

ADP: Progress made on streamlining Geneva text; differentiation issue also raised

Bonn, June 3 (Meena Raman and Indrajit Bose) – Progress on the streamlining of the negotiations text for the Paris agreement under the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) varied as regards the various elements, depending on the approach taken by Parties and the complexity of the issues.

A conceptual discussion on the various options on differentiation also took place, in the focused group meeting on ‘transparency of action and support’ late evening on Tuesday, June 2. The different notions of differentiation were identified by some Parties such as **Brazil**, the **European Union** and **Norway**. It was also stressed that this was a cross-cutting issue that needed to be addressed not only in the ‘transparency’ section but across all the elements.

[The UNFCCC currently provides for differentiated responsibilities between developed and developing countries, under the principle of common but differentiated responsibilities and respective capabilities (CBDRRC) under Article 3.1. The Geneva text contains proposals which are viewed by many developing countries as departing from this principle, such as a proposal by the United States for new annexes that differentiates countries according to new criteria related to “evolving emissions and economic trends”].

Parties are still engaged in the ‘first-reading’ of the ‘Geneva text’ under the ADP and have been tasked to consolidate and streamline the text, with a view to reducing duplication, overlaps and repetition.

Parties progressed with streamlining four different sections of the Geneva text. The ADP convened the negotiating group of the contact group on ‘technology development and transfer’ and ‘finance’ in the morning and ‘capacity building’ and ‘transparency of action and support’ in the afternoon. The ADP also convened facilitated groups of the contact group on the same themes from the Geneva text on 2 June in

the afternoon and evening.

Following the practice of the first day of streamlining, the negotiating groups discussed which paragraphs should go to the facilitated groups and once in the facilitated groups, Parties discussed those paragraphs at length. Some of the consolidated paragraphs were put forth by the secretariat and some proposals came from the Parties themselves.

Co-chair Daniel Reifsnyder (USA) chaired the sessions on ‘technology’ and ‘transparency’ while Co-chair Ahmed Djoghla (Algeria) chaired ‘finance’ and ‘capacity building sessions’. The facilitated group on ‘finance’ was co-facilitated by Georg Borsting (Norway) and Diann Black-Layne (Antigua and Barbuda); ‘technology development and transfer’ was co-facilitated by Tosi Mpanu Mpanu (Democratic Republic of Congo) and Artur Runge-Metzger (European Union); ‘capacity building’ was co-facilitated by Artur Runge-Metzger and Tosi Mpanu Mpanu; and ‘transparency of action and support’ was co-facilitated by Fook Seng Kwok (Singapore) and Franz Perrez (Switzerland).

Transparency of action and support

At the negotiating group to consider this element, **Brazil** expressed doubts as to whether Parties could achieve any streamlining without an open and honest discussion on differentiation. It said that there are different kinds of proposals relating to differentiation in the Geneva text in the transparency section as well as throughout the whole text. Saying that there were too many details in the section, it questioned the need for streamlining when the details could be in a decision (and not the core agreement).

In response to Brazil, Reifsnyder said that what goes where – whether into an agreement or a decision needs to be decided. The section deals with the land-use sector, market mechanisms, accounting rules etc. and whether there should be interim arrangements or

elements for a work plan will need to be agreed to and this will be decided in Paris.

The **European Union** said that the task is to unpack the text according to headers. On differentiation, there is need to group all the different proposals and identify the political issues that will need to be decided later. The **US** suggested that in addition to streamlining, Parties could have conceptual discussions in the facilitated group session to unpack the issues more.

Tuvalu said that the discussion about differentiation relates to the ‘who’ question (who do the provisions apply to) and there needs to be a discussion on the ‘what, i.e. on what the transparency section covers in relation to all aspects of the agreement.

Argentina also agreed that there is need to talk about differentiation, which is not just linked to the transparency section but to all other sections too. It added that there are other issues too like the use of markets, which are also in other sections.

India said that while it appreciated the concerns of Parties, questions about concepts will continue but the rules of the exercise could not be changed every day. The suggestion was to try to overcome the redundancies and duplications. At the appropriate time, Parties can discuss differentiation but there is need to have similar progress in all the sections of the elements (of the Paris agreement).

Colombia agreed that the issue of differentiation will not be solved here (in Bonn) and there is a need to streamline texts. **Canada, China** and **Iran** also agreed with **India**. **Mexico** called for a sense of urgency, saying that the issue of differentiation will not be resolved here but there is need for the conversation to take place.

The meeting was adjourned after Parties agreed to work in the facilitated group to focus on possible paragraphs for consolidation, which began soon after and ended at 1 pm, and reconvened at 7pm and went on till 9 pm.

During the facilitated group meeting, Parties made progress in streamlining the paragraphs that were assigned to be addressed. After completing this task, the co-facilitator, Fook Seng Kwok (Singapore) proposed that Parties use the time to discuss the ‘differentiation’ concept.

Brazil identified several proposals, which were in the text which included options for no differentiation; differentiation according to the category of commitments; self-differentiation and maintaining the current differentiation as per the Convention. There were proposals for a common or single framework of

reporting. It said that it was very difficult for developing countries to be brought to that level of stringency of the developed countries with no support on the means of implementation.

The **EU** said that the issue was not about solving the matter but about teasing out what is in the text and said it had identified similar ideas as what Brazil had done. There are several options in the text it said, where one option is to maintain the bifurcated old system; an option that applied to only developed countries; an option for a common framework with a strong focus on flexibility that would accommodate countries’ circumstances and self-differentiation. It added that if these categories are clearer, it would help the process.

In response, Fook said that the message seems that there may be a need to cluster the different categories.

Norway said that differentiation could be seen in the light of the specific issue. In relation to transparency in mitigation, there could be different types of targets (for emissions reductions), and there will be different rules and this is not according to the category of a country. There could also be a common system as well as self-differentiation with flexibilities. It said that there could be self-differentiated commitments structured by the Convention. It added that even if commitments are differentiated, it understands that countries with high capacities for transparency should continue this in the new agreement. There could also be flexibility within a tiered approach. There could be a common system with a multifaceted approach to differentiation where countries can contribute according to different capacities.

Bolivia, speaking for the **G77 and China** explained the CBDR principle as exists under the Convention. It added that there is differentiation within the Convention, which must apply to the post 2020 agreement.

Tuvalu explained how the **LDCs** viewed the matter. They recognised that commitments are nationally determined and there are certain standards from existing commitments. Developed countries have an obligation to do no less than what they are doing now with quantified economy wide targets for mitigation. There are opportunities for others who may want to do that same – hence the notion of ‘countries in a position to do so’. The latter is a self-selection by countries who will then be in an annex A which is for those who do quantified economy wide targets. Then there are other countries who are mostly developing countries who will have more flexibility which are conditioned on support and are in annex B. Different standard of tiers – whether one is in annex A or B

would be used. On the issue of transparency of support, a similar sort of approach is envisaged.

The **US** said that it did not hear anyone saying that there should be no reporting requirements. The disagreement is about the what, the why and the when. It is useful to tease out issues like the frequency of reporting, the stringency and depth of review etc. There are different ways of differentiating this and there is need for clustering. On the issue of self-differentiation, countries can select their level of stringency and choose their flexibility, so long as there is no backsliding.

Mexico said that what differentiation means depends on the nature of the contribution that determines the rigour of reporting. Once there is a level of rigour, then the challenge is to determine what the depth of the reporting is. It added that self-differentiation can work but with no backsliding.

Kenya said that in relation to the discussion, what it feared is the loss of balance on how all the elements would be treated. Addressing transparency would also mean addressing the means of implementation. It said that on differentiation, it was not about having differentiated systems but that transparency rules have to be multilaterally agreed, with the frequency question and capacity issue taken care of. So far, what Parties have is a parallel system and Parties have not reached the point to move from that to reach a stage for a unified system. It said that there should be provisions in the agreement with the details to be developed later.

Japan said that the level of reporting or frequency could have flexibility, with different tiers within each category.

Other Parties also indicated their desire to also address the issue of differentiation, which was noted by the co-facilitator.

Technology transfer

The matter of observers being allowed to observe the work of the negotiating group on 'technology transfer' became an issue, when several observers were turned away by security officials at the door of meeting room, despite the daily programme indicating that the session was open to observers. On Monday, Nicaragua, Malaysia and Saudi Arabia had asked the ADP Co-chairs to open all sessions to the observers, including the facilitated group meetings and this had been agreed to. Following the intervention of Nicaragua at technology negotiating group to allow observers in, the observers were allowed in.

Several observers along the corridors were exasperated and expressed concerns that attempts were being made to keep observers out of the process, when

much rhetoric was being made about the need for non-state actors to be actively engaged in climate actions all the way to Paris and beyond.

On substance, **India** stressed the need for a coherent approach as regards the streamlining process, calling for an exercise, which was purely mechanical in merging options without altering the content of the proposals of Parties. When the facilitated group met soon after the negotiating group discussion ended, progress was made in the consolidation of some paragraphs.

Finance

The finance session started with queries from the United States and Bolivia on behalf of the Group of 77 and China. The US said that in the consolidated text proposed by the secretariat, there were no overarching brackets. It stressed that nothing in the working document should be considered agreed and wondered how that would be characterized universally in the document.

In response to the US, Djoghlaif said that there is only one official document, referring to the Geneva negotiations text. "We are assisting Parties to prepare the final document, which will be adopted on 11 December and which will replace the Geneva text. Nothing is agreed; everything is in brackets," said Djoghlaif. "This is an effort to streamline the text and this is a non-document. The hope is we will be able to have an evolving document. We are working to facilitate a text through which you can work in a more manageable manner," said the Co-chair further.

Bolivia, on behalf of G77 and China then sought further clarification on the process and said that the group had worked on streamlining the Geneva text by trying to compress the duplications and thus narrowed down options. It said that it had not worked as per the informal note on duplications in the Geneva text, which the secretariat had issued prior to the Bonn session. "We did not not look through the duplications. We looked through the Geneva text. We looked at all the options put forth by G77 and tried to consolidate the options and shorten the text," it said.

By way of example, **Ecuador, for the Like Minded Developing Countries (LMDC)** said it in the spirit of streamlining and getting rid of as much text as they could, the group had aligned with the G77 and China's proposals in the negotiations text and deleted some of their proposals.

Following considerable exchange on process, Djoghlaif encouraged the G77 and China to go over its streamlined proposals, which the group presented to the Parties. Djoghlaif, with the Parties, zeroed in on

certain paragraphs to be taken to the facilitated group for discussions.

However, due to disagreements in the facilitated group, Parties could not approve any of the consolidated paragraphs proposed by the G77 and China. The disagreements arose out of certain Parties objecting to G77 and China's proposals. Bolivia clarified to the Parties that streamlining is not verbatim moving of text but that it is condensing and consolidating text. The co-facilitators proposed an additional facilitated session at 7pm, which was later cancelled.

Capacity-building

The sessions on capacity building, both negotiating group and facilitated group, saw a mix of paragraphs consolidated proposed by the secretariat or by the Parties. In the negotiating group, Parties decided on which paragraphs to work on during the focused group. In the facilitated group session, Parties agreed on some of the consolidated paragraphs.