

Durban Platform: Call for negotiations in contact group with textual proposals

Geneva, 19 March (Meena Raman)- Developing countries at the final plenary of the UNFCCC's Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP), called for negotiations in a contact group with textual proposals at the next session in June 2014.

This call was made by the Like-minded Developing Countries (LMDC) at the session that just ended on Friday, 14 March. The LMDC said that they would much rather have a comprehensive and balanced text thoroughly negotiated that they own as the agreed outcome, rather than a short text hurriedly negotiated that Parties do not own.

The LMDC also wanted “the modalities of work of the ADP to allow Parties to put their textual proposals early on in the process on the table to be compiled and provide Parties the possibility to negotiate their way forward together to an outcome that has been collectively produced”.

This call was also shared by the BASIC countries (Brazil, South Africa, China and India) which described the open-ended consultations held during the Bonn session (10-14 March) as “unfortunately” a session that “has seen a further reiteration of ideas and positions already outlined at the roundtables and workshops during the last two years rather than the initial elaboration of elements of a draft negotiating text.”

The G77 and China welcomed the establishment of a contact group and the move to a formal Party-driven process. The Group also requested the Co-Chairs of the ADP to facilitate the process and to present a scenario note with a clear plan of work for the June session and the subsequent sessions for 2014.

The LMDC further wanted a clear plan of work for the remaining meetings of the ADP up to the 20th meeting of the UNFCCC Conference of Parties (COP 20) in Lima, Peru, that clearly outlines the

issues and topics to be negotiated in the contact group, and which must provide sufficient negotiating time to be equally distributed among all the 6 core elements for a draft negotiating text – mitigation, finance, technology development and transfer, capacity building, and transparency of action and support.

It also wanted this plan of work to be communicated to Parties well in advance, and discussed and agreed to by them so as to avoid procedural debates and to enable direct negotiations among Parties.

The ADP is co-chaired by Artur Runge-Metzger (the European Union) and Kishan Kumarsingh (Trinidad and Tobago).

Kumarsingh in his opening remarks at the final plenary session said that the “negotiating text” of the ADP outcome will be “collectively constructed”, based on Parties’ submissions and views given during the negotiations. This, he said, reflects a Party-driven process. He said that the Co-Chairs will issue a note on their reflections of the Bonn session. He added that a group of Parties (referring to the G77 and China) had proposed the establishment of a contact group in accordance with the mandate of the ADP and its agenda beginning at the current March session. Since there was no objection, the Co-Chairs proposed its establishment, on the understanding that the contact group will conduct its work in accordance with the ADP agenda and will cover both workstream 1 (on the post-2020 agreement) and workstream 2 (on the pre-2020 ambition). The contact group will be chaired by the ADP Co-chairs in accordance with the practice in the UNFCCC.

Kumarsingh added further that the first meeting of the contact group will be held immediately after the opening session of the ADP in June. It will move into interactive work where Parties will “collectively identify convergences and divergences” and will

make efforts to bridge the divergences. He said that the Co-Chairs will also issue a scenario note, following the many bilateral meetings the Co-Chairs have had with Parties. The process will follow the core principles which are as follows: (i) It will be Party-driven; (ii) it will build on inputs from the Parties; and (iii) any outputs will reflect the inputs from Parties. He then proposed the establishment of the contact group and since there were no objections, this was agreed to.

The Philippines sought a clarification on what is a “collectively constructed text” and Kumarsingh responded that in plain English, this was a text “constructed by all Parties”. He reiterated that all Parties will give inputs and the outputs will reflect their inputs.

On the high-level ministerial dialogue to be held during the June session, Parties were informed that the dialogue to be held on 6 June was mandated by paragraph 7 of the Warsaw decision on the ADP and this would be preceded by a high-level roundtable on the decisions related to the Kyoto Protocol to be held on 5 June. In response to a question from China on the sequence of the high-level events, the Secretariat clarified that the consideration was to look at the Kyoto Protocol issues and then to move into the Durban Platform as this would be a more logical sequence.

Bolivia, speaking for the **G77 and China** welcomed the establishment of a contact group and for the ADP to move to a formal Party-driven process. It requested the Co-Chairs to facilitate the process and to present a scenario note with a clear plan of work for the June session and the subsequent sessions for 2014. It stressed that the outcomes must be guided by the provisions and the principles of the UNFCCC and be balanced and legitimate for all Parties, adding that the process should be designed and conducted in a manner that inspires confidence. It also believed that it will be important to have a session in October, before the COP 20 in Lima.

Bolivia said that the members of the G77 and China are of the view that the outcome of the work under the Durban Platform must enable Parties to further enhance the full, effective and sustained implementation of the Convention. It should strengthen the multilateral rules-based regime under the Convention in order to achieve its ultimate objective. In this regard, the Group expressed its commitment to continue our work in the June session of the ADP with a view to delivering the mandated elements for a draft negotiating text in Lima which includes *inter alia*, the elements of

mitigation, adaptation, loss and damage, finance, technology development and transfer, capacity-building and transparency of action and support.

Venezuela for the **LMDC**, referring to the open-ended consultations conducted by the Co-Chairs, said that rather than actually starting formal and structured negotiations among the Parties, the exchanges called for the exercise of patience, forbearance and understanding this week. The time for these exchanges is past and progress is now needed, with the urgency the situation demands as the future of peoples all over the world requires it. It added that time and money could not be wasted further when every day millions of people in developing countries continue to be highly affected by climate change impacts.

It said that Parties must now truly negotiate. Parties must now make use of the little time left to have concrete deliverables for Lima, on the road to Paris (COP 21) in 2015. Only the formal and structured negotiation through the contact group can help make progress towards the elements for a draft negotiating text in Lima and achieve a successful, balanced and comprehensive agreed outcome in Paris. It looked forward to doing work in a structured and formal mode of work in the contact group established at this session under the ADP, covering both workstreams and focusing on the elements.

There must be a clear plan of work for the remaining meetings of the ADP up to COP 20 in Lima that clearly outlines for the Parties the issues and topics to be negotiated in the contact group, stressed Venezuela. It must provide for sufficient negotiating time to be equally distributed among all the six core elements for a draft negotiating text – mitigation, finance, technology development and transfer, capacity building, and transparency of action and support. This plan of work must be communicated to Parties well in advance, and discussed and agreed to by them so as to avoid procedural debates and to enable direct negotiation.

The modalities of work should allow Parties to put their textual proposals early on in the process on the table to be compiled and provide them the possibility to negotiate their way forward together to an outcome that has been collectively produced. All Parties know what they are doing in this process. They all know that what is at stake is no less than our ability today to provide for today's generations and to create a better future for future generations.

With such high stakes, Venezuela added that it is the individual and collective duty of Parties to make sure that they responsibly negotiate with each other, in

good faith, without fear or pressure, on the basis of equality, with full respect for national sovereignty, and in a fully transparent and participatory manner.

When Parties negotiate in this way, the results at COP 20 and the agreed outcome at COP 21 will be collectively produced and agreed to by the Parties, said Venezuela. This is fundamental to the integrity, credibility, and legitimacy of the outcome. Because Parties own it, they will implement it. Only in this way can success be achieved at Lima and Paris. Any other outcome produced in any other manner will not be acceptable. As had been expressed by the Philippines during this week, the LMDC would much rather have a comprehensive and balanced text thoroughly negotiated that they own as the agreed outcome, rather than a short text hurriedly negotiated that Parties do not own.

It also added further that the work under workstream 2 is not just about mitigation. The pre- 2020 ambition includes the other Bali Action Plan pillars of adaptation, finance, technology transfer and capacity building as well. Hence, there needs to be a comprehensive and balanced treatment of all these issues as well in workstream 2, which must be addressed in a formal way in the ADP process.

The Paris outcome must be one that will create a better future, a better world, for countries and peoples, particularly for those living in developing countries. It must be an outcome that enables us to effectively combat climate change and its adverse effects in an equitable manner under the Convention and to achieve sustainable development.

Venezuela looked forward to welcoming everyone to the first-ever “Social Pre-COP” that will be held in Caracas this November. This “Social Pre-COP” will enable social movements and civil society organizations that have not been engaged in our negotiations to come together and interact, make their voices heard, and provide their valuable inputs from the grassroots into this process.

India, speaking for the **BASIC** said it was concerned about the slow progress Parties are making towards the tasks assigned by the Durban mandate, Doha and the Warsaw decisions of the ADP. It said that they came to Bonn with a clear intent to engage in an open and transparent, inclusive and Party-driven inter-governmental negotiations on the initial elaboration of elements of a draft negotiating text as identified in paragraph 5 of decision 1/CP.17 (the Durban decision). However, unfortunately it seems that this session has seen a further reiteration of ideas and positions already outlined at the roundtables and workshops during the last two years rather than the

initial elaboration of elements of a draft negotiating text. Therefore, it was of the view that it is important to rapidly move into a clearly structured formal negotiation process in a contact group setting.

It also wanted further clarity regarding the plan and mode of work of the proposed contact group in order to start negotiating on the substantial elements at the June session. For BASIC, the work of the contact group must be conducted in a formal and structured manner on the basis of text-based negotiations. As usual, the text will come from the Parties by way of submissions or textual proposals during negotiations. It believed that sufficient and balanced negotiating time must be allocated for negotiations on all the six core elements of a draft negotiating text covering mitigation, adaptation, finance, technology development and transfer, capacity-building and transparency of action and support.

The BASIC group also requested for a clear plan of work for the remaining meetings of the ADP up to COP 20 in order to enable delegations to prepare for the sessions and make submissions accordingly. It also said that it must be noted that in the future plan of work, due consideration must be given to discussions on paragraphs 3 and 4 of the Warsaw decision and in the selection of areas of high-mitigation potential for technical expert meetings. (Paragraphs 3 and 4 pertain to various issues to accelerate the full implementation of the decisions constituting the agreed outcome of the Bali Action Plan and to enhance ambition in the pre-2020 period.)

With regard to more substantive issues, it concurred with the common understanding voiced by developing countries that the term ‘nationally determined contributions’ (NDCs) covers all the operational pillars of the Convention, i.e. mitigation, adaptation, financial, technology development and transfer and capacity-building support for developing country implementation. In this regard, its understanding of the objective of the final 2015 agreement is that it must have at its core the strengthening and enhancement of the implementation of the provisions of the Convention, in particular its Article 4, in a manner that gives full effect to its principles, in particular the principles of equity and common but differentiated responsibilities and respective capabilities. Therefore, the commitments included in the NDCs for the developed countries will, for mitigation, retain the already agreed form of commitment, namely quantified economy-wide emission reduction targets and in addition, to clearly defining their

commitments to the provision of finance, technology development and transfer as well as capacity building support to enable developing country implementation of the Convention.

Given the recognition in the Convention that developing countries have overriding priorities to address poverty, it is already agreed that their contribution to the global climate change effort and therefore their NDCs are in the context of sustainable development. In this regard, the 2015 agreement must incorporate the recognition of the Convention that the extent to which developing countries will be able to meet their commitments is dependent on the extent to which developed countries meet their financial and technological as well as capacity-building support commitments in accordance with Article 4.7 of the Convention.

India said that given the diversity of types of actions and commitments of developing countries as opposed to the quantified emission reduction targets of developed countries, it is a common understanding of developing countries that the information to facilitate the understanding of the contributions are necessarily differentiated between developed and developing countries. It once again strongly emphasized its proposal for the 2015 agreement to build upon the structure of the Convention, in order to strengthen and enhance the implementation of its provisions, in accordance with its principles and through the institutions and structures built over the years. It wanted to move into a formal mode of negotiation in the June session to build understanding on elements of the draft negotiation text keeping in mind the above conceptual articulation that under-pin the proposals from developing countries.

Nicaragua for the Bolivarian Alliance for the Peoples of Our America (ALBA) believed that there needs to be a positive signal at the next ministerial meeting to be held in June this year on the level of ambition as regards the Kyoto Protocol. It is unfortunate that there are still no positive signs by Annex I countries in relation to the commitment to the fulfillment of the historical responsibilities and the legal obligation to ratify the second commitment period of the Protocol. The Annex I countries that are part of the second commitment period and other developed countries must show leadership in reducing emissions and in meeting commitments under the Convention because of the climate debt developed countries have to humanity, by the over-exploitation of global commons such as the atmosphere, and to Mother Earth.

The ALBA called appropriate spaces to be provided at the next meeting in June to allow Parties to negotiate among themselves with a negotiating text produced by the Parties. To do this, the organization of the next meeting in June in a contact group should be balanced, transparent, and inclusive, and under the absolute control of the Parties. The group expressed dissatisfaction with the way the negotiations have been conducted in this session of the ADP in Bonn, which undermined the foundations of the multilateral negotiations when a contact group could have been formed on the first day instead of only deciding this on the last day. It also expressed concerns over the workstream 2 discussions about domestic actions that could be taken by developing countries without clarity on the matters of finance, technology transfer and capacity building and this had to be addressed.

Sudan for the African Group wanted the contact group to result in clear deliverables. It hoped there would be adequate time for coordination of members in its group. It wanted to see convergence on the elements for the building blocks. It also stressed the importance of assessment and review as well as compliance. On the way forward as regards workstream 2, it suggested 4 steps to be taken into account: process and organisational matters; systematic and in-depth analysis; experimentation; and political engagement. On the process, it wanted a clear definition of thematic areas. It also said that the raising of ambition should also mean developed countries agreeing to reduce their emissions by 40% by 2020 from 1990 levels and not by 2030. Those who reneged from the Kyoto Protocol should also do the same as regards their emission reductions with urgency in the June session.

Nepal for the Least Developed Countries (LDCs) was glad that there would be a more formal mode of work in a single contact group. It called for the need to act urgently and collectively to meet the ultimate objective of the Convention and to accelerate the further elaboration of the elements for the negotiating text. It said the NDCs are the first step to enhancing mitigation commitments. It wanted Parties to provide their contributions in a quantifiable and comparable manner, including for adaptation support. There also needs to be an assessment and international review process and for an effective compliance system. It also stressed the important of the means of implementation and for clear rules to be in place for timely reporting and effective accounting. On workstream 2, it was concerned over the lack of ambition called for mitigation ambition to be increased in the pre-2020 timeframe.

Nauru for the **Alliance of Small Island States (AOSIS)** said that the opening of the technical expert groups under workstream 2 provided a new opportunity to focus discussions on the many opportunities available to enhance mitigation ambition in the short-term. It heard about some of the exciting steps countries are already taking in the areas of renewable energy and energy efficiency. These success stories demonstrate that the solutions to climate change are well within reach. It wanted progress and emerging policy options to be captured in an update of the technical paper, and inform the ministerial discussions in June.

It would like to see the June session of the ADP focus on the following areas: a further elaboration of the elements to be included in the final 2015 agreement; rapid progress on identifying the information Parties need to present with their NDCs in a manner that facilitates better clarity, transparency and a clearer understanding of the proposed commitments; and agreement on a robust and transparent process to assess and review the adequacy and fairness of proposed commitments against the long-term global goal of holding warming below 1.5 degree C, before the commitments are inscribed in the new agreement.

AOSIS called for the 2015 agreement to contain adequate provision for long term, scaled up, predictable, new and additional finance to support adaptation to the adverse effects of climate change. This should complement the necessary transfer of technology and provisions for capacity building. It also wanted loss and damage as to be a separate element to be reflected under the new agreement and stressed that the Warsaw International Mechanism must be anchored in the new agreement.

The Dominican Republic for the **Central American Integration System (SICA)** said that the time had come for a formal mode of work in a single contact group and to cover the meetings from June until COP 20 in Lima.

Colombia for the **Independent Association of Latin America and the Caribbean (AILAC)** said the open-ended informal consultations gave clarity on the 6 elements of the Durban decision and on the architecture of the future agreement. The technical expert meetings helped identifying examples that will contribute to work under workstream 2. It said that there is need to be judicious in the transition to the new mode of work at the June session which entails the challenge of starting engagement on the draft negotiation text that will be delivered in Lima. It will require that there is a strong sense of ownership over

what Parties are working on. There is also need to identify elements that will allow the gathering of momentum under workstream 2, going from the initial technical phase, towards a political one where there is significant impact on enhancing the pre-2020 mitigation actions and finance.

For the June session, it wanted the ADP to prioritize the definition of the kind of information that must accompany the intended NDCs. Having clarity on this is fundamental. Working in a single contact group is the right way forward, Colombia said.

Australia for the **Umbrella Group** said progress was made by sharing views on the emerging elements of the 2015 agreement and sharing lessons on technical options for pursuing untapped renewable energy and energy efficiency. It also wanted to expedite work on substance and accelerate progress and this will require further focused work in the ADP that builds convergence on the elements for the 2015 agreement. It will require more focused work at the next session to provide guidance on the up-front information to accompany post- 2020 NDCs. Each country will need to continue progressing on national preparations to bring forward an intended NDC. It looked forward to advancing work on further technical options for capturing mitigation potential, and also highlighted the importance of a Party-driven process.

The basis on which Parties have agreed to move forward under the contact group modality is: a contact group will be established here in Bonn and will resume in this format at the June session; it will be established to consider the existing agenda of the ADP including both workstreams and the Co-Chairs will continue to facilitate the contact group; it will proceed in line with the current organisation of work which is to continue to advance workstream 1 in a single contact group for all Parties and observers, and workstream 2 through technical and other meetings; time will be given in June to each of the tasks decided at Warsaw, covering the elements of the 2015 agreement, up-front information and technical work to raise ambition; the Warsaw decision is to develop elements for a negotiating text.

According to the Umbrella Group, the best way to move toward convergence is to focus efforts on thinking about elements for the text, rather than entering into a detailed text compilation exercise; elements for text will be developed based on the views provided by Parties in their written submissions and also during the course of negotiations, noting it is just as important to capture the work of this session (March in Bonn) to develop

the elements of the 2015 agreement; there will be a maintenance of an integrated and coherent approach to the 2015 agreement, which does not approach work through silo-ed thematic elements, but looks at how elements can functionally be brought together into a 2015 agreement and broader package, in a way that considers overarching issues of form and structure.

Greece for the European Union (EU) said that in the context of the 2015 agreement, Parties have had a rich discussion. There needs to be a further deepening of understanding on how adaptation can best be reflected in the final agreement. On climate finance, it will be important to keep focus on how to transform all financial flows towards low carbon climate resilient societies. The EU will continue to deliver climate finance. On mitigation, all Parties must act in order to achieve the below 2 degree C objective. All Parties must act in accordance with their national circumstances and evolving responsibilities and capabilities. Future global efforts to reduce emissions must be enhanced from current levels by all Parties in a way that is fair and ambitious.

There needs to be an international process to consider, before COP 21, the aggregate level of ambition represented by intended NDCs (mitigation), said the EU. In order to do so, there is need for clarity around Parties' intended mitigation contributions and for up front information requirements by Lima. This is vital so that the proposed contributions are transparent, quantifiable, comparable, verifiable and ambitious. A priority for June is to make further progress on this. Another

priority for June is on what the rules base are – in particular for measurement, reporting and verification (MRV) and accounting in the context of a variety of possible mitigation commitment types.

The EU further said that enhancing pre-2020 mitigation ambition by all Parties is also crucial and it found the technical expert meetings very helpful that can yield results. It wanted the policy options and discussions captured through the Chairs' summaries or reflections and used as input to the Secretariat technical paper. It wanted further technical expert meetings in June on the energy sector, and also on land use (including reducing emissions from forestry –REDD plus) and hydrofluorocarbons (HFCs).

Mexico for the Environmental Integrity Group (EIG) said the technical expert meetings have allowed putting forward concepts, strategies and specific projects to raise pre-2020 ambition. It also believed that there was a better understanding of mutual visions among Parties on the 2015 agreement. It believed that transversal or cross-cutting issues should include some fundamentals and principles, including in ensuring that the agreement does not exacerbate social inequalities or environmental degradation of any kind. It said that in dealing with environmental issues, Parties should be aware that this must inherently also address current disparities. It also wanted the ADP work to take fully into account the relationship between human rights and climate change. It was also committed to further integrating gender in the realm of climate change negotiations. Gender equality should be a fundamental principle of the 2015 agreement.