 agreement should be a “hybrid” between top-down and bottom-up approaches to ensure both ambition and participation.

JAPAN highlighted the need for transparency, rules on market mechanisms, and LULUCF.

PERU called for: an ADP decision for effective negotiations in Lima; clear deadlines for mitigation commitments under the COP; political dialogue between developed and developing countries; political momentum; and private sector participation.

Stressing that the “moral basis” of the new agreement is the recognition that historic development activities increased the accumulation of carbon dioxide in the atmosphere, MALAYSIA called for an equitable redistribution of atmospheric development space.

Nepal, for the LDCs, stressed that the new agreement needs to incorporate the latest science and limit global average temperature increase to below 1.5°C.

The second round of discussions was facilitated by Minister Tim Groser (New Zealand) opened by three “icebreakers.”

Noting that ADP draft decision text has a sharpened focus, Minister Phil Hogan (Ireland) emphasized the need to reach agreement on a timeline for the 2015 agreement, including a common set of rules to track progress, and flexibility to adapt to changing circumstances.

Highlighting comparability, transparency and adequacy, Vice-Minister Pablo Vieira (Colombia) said “all countries need to act, each doing what they can,” stressing the need to find “champions.”

Minister Jiko Fatafehi Luveni (Fiji) called for the adoption of a clear, flexible agreement based on a common framework that: encompasses fair differentiation; maximizes participation



and ambition; combines top-down and bottom-up action; and includes MRV, market mechanisms, adaptation, means of implementation, transparency of support, and compliance.

In the ensuing discussion, many countries underscored the importance of building trust, and called for focus on adaptation. Several parties also underlined the importance of implementation, and loss and damage.

Stressing, that “at 2°C, which is 3°C for Africa, we shall not be able to adapt,” KENYA called for: a clear target for adaptation; strong support for loss and damage; and capacity development. BOLIVIA called for a commitment from developed countries at COP 19 on provision of finance of at least US\$70 billion by 2016 and US\$100 billion by 2020 as a starting point. ARGENTINA stressed the principles and provisions of the Convention, including CBDR and equity, and “a universal, but not uniform” system of application.

SWITZERLAND, the US and the EU stressed the need to eliminate fossil fuel subsidies and phase out HFCs. INDIA emphasized the need to address the issue of IPRs and underlined that HFCs should be addressed under the Convention, not under the Montreal Protocol.

The MARSHALL ISLANDS urged seizing the immediate mitigation potential of energy efficiency and renewable energy, expressing his country’s willingness to share experiences in ocean thermal energy and clean hydrogen fuels.

NORWAY urged all parties to prepare their emission reduction targets in 2014, which should be “the year of mitigation ambition.”

TRINIDAD AND TOBAGO said the 2015 agreement should: guarantee the survival of all countries and preserve the climate for present and future generations; ensure environmental integrity; encourage compliance; send a signal to the private sector; be ambitious, legally binding and applicable to all; and enter into force as early as possible.

### **INFORMAL CONSULTATIONS**

**ADP OPEN-ENDED CONSULTATIONS ON BOTH WORKSTREAMS:** In the afternoon, Co-Chair Runge-Metzger cautioned parties against going into “divergent directions,” and invited specific drafting suggestions.

On the preparation of national contributions, JAPAN sought clarification on how domestic preparations called for in the draft text would be guided by the principles of the Convention. ECUADOR expressed concern over telling parties how to undertake national processes; noted the lack of reference to means of implementation; and suggested a clearer roadmap to Paris. BANGLADESH stressed the need for information to be provided in advance of COP 21, and PERU said parties should be encouraged to report on their domestic preparations at the intersessional meeting in 2014. AUSTRALIA said only “initial commitments” were expected by COP 21.

NORWAY called for: a timeline to intensify domestic preparations; and commitments that are quantifiable, ambitious and transparent. She said indicative commitments should be submitted by the end of 2014. Observing that “when we speak about commitments, we speak about developed countries; and when we speak about contributions, we speak about developing

countries,” SAUDI ARABIA opposed a timeframe for contributions in the absence of a pathway on the delivery of the US\$100 billion target.

On requesting the ADP to provide information to parties to enable them to enhance the transparency of their contributions, CHILE and PERU recommended adopting a specific timeframe. AUSTRALIA underscored the importance of adopting common rules to enhance transparency. CANADA said the ADP should provide this information at COP 20.

CANADA, the US, AUSTRALIA, NORWAY and NEW ZEALAND underlined that reference to the Convention’s principles is included in the preamble and does not need to be repeated.

On requesting the ADP to define a process to consider contributions, TRINIDAD AND TOBAGO, supported by CUBA and the EU, stressed the need to adopt a decision in Warsaw. KENYA urged defining, by COP 20, a process for the consideration of the contributions, including consideration of adequacy. Saudi Arabia, for the LMDCs, proposed text encouraging all parties to initiate or intensify their domestic preparations in order to submit nationally-determined actions.

On the nature of commitments, the EU and the REPUBLIC OF KOREA suggested reference to “commitments,” not “contributions.” With AFGHANISTAN, the Philippines, for the LMDCs, supported changing references to “contributions” to “commitments” noting that the former is not in the Convention. The REPUBLIC OF KOREA added that they should include targets and actions, while CANADA, JAPAN and AUSTRALIA stressed they should be nationally-determined. CANADA added that these would be “initial commitments” until they are legally inscribed. The MARSHALL ISLANDS highlighted commitments in areas other than mitigation; cautioned against the insertion of “nationally-determined” as this would prejudice the international process; and proposed referring to “indicative” or “proposed” commitments as a compromise.

On enhancing mitigation ambition under workstream 2, JAPAN expressed concern that text strengthens divisions between developed and developing countries, and preferred a more generic characterization. The Philippines, for the LMDCs, called for references to comparability of commitments and reductions of 40% below 1990 levels for developed countries. NAURU, supported by INDONESIA, suggested drawing a distinction between actions that consist in the implementation of agreed commitments, and new actions. He also suggested adding text on the evaluation of progress on these actions. Informal consultations on the draft decision text continued into the night.

### **COP/MOP PRESIDENT’S INFORMAL STOCKTAKING PLENARY**

Comparing the conference to a marathon, COP/CMP President Korolec urged parties to keep up their pace for the “last two kilometers.”

ADP Co-Chair Runge-Metzger reported that parties were engaged in drafting text in a “businesslike” atmosphere. He said revised text would be available early Friday morning, and parties would discuss it later in the morning before convening the ADP closing plenary.

Ministers Bomo Edna Molewa (South Africa) and Lena Ek (Sweden) reported they are conducting ministerial bilaterals on loss and damage, and underscored the importance of demonstrating “the UNFCCC cares about those suffering from climate impacts.”

President Korolec updated parties on several outstanding items. On matters related to finance, he reported that Ministers Maria Kiwanuka (Uganda) and Martin Lidegaard (Denmark) have conducted consultations and may have recommendations for the GCF contact group. Korolec relayed that a ministerial consultation on finance would take place on Friday, noting progress on the Adaptation Fund under the CMP.

He further reported that: work on Articles 5, 7, and 8 (methodological issues under the Protocol) had concluded; an agreement on REDD+ finance had been reached; and CDM discussions were “very close” to conclusion. Recognizing response measures as an important issue, Korolec indicated that he would consult with Diann Black-Layne (Antigua and Barbuda) on the next steps. On the budget, he said Tosi Mpanu Mpanu (the Democratic Republic of the Congo) and Robert Van Lierop (Saint Kitts and Nevis) are seeking to resolve outstanding issues.

On the FVA, non-market approaches and NMM, Korolec indicated that his informal consultations regarding transparency of actions, without prejudicing the outcome of SBSTA 40, “had not found the space” for reaching consensus in Warsaw. He reminded parties of the deadline for nominations to elect officers, and said several positions were outstanding, including that of the SBSTA and SBI Chairs.

Fiji, for the G-77/CHINA, reiterated the importance of transparency and efficiency, and advised not to revisit any decisions agreed under the SBs or any of the working groups.

The EU requested more time for the group on methodological issues related to Protocol Articles 5, 7 and 8, explaining that it was “hours away from an outcome” and needed more time to finalize the “nuts and bolts” essential for the ratification of the second commitment period. This request was endorsed by the G-77/CHINA.

Noting that while Warsaw should be an important step forward on the implementation of the Convention and Kyoto Protocol, CHINA said it was “on the verge of delivering nothing.” He expressed solidarity with civil society in promoting the Convention’s objective by walking out of the negotiations, and expressed disappointment at some developed countries “backtracking” on their mitigation commitments and finance, and refusing to engage on loss and damage.

President Korolec took note of the request not to open decisions agreed by the SBs, and announced that he will convene a meeting on Protocol Articles 5, 7 and 8 on Friday morning.

### IN THE CORRIDORS

By Thursday night, delegates appeared completely exhausted, and many worried that negotiating throughout the night comes at the expense of broad participation. While all participants are weary, developing country delegates seemed to feel the pinch even more. A number of developing country delegates complained they were short on people and stretched by the busy agenda. Referencing Harry Potter, one delegate bemused:

“None of us seems to have a ‘time-turner,’ so unlike Hermione, we cannot go back in time. We’re forced to bracket text and leave the room, so that we can make it to yet another informal.” A veteran of the process, who almost took pride in the fact that “in climate negotiations we are used to late nights during the second week,” bemoaned that the marathon actually kicked off during the first week of COP 19. Some blamed the “false start” on the SBI’s impasse last June, requiring the body to squeeze three weeks of work into one. The SBI closing plenary, which adjourned at 5:00 am last Sunday morning, kicked off a week of long nights, especially for those delegates working on finance issues and the ADP who had to stay at the National Stadium all night again on Wednesday.

In light of criticisms concerning “inappropriate procedures,” and the roles of the COP President and other presiding officers raised by several parties, concerns over transparency, inclusiveness and “party-drivenness” were repeatedly heard in the corridors. As participants steeled themselves anticipating a long night on Friday, many were left wondering if the UNFCCC process has the ability to address parties’ procedural concerns or is too long in the tooth to change. Looking forward, through half-closed eyes, to Lima and Paris, many were not hopeful about the prospects of a smoother road ahead.

**#COP4Haiyan Solidarity Operation:** On Friday, Polish Humanitarian Action, a non-governmental organization specializing in emergency response, is completing its solidarity collection to support the relief and reconstruction in the Philippines after Super Typhoon Haiyan. Sealed boxes for donation will be placed near the cloakroom on level -2 zone 1, and at the main exit of the Stadium on level -1 zone A9 until 5:00 pm. The cash collections have amounted to approximately US\$7,000 so far. Online donations are also possible at: <http://www.pah.org.pl>

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A fund-raising initiative Twitterstorm was also launched last week by youth delegates through four NGOs active in the Philippines, see <http://bit.ly/1cX8WiQ>

**ENB SUMMARY AND ANALYSIS:** The *Earth Negotiations Bulletin* summary and analysis of the Warsaw Climate Conference will be available on Monday, 25 November 2013, online at: <http://www.iisd.ca/climate/cop19/enb/>

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