

ADP: Developing countries call for text based negotiations

Bonn, 8 June (Meena Raman) – The contact group of the Ad hoc Working Group for Enhanced Action under the Durban Platform (ADP) met on 7 June to elaborate on the elements for the post-2015 agreement and began with a focus on ‘adaptation’.

However, prior to delving into the ‘substance’ of how Parties wished to address adaptation in the new agreement, several developing countries wanted more clarity on how the Co-chairs are conducting the work of the contact group, especially on how the draft text on the elements of the negotiating text is being “collectively constructed” and how the progress of the negotiations was being captured.

Several members of the Like-Minded Developing Countries (LMDC) stressed the need to base the negotiations on texts produced by Parties and drew attention to the LMDC’s ‘conference room paper’ (CRP 1). Many members of the group stressed the need for text based negotiations on the screen to enable the “collective construction” of the elements of the 2015 agreement.

Several developing countries, including the African Group, Saudi Arabia, China and Singapore, expressed their “surprise” and “unease” over the non-paper produced by the Co-chairs on Thursday, 5 June, on “communication of intended nationally determined contributions (INDCs) of Parties in the context of the 2015 agreement”. They stressed the need to discuss the elements of the agreement first, before addressing the information related to the INDCs. China and Saudi Arabia did not want the “cart to be placed before the horse” in this regard (the cart being the ‘INDCs’ and the ‘elements’ being the horse), a sentiment also echoed by the African Group.

Some developing countries led by Kuwait, India and Iran also expressed concerns over the limited space in the room where the contact group was being conducted as observer participation was being restricted and many Parties had delegates standing or sitting on the floor. They asked for a bigger venue to accommodate the participation of all.

Co-chairs of the ADP, Kishan Kumarsingh (Trinidad and Tobago) and Artur Runge-Metzger (the European Union) facilitated the contact group.

Kumarsingh began by saying that Parties had agreed to start with the ‘adaptation’ element and said that the contact group was “focusing on formal negotiations”. Its purpose was to “get into more specifics; for Parties to explain ideas and ask each other where clarification needed and to go beyond broad labels”. He added that the objective was to see how far convergence could be gotten and to identify those issues that needed more discussion.

To frame the discussion, the Co-chairs posed questions, “not as a basis for negotiations but as a starting point for crystallisation.” The questions that they projected on a screen were:

“Long-term and collective aspects of adaptation

- Overarching goal for adaptation as “common commitment” to ensure climate resilience.
- Global goal for adaptation based on level of mitigation and aggregate costs of impacts.
- The global temperature goal of 2/1.5°C goal to frame national adaptation plans and actions.

Commitments/contributions

- To reemphasize the commitment of all Parties to work towards climate resilient development.
- Individual commitments by Parties to include adaptation and to be in the form of NAPs, for example.

Institutional arrangements, cooperation and coordination

- Strengthening existing institutions & arrangements to enhance implementation of adaptation.
- Enhancing reporting, exchange, monitoring and evaluation, e.g. through strengthening National Adaptation Plans (NAPs).
- Adaptation assessment framework for common methodologies to assess vulnerability, adaptation options, costs and progress in implementation.
- Registry to record NAPs and adaptation actions, monitor progress and gaps in adaptation globally.”

The Philippines said that in any multilateral process, it is the Parties who “drive” the process. It referred to the CRP document by the LMDC, adding that it was also a party to this. It requested the Co-chairs to allow Parties who had specific proposals to present them and for the proposals to be captured in one document. It said that usually, Parties who have a CRP document should be able to present them. It also said that Parties needed advance clarity on what is being discussed in the contact group as it was not aware that the ‘mitigation’ element was also to be discussed. (Due to time constraints, ‘mitigation’ could not be taken up on Saturday, 7 June although it was scheduled for discussion.)

In response, Kumarsingh said that following the discussion on adaptation and mitigation, finance will be addressed. In the second week, discussions will be on technology, capacity-building and on transparency of action and support. Workstream 2 [on the pre-2020 ambition] will also be addressed. Then, a stock-taking exercise will be held to decide on how to move further. As regards the CRP referred to by the LMDC, Kumarsingh invited the Philippines to present the document if it wanted.

The Philippines responded that a member of the LMDC (Egypt) had been tasked to do this.

Egypt then took the floor to say that the LMDC had submitted the CRP for the consideration of Parties in interest of clarity for the 2015 agreement and taking into account that we are now in the third year of the ADP process, and that it was looking forward to a successful meeting of the Conference of Parties in Lima (COP 20). It stressed that all the elements of the 2015 agreement are of equal importance and the text is to fill the gaps to raise ambition, build on previous decisions, including the outcomes of the Bali process, with developed countries taking lead. As regards the INDCs, this should cover all the elements of the new agreement and only after this (elements) is agreed to, will Parties know what information is needed in relation to the INDCs.

In response, Kumarsingh said that the CRP was on the website and asked Parties to look at it and to react. He then asked if there were any more CRPs. (There were no other.)

Sudan for the **African Group** wanted clarity on how the Co-chairs saw the work of the contact group captured under the elements. It said that there was no opportunity for the Parties to have an exchange of views and thought that it would be useful for Parties to have that exchange.

Responding to Sudan, Kumarsingh said that the Co-chairs will seek the guidance of Parties on how to capture the work.

Sudan then responded to say that Parties needed to have a space to have discussions prior to getting into the substance. On the INDCs, the African Group wanted to see draft conclusions. It is important to see the type of information needed for the INDCs. Referring to the non-paper by the Co-chairs, it said there was no clarity on what the end was that Parties were working towards.

Kuwait then raised the issue of the space saying that the meeting room had to be changed as there was limited access to Parties and observers. In response, Kumarsingh noted the request.

China supported the African Group saying that there was need for time to clarify issues and to look at the larger picture the work being done in the contact group. It wanted more clarity on the next sessions of the contact group on the further elaboration of elements. It pointed out that the Co-chairs say that “we are in your hands” but the fact was that the Parties were in the hands of the Co-chairs.

It reiterated the request on the need to have a general picture on how the contact group is going to be conducting its work. The starting point should be Parties' proposals, said China, and not the questions that were being put on the screen. It expressed surprise by the views presented by the Co-chairs and did not want the "cart to be put before the horse". There was need to have a general picture; a clear understanding on what would be the starting point of the work and how that work was going to be captured. The starting point should be the submissions by Parties and the LMDC's CRP. The general context of Parties' views on the specific elements needed to be heard, emphasised China.

When questioned by the Co-chair if the LMDC's CRP should be used as a basis, China said that since this was a Party-driven process, the CRP and submissions by Parties are the only legitimate basis for the discussions.

Saudi Arabia said that there were two stages in the process; one towards Lima and the other towards Paris (COP 21 in 2015). If a decision is needed in Lima on information (relating to the INDCs), there needs to be a candid discussion on how the INDCs are framed. Referring to the Co-chairs' non-paper (the draft decision on the INDCs), it said the non-paper took a different sequence from what is in the LMDC's CRP document. It wanted to see a framing of the issues according to the elements of the 2015 agreement. It also did not want the "cart to be put before the horse". It wanted all options to be put on the table so that Parties are moving in an inclusive manner. It also wanted to see each element discussed first; then the INDCs and the information in that context.

Norway said that it had looked at the LMDC CRP and also the many other submissions. On that basis, it asked if it was possible to see where the landing zone could be. This was a good way to progress. On how best to capture progress, if Parties go into the substance, the convergences and divergences will be captured.

Switzerland said that on the process, it was happy with the Co-chairs' proposal on the process. On how to deal with the INDCs, it said there is need to look at the substance and then to develop further decisions. It was in line with Saudi Arabia's approach on how to frame the INDCs. On how to deal with the CRPs, those who have it can present them on the specific topics and others can come in

too. This is a basis for discussions, as mentioned by China, it added.

India also referred to the LMDC CRP and said that could form a basis for discussions and the suggestions by Parties. There is need to also discuss the INDCs. It also called for a bigger room (to conduct the work of the contact group).

Tuvalu for the **Least Developed Countries (LDCs)** said it was comfortable with the way the Co-chairs wished to proceed and that their 'landscape of issues' (in their reflections note) was useful and also welcomed Parties' CRPs and submissions. It wanted adequate time for discussions on adaptation.

The Philippines took the floor again to stress that since this was an intergovernmental process, and that the effort was to "collectively construct" the document, the LMDC came up with the CRP. Parties' submissions should be the negotiating document. It is not anything that comes from the Co-chairs, and referred to the Rules of Procedure. The CRP was to help the process.

The **European Union** said that there was convergence that Parties want to talk about substance and was happy to move that way and to hear inputs on CRPs and other Parties' inputs. We can move with Parties driving the substance, it added.

Kuwait concurred with other LMDC countries on discussions being based on the submissions of Parties. It wanted the LMDC CRP to be on the screen. **Iran** too supported others to start negotiations based on submissions of Parties and also called for a change of the room to have more space.

In response to Switzerland's intervention, **China** took the floor again to stress that at the first contact group meeting on 5 June, Parties were not given the time and space to comment on and discuss the proposal by the Co-chairs. The meeting had been hastily adjourned. No reactions from Parties did not imply that there was agreement, as Parties were not given a chance to intervene, said China.

Sudan for the **African Group** also took the floor again to stress that its understanding of the INDCs is that the elements and the INDCs are two sides of the same coin. One could not go without the other. Referring to the Co-chairs' non-paper, it wondered why they were so brave to have a decision on the INDCs but not on the elements. It

wanted to have an assurance that there are no two separate processes (one for the INDCs and one for the elements). It wanted everything in one document.

Kumarsingh said that there was only one process and one document and this was not a two track process. The Warsaw mandate was to also look at the INDCs and the information and the Co-chairs had to structure the discussion.

China in response said that the Warsaw decision states that INDCs are for Parties to determine and involved domestic preparations and for their communication. The ADP is supposed to identify the information regarding the INDCs. We will focus on how to identify the information that is required to enhance transparency, clarity and understanding of the INDCs and the focus is not on the INDCs itself.

Kumarsingh confirmed that it is about information and not the INDCs itself.

The **United States** wanted to work out of the submissions of Parties. It said there were 25 submissions and the task was to organise and synthesize the elements of the negotiating text that is coherent. Most Parties want the precise elements of the text. It looked to the Co-chairs to do that. The next stage was to pull together for coherent discussion where there is convergence and where there is not, so that Parties could have negotiations. It was happy to hear from the Co-chairs of their synthesis.

Singapore stressed that in a Party-driven process, the inputs are from Parties and any outputs will reflect those inputs. It said that it was important for the process to look at the proposals of proponents and referred to the LMDC proposal. It too had made submissions which it could feed into the discussion. It said that why this discussion was being had was that Parties had a sense of unease that they might be surprised by a document from the podium (referring to the Co-chairs). That is not pleasant, it said.

In the discussion about the elements for a draft text and the scope of the INDCs, there are a lot of inter-linkages which is iterative and requires interaction. One of the problems is that the workplan of the contact group slices them as separate silos without allowing discussion on the

elements and the INDCs. What is an INDC is also linked to the elements.

Kumarsingh assured Parties that there would be a space for identifying linkages when the discussions on the elements are done and there needed to be a consensus on how to capture progress. He added that the Co-chairs will not spring surprises on how Parties want to capture progress.

Ecuador, in response to Kumarsingh remarks (that Parties are encouraged to have bilaterals with each other to clarify their proposals), said that this is the time for Parties to engage with each other's proposals and echoed the views of Egypt.

The Philippines also supported Egypt in relation to the LMDC's CRP and sought clarity on the negotiations under the contact group. Its sense was that Parties were having a workshop but it wanted to engage in negotiations. It was not clear on what are the next steps and requested for example, attributions on the screen on the proposals by Parties which have been reflected as views of Parties. In elaborating its views on the specific aspects of adaptation, it requested the relevant CRP paragraphs to be on the screen as the basis for further discussions and welcomed the proposals from other Parties with proper attribution.

China echoed the points raised by Ecuador and the Philippines. It said that Parties are not engaging in open consultations but have to be engaged in a negotiations mode. On the suggestion that Parties engage in bilaterals on various ideas, it said that this was a multilateral negotiations process and this required multilateral negotiations. It wanted proposals to be on the screen and for Parties to engage with each other. It desired a "collective construction" process and the only way to capture progress in the negotiations was to have text on the screen, emphasised China.

Various Parties also gave their views on how adaptation is to be reflected in the new agreement.

Kumarsingh said there was a good exchange of views and encouraged bilateral consultations among Parties and to construct in a "collective way" the elements for the draft negotiating text. He informed Parties that the focus on 8 June of the contact group would be on 'mitigation' and 'finance'.