

SBI/SBSTA: Draft decision on impact of implementation of response measures sent to Paris

Kuala Lumpur, 18 June (Hilary Chiew) – After much wrangling, Parties to the United Nations Framework Convention on Climate Change (UNFCCC) agreed to consider a draft decision on the impact of implementation of response measures at the end of the year in Paris.

The UNFCCC's Subsidiary Body on Implementation (SBI) and the Subsidiary Body on Scientific and Technological Advice (SBSTA) met for their 42nd session on 1 - 11 June in Bonn.

'Response measures' is a joint agenda item of the two bodies and after considerable exchange in the first week, Parties agreed to consider a draft decision contained in the annex (to the draft conclusion) at the 43rd session of the Subsidiary Bodies with a view to recommending a draft decision on this matter for consideration and adoption by the 21st meeting of Conference of the Parties (COP 21). All three meetings will take place in Paris from 30 November to 11 December.

The Parties also agreed to defer the technical discussion on improving the work programme on the impact of implementation of response measures to the 43rd session of the SBI and SBSTA.

The agreement on the draft decision came after the co-facilitators proposed a way out of the impasse in negotiation by introducing a co-facilitators' text which did away with thorny language proposed by Annex 1 Parties (developed countries) that wanted both "positive and negative impacts" to be assessed and a proposal by developing countries under Group of 77 and China for the "establishment of a mechanism" on enhanced action on response measures.

During the first week of the 42nd session of the SBI and SBSTA, Parties tried to 'improve' on the heavily bracketed draft decision text forwarded by COP 20 (2014) but to no avail. (Please see TWN Bonn News Update No. 12: *"Parties unable to agree on response measures"*)

http://www.twn.my/title2/climate/news/Bonn15/TWN_update12.pdf

The SBI and SBSTA have so far been unable to conclude its work on this joint agenda item since the 39th session of the two subsidiary bodies held alongside COP 19 in Warsaw in 2013.

On 8 June, co-facilitators Eduardo Calvo (Peru) and Delano Ruben Verwey (the Netherlands) sought a mandate from Parties to enable them to prepare a text as a way forward to address all the concerns of Parties.

Calvo said the proposed text will focus on the function of the work without sticking to names which has made it difficult to move forward so far.

Verwey said all the options in the annex attached to decision 20/CP.20 will be left aside and the functions and modalities of the mechanism (a Group of 77 and China proposal) will become part of the new arrangement. He said the co-facilitators' text which is a clean text with no brackets has no official standing until Parties decide what they want to do.

(The most contentious options are establishment of a mechanism for enhanced action on response measures proposed by the Group of 77 and China, and the counter option of 'no text' which is supported by Annex 1 Parties.)

Calvo said he and Verwey will try to reflect the sensitivities but acknowledged that to put all sensitivities in the text is not the way forward. He said if Parties could accept the co-facilitators' text, then it will be the Parties' draft decision forwarded for adoption by the Subsidiary Bodies.

Argentina speaking for the G77 and China thanked the co-facilitators for their creative thinking and would like to see the proposal on paper. It could support the idea on the condition that the text will take Parties forward.

The European Union, the United States and New Zealand also voiced their support.

On 9 June, the co-facilitators presented their draft decision text and walked Parties through each of the 10 paragraphs.

Argentina speaking for G77 and China said it appreciated the co-facilitators' effort which brought something creative and innovative. It noted that there are many elements of the Group's proposal that are missing such as the wordings of 'the specific needs and concerns of developing countries' but the Group can consider taking the text forward in the spirit of showing flexibilities, adding that it reserves the right to deliberate on it further after the regional groupings' consultations.

Verwey said it is not just the G77 and China's proposals that are missing but other Parties too and that is part of the compromise.

The **EU** said it too had some issues with the text but it is prepared to forward the text to the contact group meeting the following day (10 June). It said it would like to hit the ground running in Paris and appreciated the co-facilitators' text that is helpful.

Ghana representing the African Group said it was willing to use the text as the basis for further negotiation but reserved the right to discuss the elements further in Paris.

On 10 June, Parties accepted the co-facilitators' draft conclusion and the 10-paragraph draft decision which is in brackets is to be forwarded as Parties' draft decision.

The key paragraphs are:

"Paragraph 2 - *Decides* to continue and improve the forum on the impact of the implementation of response measures, which shall provide a platform allowing Parties to share, in an interactive manner, information, experiences, case studies, best practices and views, and to facilitate assessment and analysis of the impact of the implementation of response measures, with a view to recommending specific actions;

Paragraph 3 – *Requests* the Chairs of the subsidiary bodies to convene the improved forum, to implement the work programme on the impact of the implementation of response measures referred to in paragraph 5, which will continue to be convened

under a joint agenda item of the subsidiary bodies, and operate in accordance with the procedures applicable to contact groups.

The improved forum shall meet twice a year in conjunction with the sessions of the subsidiary bodies, with its first meeting taking place at the forty-fourth sessions (May 2016) of the subsidiary bodies;

Paragraph 4 – *Also requests* the subsidiary bodies, in order to advance the work of the improved forum, to constitute ad-hoc technical expert groups, as appropriate, to elaborate on the technical work under the improved forum. The technical ad-hoc expert groups shall consist of balanced regional representation of Parties;

Paragraph 5 – *Adopts* the work programme comprising the following areas:

- (a) Economic diversification and transformation;
- (b) Just transition of the work force, and the creation of decent work and quality jobs;

Paragraph 6 - *Decides* that the implementation of the work programme shall address the needs of all Parties, in particular, the developing country Parties, and shall be informed, inter alia, by the assessment and analysis of impacts, including the use and development of economic modelling, and taking into account all relevant policy issues of concern;

Paragraph 7 - *Requests* the subsidiary bodies to review every three years, beginning at their forty-ninth session (November 2018), the work programme of the improved forum, including the modalities for its operation;

Paragraph 8 - *Decides* that the improved forum shall provide recommendations to the subsidiary bodies on the actions referred to in paragraph 1 for their consideration, with a view to recommending those actions, as appropriate, to the Conference of the Parties, beginning at its twenty-third session (November 2017); ..."

To deal with the technical aspect of the work programme, the draft conclusion noted that the Subsidiary Bodies would invite Parties to submit by 21 September, 2015, 'their views on the further elaboration of the work programme on the impact of the implementation of response measures and the modalities for its implementation as detailed in the draft decision text contained in the annex.'