

Chile/Madrid Climate Change Conference: Friday, 6 December 2019

The Chile/Madrid Climate Change Conference continued on Friday. Discussions included finance, loss and damage, and common time frames, among others. An informal meeting on the global goal for adaptation took place. Article 6 (cooperative approaches) negotiations convened throughout the day, including a heads of delegation meeting with the COP Presidency and SBSTA Chair.

COP 25

Global Goal on Adaptation: An informal meeting was facilitated by Julio Cordano, COP 25 Presidency. Several developed countries listed the agenda items and the constituted bodies related to adaptation, saying that these are all working to progress toward the global goal. Many developing countries and groups stressed the need for parity with the mitigation and finance goals of the Paris Agreement.

A developing country group called for formal discussions that would “deliver something.” One developed country underscored that the Paris Agreement and Katowice Climate Package represent compromises and warned against re-opening these discussions. Several developing countries rejected the notion, saying that they were seeking to advance all pillars of the Paris Agreement.

Several noted links to the Global Stocktake’s review of collective adaptation efforts and progress, and the mandate for the Adaptation Committee to inform that process. Several developed countries observed that the Intergovernmental Panel on Climate Change (IPCC) could not assist the Adaptation Committee with inputs, due to its high workload and limited capacity. Some developing countries characterized this as one of many information gaps that need to be filled.

Closing the session, Cordano noted that there would be no written outputs from this meeting, as per the agreement reached by parties.

Matters Relating to Finance: Report of, and guidance to the GCF: Informal consultations, co-facilitated by Toru Sugio (Japan), collected reactions to draft decision texts on guidance to the GCF and on privileges and immunities to the GCF. Parties agreed to defer discussions on privileges and immunities, with some suggesting waiting for a report on the COP President’s discussions with the UN Secretary-General and others for a written response from the GCF Secretariat to questions raised on Thursday, 5 December.

On GCF guidance, parties agreed to streamline the text by removing duplication. Many stressed avoiding “micromanagement” and prejudging the GCF Board’s decisions. Developing country groups called for stronger language on, *inter alia*, accelerating direct access and fund disbursements. One developing country group cautioned against creating new geographical categories when referring to capacity limitations. Most developing countries diverged from developed countries on the inclusion of paragraphs relating to incorporating loss and damage-related support and establishing an emergency response window under the GCF. Developed countries suggested that loss and damage should be discussed under the agenda item on the WIM review and called for bracketing the text. Developing countries recalled developed countries’ insistence under other agenda items that all finance-related discussions relevant to the GCF pertain to the discussion under this sub-item.

CMA 2

Matters Relating to Finance: Guidance to the GCF: This sub-item was taken up in joint informal consultations with the COP. Parties preferred deferring discussions on CMA guidance and first discussing COP guidance.

SBI 51

National Adaptation Plans (NAPs): Informal consultations, co-facilitated by Pepetua Latasi (Tuvalu), briefly opened, noting fruitful party discussions in informal informals. The meeting was adjourned to allow for further informal consultations.

Matters Relating to the LDCs: In informal consultations, co-facilitated by Malcolm Ridout (UK), parties discussed the Co-Facilitators’ draft conclusions on a paragraph-by-paragraph basis. One developing country called for supporting documentation regarding developed countries’ financial pledges to the LDC Fund, to be provided by the GEF. Discussions largely centered on requesting the LDC Expert Group (LEG) to consider ways to increase the accessibility and transparency of its meetings and information on its workplan activities. Parties converged on the idea that the LEG should draw on the practices of other constituted and expert bodies, as appropriate, but disagreed over whether to specify, as examples of such practices, making meeting documents publicly available, opening meetings to observers, and possibly webcasting meetings. On urging more expeditious GCF processes, parties noted that discussions on this issue are underway in informal consultations on NAPs. Informal informal consultations will convene.

Matters Relating to the Adaptation Fund: Membership of the Adaptation Fund Board: In informal consultations, Co-Facilitator Fiona Gilbert (Australia) noted an overall lack of consensus. The Co-Facilitators will report to the SBI Chair that no progress could be made at this meeting and that parties agreed to move the consideration of this item forward to SBI 52. Several developed countries noted that the mandate for considering this item was time-bound, requesting clarification over whether rule 16 could still apply in this case. Co-Facilitator Amjad Abdulla (Maldives) clarified this is standard practice.

Reconvening in CMP informal consultations, co-facilitated by Amjad Abdulla (Maldives), parties discussed a draft decision and board membership. Possible convergence emerged over addressing the question of the Board structure, once the share of proceeds from Article 6 are available and the Fund would exclusively serve the Paris Agreement. Informal informal consultations will convene.

Common Time Frames: Grégoire Baribeau (Canada) and George Wamukoya (Kenya) co-facilitated informal consultations. Parties were unable to agree on whether to include references to the Global Stocktake (GST) in the options presented in the informal draft note. One country in favor of such a reference pointed out that it did not wish to assume linkages between common time frames and the GST, but noted that two GSTs would occur within a ten-year common time frame, which could undermine the value of five-year GST cycles. One developing country group strongly stressed that any such reference would be a red line.

Another developing country insisted that parties return to an informal note from a previous session. Because parties were unable to agree, rule 16 of the draft rules of procedure will apply. Several countries expressed disappointment. The matter will be taken up at SBI 52.

SBSTA 51

Methodological Issues under the Paris Agreement: Common tabular formats for support provided and mobilized, and needed and received: In informal consultations, co-facilitated by Seyni Nafu (Mali), parties gave their initial impressions regarding an informal note that included general elements for discussion and draft tables. Several groups and parties welcomed the note, but also reserved the right to provide additional comments later on. Some developed countries suggested discussions on how to leverage the electronic reporting format to cross-reference and autofill some parts of the tables. Two developing country groups, supported by a developed country, supported disaggregating information to indicate support for mitigation and adaptation, with one developing country group suggesting adding support for loss and damage. Two developing country groups further called for discussing grant equivalency.

On finance mobilized, some developed countries said information could be provided in textual or tabular format, and several developing countries called for footnotes or documentation boxes to provide space to clarify the methodologies used. Informal consultations will continue.

Matters Relating to Article 6 of the Paris Agreement: Article 6.2 (internationally transferred mitigation outcomes, ITMOs): Parties continued their feedback on the draft CMA decision with annexed guidance divided into nine sections.

Comments focused on the sections on ITMOs, review, share of proceeds, overall mitigation in global emissions (OMGE), and responsibilities.

Parties reiterated their preferences, including diverging views on applying a 5% share of proceeds to the Adaptation Fund for the Article 6.4 mechanism as well as Article 6.2. One group stressed “OMGE being delivered in the context of Article 6.2” as crucial.

In the cover decision, parties focused on the SBSTA work programme on the guidance. One group underscored that, if parties’ views are moving from a common accounting structure towards a “menu approach” of options, the work programme will become even more essential, and require a specific timeline for completion. Another party reminded that IPCC guidance already exists, in some areas, such as how parties can deal with reversals or with sectors with high uncertainty.

Parties addressed several outstanding issues in the section on responsibilities. They addressed multi- versus single-year NDCs in the context of making corresponding adjustments in the NDC year consistent with, and representative of, NDC implementation and achievement. Support was expressed for using a “rolling average” with regards to the method used, and using obligatory verbs, namely that parties “shall” explain how their “method follows relevant principles.”

On other international mitigation purposes, one group objected to any exceptions to applying corresponding adjustments. Safeguards for environmental integrity and limits to the transfer and use of ITMOs were also highlighted as high priorities, should parties not be able to agree on a common accounting structure but rather embrace multiple options.

Article 6.2, Article 6.4 (mechanism), 6.8 (non-market approaches): Deliberations continued in the afternoon, finishing the list of speakers on Article 6.2 and also touching on the other sub-items. Many developing countries opposed references to human rights, while several other countries supported adding references to the rights of indigenous peoples and local communities. Concerning safeguards in Article 6.2 and 6.4 text related to emission reductions achieved in sectors where there is a high degree of uncertainty in emission estimates, one developing country group sought clarity on how to determine “sectors with high uncertainty.” Another party proposed language referring to “managing risks that may arise in the creation of ITMOs from certain sectors’ emission estimates.”

Several parties suggested avoiding duplication of work with regards to the technical expert reviews for Article 6 and Article 13 (transparency). Regarding a reporting and review process, some stressed the importance of carefully balancing environmental integrity with national prerogatives. Calling for equal treatment and balance, one country stressed the need for a “seamless governance solution” for both Articles 6.2 and 6.4. Parties did not agree on how to ensure environmental integrity and OMGE, or avoid double counting.

Diverging views also remained on: listing “requirements” for participation; engaging with non-state actors; distinguishing between avoidance and removals of emissions; referencing response measures; and prohibiting the use of Kyoto Protocol units towards Paris Agreement parties’ NDCs. One group suggested focusing on “avoiding an overflow of registries with units.” Another party suggested applying lessons learned from the Clean Development Mechanism (CDM).

Parties stated their expectations on elements to include in a SBSTA work programme to develop “further guidance” and which elements needed to be decided at COP 25. Some suggested the work programme could be divided into separate phases and timelines. Others opposed, calling for one strict deadline.

Co-Facilitator Peer Stiansen (Norway) reported back on informal consultations held on Thursday, 5 December, and Friday, 6 December, describing them as rich and diverse. Co-Facilitator Hugh Sealy (Barbados) proposed, and parties mandated, that Co-Facilitators prepare a second iteration of the draft texts by Saturday morning, 7 December, which would seek to identify clear options around unresolved issues. Noting a need for the Co-Facilitators to be “bold,” given the short time available, Co-Facilitator Sealy invited parties to focus on identifying “mistakes and misrepresentations” in this upcoming iteration.

Emissions from Fuel Used for International Aviation and Maritime Transport: Co-facilitator Bert van Loon (Belgium) invited general views. One party made a proposal to call for submissions by interested parties regarding further information needed from the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO).

Several parties disagreed, noting that parties already have the right to submit requests to the Secretariat. One developing country group noted that the ICAO and IMO may be able to provide insights. Co-Facilitator van Loon invited the ICAO and IMO to clarify their current relationship with the SBSTA. Following the organizations’ interventions, one party raised a point of order to close the meeting given perceived lack of cooperation from these two organizations. The Co-Facilitators proposed further informal consultations, with the same party objecting on a point of order. Parties will reconvene to discuss the point of order in the presence of legal advice.

SBSTA/SBI

WIM: In informal consultations co-facilitated by Marianne Karlsen (Norway), parties exchanged views on a new iteration of the Co-Facilitators’ text. Individual groups and parties raised a number of points they wished to see added, streamlined, or removed. Developing countries emphasized establishing an expert group on action and support, as well as language on new and additional finance for loss and damage. One party urged deleting a reference to mainstreaming gender and human rights-based approaches. A non-Annex I country proposed language on revising the composition of the ExCom in accordance with the principle of equitable representation of regional groups. Several developed countries called for retaining flexibility as to the periodicity of WIM reviews. Parties converged on the need to streamline the provision on collaboration and those provisions on risk assessment. The Co-Facilitators will request space to convene additional informal consultations.

Report of the Adaptation Committee: In informal consultations, co-facilitated by Peptua Latasi (Tuvalu), parties exchanged views on a second iteration of draft text. Much of the discussions pertained to the possible implications of having the CMA decision “endorse the COP decision as it applies to the Paris Agreement.” The Secretariat’s legal advisor pointed to decisions under the CMP which applied this practice and clarified that this does not imply a legal hierarchy between the two governing bodies. As a way forward, several parties proposed

to have separate draft decisions, in which reference is made to the mandate of each of the respective bodies, and using, where relevant, the same text. Some developing country groups restated concerns over certain recommendations in the report and called for “noting” or “noting with appreciation” the report, opposed by others, who urged “welcoming” it. Some requested deleting all references to the recommendations in the decision, opposed by others, who called for substantive discussions on the content of the recommendations. Parties urged the Co-Facilitators to request the SB Chairs to provide additional time for consultations.

Scope of the Next Periodic Review of the Long-term Global Goal under the Convention and of Overall Progress Towards Achieving It: Co-Facilitators Leon Charles (Grenada) and Madoka Yoshino (Japan) presented draft text for delegates’ consideration in back-to-back sessions, following closed informal consultations which determined that a second periodic review will proceed.

Views, however, diverged on several points. Parties could not agree on whether the text should recall decisions related to the scope of the periodic review. They also disagreed on whether to include references to “science related to” the long-term global goal; the timeline of the second periodic review’s structured expert dialogue; and the adequacy and effectiveness of the efforts to achieve the long-term global goal. Several developing country parties argued against any provision that would “limit the scope of the periodic review.”

Several parties requested more time for deliberation. The Co-Facilitators will consult the SBSTA Chair regarding the possibility of holding future consultations.

In the Corridors

Pressure was palpable in negotiation rooms on Friday as delegates worked to meet the looming subsidiary body deadlines. Several consultations went into overtime; informal informals multiplied as delegates met logjam after logjam; a Secretariat legal advisor was seen rushing from room to room, clarifying questions and points of order. Adaptation discussions were plentiful, but seemed to stifle rather than open routes for ambition. “It’s a sad day for adaptation and vulnerable countries,” one developing country negotiator lamented after the informal meeting on the global goal on adaptation. “We’re going back to the days of only talking about mitigation.”

For all the hand wringing emerging from technical negotiations, some senior negotiators reported a positive atmosphere coming from the heads of delegations’ meeting with the SBSTA Chair earlier in the day: it appeared that several parties would be willing to entertain bridging proposals on Article 6. This feeling was echoed in the evening informal consultations, in which parties mandated the Co-Facilitators to develop a second version of draft texts by Saturday morning. Aware of the windy road still ahead, the Co-Facilitators prepared parties to what lies ahead: “We will take risks where we thought we heard consensus and landing zones, because we need to be bold. We guarantee that no-one will be happy with the text.” Monday’s looming deadline for closing the SBSTA also signalled the imminent arrival of ministers which, many hoped, could provide the remaining push to unblock ground-level holdups. One exhausted delegate paraphrased a famous figure in advising fellow negotiators: “if you can’t find motivation low, try going high.”



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