

ADP: Agreement reached on way forward on Lima draft decision

Lima, 5 Dec. (Meena Raman and Indrajit Bose) — Parties found consensus on the process to advance work on the draft decision text under the Ad hoc Working Group on the Durban Platform for Enhanced Action (ADP) for adoption in Lima. This is after two days of stalemate and two rounds of ‘friends of the chair’ meetings.

On 2 and 3 December, several developing country Parties had objected to the co-chairs’ method of work in advancing work on the draft decision text, which includes matters regarding the 2015 Paris agreement, the intended nationally determined contributions (INDCs) for that agreement, as well as the pre-2020 climate actions. They had asked for text to be reflected on the screen to enable them to begin formal negotiations but to no avail. Owing to lack of consensus, some Parties suggested a ‘friends of the chair’ meeting to find a way forward, which met in the evening of 3 December and the morning of the 4th.

When the ADP contact group convened afternoon of 4 December on the draft decision text, ADP Co-chair, Artur Runge-Metzger said that following a lack of consensus on how to proceed with the draft decision, “we convened a ‘friends of the chair’ open to all Parties to consider proposals on how to move forward in a manner that gives guidance to all.” He said that “we could not find consensus in the meeting (on 3 December) and reconvened (morning of 4 December) and found consensus relatively speedily”. He added that “we have been advised for following the mode of work” for consideration of the draft decision as follows:

“There is a collective wish to consider a first reading in a timely manner with the purpose to introduce proposals. To achieve this, dedicated meetings of the contact group to focus on specific paragraphs of the decision text will be called by

the Co-chairs. Parties are encouraged to send their textual proposals in advance of the dedicated meetings. The proposals will be displayed as the proposing Party speaks (on screen in the conference room).”

The ADP Co-chair said that all Parties of the “friends” declared their desire to complete the first reading so that there could be consideration of the synthesis of Parties proposals. He informed Parties further that all the proposals of Parties will be on the ADP website to ensure transparency. He explained further that the Co-chairs will then prepare a synthesis document based on the proposals by Parties into an improved draft decision text, which would be used for textual negotiations on screen in a contact group setting under the ADP in the second week of the ongoing climate talks at Lima. Runge-Metzger said that he hoped that this would be done in an “un-huddled manner” (in an apparent reference to the call by the Like-minded Developing Countries not to make decisions in “huddles” as has been the practice in previous COP sessions).

Runge-Metzger also said that for the contact group scheduled for 4 December, the Secretariat had received a number of proposals, which would be displayed on screen and Parties would speak to it. The plan of the contact group was to focus on INDCs (paragraphs 7-22 of the draft decision). With the arrangement agreed upon, Parties dived headlong into negotiations and gave their views on the paragraphs under discussion. Some even proposed textual suggestions as an alternative to the paragraphs in the Co-chairs’ draft text. Parties that had sent their proposals to the Secretariat had them displayed on a screen.

By the end of the day, however, Parties could not go beyond paragraph 12 (paragraphs 6-12 of the draft decision text deals with the domestic

preparation of INDCs). Some Parties also gave their views on paragraphs 1-6, on elements of the 2015 agreement, since they had not voiced them earlier due to the impasse on the process the previous two days.

As Parties started voicing their views, the divide became clear. There was no consensus among Parties on the scope of the INDCs as well as on its linkage to the elements of the 2015 agreement.

Developed countries wanted the INDCs to be focused on mitigation, while developing countries said that they should also extend to all the elements, and include adaptation, finance, technology transfer and capacity-building.

Another key issue of discussion was over the mandate of the decision for Lima especially in relation to the INDCs. Several countries including **China, Venezuela, Malaysia, and Saudi Arabia** pointed out that the mandate in Lima is to identify information that Parties will provide when putting forward their INDCs. They and other countries including **Brazil, Singapore and Norway** stressed that the draft decision should stay clear of prejudging the Paris agreement in relation to the mitigation element, and not introduce language in the Lima decision text that confuses this. **Norway** supported this view.

China said that there should not be an ‘early harvest’ of a mitigation agreement through the INDC related text, while Australia, in complete contrast to the views of Parties above, said that the INDCs are about mitigation and other elements (beyond mitigation) should be discussed through the elements non-paper and cautioned that Parties should not negotiate the full scope of the Paris agreement through the INDC decision by proxy.

Following were some of the key interventions by Parties:

Brazil expressed concerns with some of the proposals (of developed countries) on the screen which created “anxiety in the room”. Language is being introduced in the draft decision text on issues relating to the mitigation element of the Paris agreement in relation to the INDCs. Parties should focus on the nature and scope of the INDCs which is different from the elements in the Paris agreement. It said that the purpose of the draft decision is to serve as guidance and not to anticipate language of the 2015 agreement. It stressed that the draft decision should stay clear of prejudging the Paris agreement.

Norway echoed the views of Brazil that should not prejudice the outcome of negotiations for the Paris agreement next year. It agreed that there is an ambiguity on what INDCs are about.

Malaysia said that the decision text must reflect on what is mandate of the Warsaw decision. In relation to INDCs, referring to the proposals by developed countries, it said that they were going beyond the mandate of paragraph 2(c) of the Warsaw decision which would prejudice the Paris agreement. It shared the views of Brazil and said that some Parties are trying to squeeze issues in the 2015 agreement (which is currently in the Co-chairs non-paper on the elements of the Paris agreement and which are still being discussed by Parties) into the Lima decision text relating to INDCs. It also disagreed with the view that the objective of the contribution is mitigation as it is broader. Any mitigation effort must be supported.

[Paragraph 2-c of the Warsaw decision reads: “2. Decides, in the context of its determination to adopt a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties at its twenty-first session (December 2015) and for it to come into effect and be implemented from 2020: (c): To request the Ad Hoc Working Group on the Durban Platform for Enhanced Action to identify, by the twentieth session of the Conference of the Parties, the information that Parties will provide when putting forward their contributions, without prejudice to the legal nature of the contributions”.]

Singapore, echoing the views of Brazil, Singapore and Norway reminded Parties that they need to be clear whether the texts being proposed belong to the Lima COP or to the elements of the draft negotiating text for the Paris agreement. It reminded Parties that “similar text proposals should not be in same room,” as this will prejudice the negotiations in Paris next year. It also stressed the need for parity between mitigation and adaptation in the Paris agreement, saying that there could be no agreement without adaptation.

Venezuela also echoed similar views and said that the work on the draft decision text must reflect the mandate from previous decisions which would be useful to limit the amount of text. It stressed the need for clarity on the discussion of INDCs in relation to the non-paper on the elements of the new agreement to ensure that the work on the Lima text does not prejudice the work on the new agreement. It also supported the views of Bolivia as regards the need to address the global carbon budget (in relation to the scope of contributions

referred to paragraph 8 of the draft text).

China proposed to bring the draft text in line with the Warsaw mandate and include the principles, provisions and the relevant Articles of the Convention to highlight the differentiation between developed and developing countries and developed countries' obligations under the Convention to provide for financial, technological and capacity building support to developing countries. It was also firm that the scope of INDCs should not be limited to mitigation alone and that it should also cover adaptation as well as means of implementation, besides mitigation. It warned against attempts for an 'early harvest' of agreement on mitigation through the Lima decision (which is an issue for the Paris agreement).

Australia said the scope of INDCs is mitigation only as it deals with the role of upfront clarity that is needed (in relation to the mitigation effort of Parties). It said that other elements (beyond mitigation) should be discussed through the elements non-paper and cautioned that Parties should not negotiate the full scope of the Paris agreement through the INDC decision by proxy.

Speaking for the **African Group**, **Sudan** stressed the centrality of adaptation in the 2015 agreement and the need for legal parity with mitigation and that this would be an enabler for participation. On the issue of INDCs, it said that the issue at hand is not about the scope of the INDCs as the Convention in Article 4 already sets the obligations of Parties and that therefore, it covers all obligations. The issue of national determination of the INDCs relates to the level of ambition.

South Africa, (referring to paragraphs 4 to 6 in the draft text) "deals with assurances". It did not see assurances that it believed were necessary for Parties to be comfortable with. It needed to have assurances about the deal Parties will adopt in Paris. It also wanted assurances and understanding of the link between INDCs and elements of the Paris agreement. It wanted assurance on what the status of the INDCs would be once they are communicated and what the 2015 agreement would say. It wanted assurance that there would be balanced support for mitigation and adaptation, stressing that adaptation is not about having a policy statement.

It also emphasized the need to deal with the issue of differentiation as an assurance as there must be an understanding that differentiation will take into

account existing capacities and capacities that will evolve over time. Without these assurances, there will be "a heavy battle".

Tuvalu said it is absolutely critical to have an additional element on loss and damage in the Paris agreement. It proposed text to highlight the special situation of the Least Developed Countries and Small Island Developing States in the draft decision.

Saudi Arabia called for full parity to mitigation and adaptation in the agreement because "that is exactly what we have in the Convention", and said that this would go a long way in building confidence among Parties. On INDCs, it said that there is a specific mandate as per the Warsaw decision, which should be adhered to. It said that INDCs are more than mitigation. "Without addressing mitigation and adaptation and means of implementation, we will have no ambition which is what Parties are looking for here," it said. It called for inclusion of adaptation component in INDCs and reiterated that ambition will result in how Parties strike a balance between mitigation, adaptation and means of implementation.

Bolivia proposed a preambular paragraph to highlight the idea of a global emissions budget to promote the distribution of emissions to limit temperature rise to 1.5°C. It suggested wording to introduce the need for developed countries to fulfil their commitments under the Convention. It stressed that there should be no reference to market based approaches in the text.

Algeria stressed the importance of differentiation in the new agreement which should be in line with principles and provisions of the Convention and proposed textual changes accordingly. **Argentina** said differentiation and inclusion of all elements in the new agreement are key and proposed texts to bring language into the text. **Ecuador** also stressed on striking a balance between mitigation and adaptation and said it is important to include text that sets out the principles and provisions of the Convention, in particular common but differentiated responsibility (CBDR).

Egypt too asked of the Parties to focus on the mandate at hand. **Jordan** stressed on differentiation and disagreed that mitigation is the core of the 2015 agreement.

The **US** said INDCs relate to mitigation and expressed problems with most of the paragraphs on INDCs under discussion. **Russia** also stressed that INDCs are about mitigation, a view also

echoed by **Japan** and **Canada**.

The **European Union** said mitigation and adaptation do not need symmetry in the draft decision and focused on strengthening the

mitigation aspects in relation to the INDCs. It said it would not “permit” language on INDCs on adaptation and said all Parties must put forth mitigation INDCs.