

ADP: Crisis over method of work on draft decision text

Lima, 4 Dec (Meena Raman) – A crisis has erupted in the contact group under the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) on the method of work to be adopted in advancing work on a draft decision text to be adopted in Lima.

[The draft decision text prepared by the ADP Co-chairs includes matters regarding the 2015 Paris agreement, the intended nationally determined contributions (INDCs) for that agreement, as well as the pre-2020 climate actions.]

A ‘friends of the chair’ meeting to find a way forward to advance the work after the contact group session on the evening of Wednesday, 3 December failed to find a solution. This meeting was convened by the ADP Co-chairs at the suggestion of some Parties.

At the contact group to consider the draft decision text held on Wednesday afternoon, many developing countries once again urged the ADP Co-chairs to project on the screen, the relevant paragraphs under consideration as well as the changes that were being proposed by Parties to that text, so that they could understand what was being proposed and how to react to them.

This call for text-based negotiations on the screen had also been made a day earlier on Tuesday by many developing countries and their groupings. (See

http://www.twn.my/title2/climate/news/lima01/TWN_update6.pdf).

Following the interventions by **Argentina** (who had a lengthy presentation providing the rationale for texts on the screen for the consideration of Parties) and **Algeria (speaking for the Arab Group)** who also called for texts on the screen, the ADP Co-chair, Kishan Kumarsingh (Trinidad and Tobago) who presided over the session along

with the other Co-chair, Artur Runge-Metzger (the European Union), initially responded by asking Parties who had textual changes to email them to the secretariat so that they could be uploaded onto the UNFCCC website in real time.

This was followed by interventions on textual changes (in relation to paragraphs 1-6 of the draft text) from several Parties including **China, India, Brazil** and **Kenya** who also expressed concerns about the process and wanted texts to be reflected on the screen. On the other hand, several developed countries including the **United States, Norway** and **Switzerland** expressed comfort with the way the Co-chairs were conducting the work and proceeded to provide their suggestions for textual changes.

South Africa raised a point of order saying that it was unclear where the Co-chairs were taking Parties. It said that developing countries had called for texts on the screen and did not have the resources to keep up with all the suggestions being proposed. It said that in a “methodical way”, developed countries seemed to be able to counter every point made by developing countries while this could not be done by developing countries. South Africa said it had difficulties with the process and if Parties could not participate as equals in the process, trust was being eroded rapidly and it was concerned as to how this trust could be recovered in the process.

In response, Kumarsingh said that the textual comments of Parties have been sent to the secretariat and was being posted on the website and if Parties could not access the site, it would be posted on the screen in the conference room and this was being organised.

Egypt expressed the same difficulty as South Africa and asked for clarification as to whether the whole text was going to be projected on the

screen with the changes being proposed or only those suggestions that were received electronically from Parties.

At this juncture, **Nigeria** also expressed unhappiness as it expected “a ruling” regarding putting texts on the screen as South Africa had raised a point of order. Before embarking on any further discussions, it hoped for texts to be on the screen, as it too had difficulties in following the negotiations.

In response, Kumarsingh said that it would be good to “have a discussion on consensus”. In response to Egypt, he said that what the screen will show are “submissions given by Parties”, adding that the European Union, China and Australia had sent their proposals to the secretariat.

Nigeria then said that the document that Parties were considering is the draft decision text and not the submission by Parties and reiterated its call for that text on the screen.

Cuba then took the floor to say that it supported the views of South Africa and wanted to see the draft text on the screen first, followed by the proposals by Parties to the text.

Tuvalu also said that it was having trouble following what Parties were proposing on the text, adding that for LDCs, English was not their first language. It said normally, Parties could be asked to give general views without specific textual changes or to provide textual changes and to have them incorporated in the text.

In response, Kumarsingh said that the Co-chairs were proposing the first modality (where Parties provide their general views). (On Tuesday, the other ADP Co-chair, Runge-Metzger had invited Parties to consider paragraphs 1-3 of the text and called on them to speak to the specific paragraphs and indicate how to improve the texts.)

Kumarsingh also said that all the proposed changes to the texts could not be done now but that “we will put the entire document on the screen with all proposals and go line by line, and word for word”. In the meantime, he appealed to Parties to hear the specific proposals of Parties to the text.

Nigeria proposed that given that there were only 6 minutes left to the end of the session, the meeting should be adjourned so that the text can be on the screen for all Parties to follow the discussions.

Kumarsingh was about to adjourn the meeting when the **United States** took the floor to say that it would prefer a general reading of the entire text and to have a sense of where Parties are coming from and not go with line by line discussion as this was “pretty unusual”.

Kumarsingh said that there was no consensus on how to proceed. He then proposed that “we incorporate texts as suggested by Parties and proceed on the text”. This will take time but this is what Parties want, he added.

Tuvalu then proposed the convening of a ‘friends of the chair’ to consider the best way forward.

New Zealand spoke in support of the US and the proposal for a ‘friends of the chair’ on the way forward and was reluctant to get into a line by line negotiation as “this would not be helpful”.

Pakistan in response said that what Parties are discussing is a “legal text with legal implications”. It was therefore imperative to have texts on the screen and that in other meetings Parties have done line by line negotiations.

Egypt expressed support for Kumarsingh’s last proposal.

Mexico preferred a general reading of the text and not enter into a line by line consideration.

Kumarsingh in response said that the Co-chairs had initially proposed a general reflection of the text and for them to come back with an “improved version” which did not find agreement among all Parties.

China responded to say that Parties were not very far apart in their views (on the process) as the Co-chairs might think. It was a “misreading of the house” to think that Parties want line by line or word by word negotiations on the screen, it added. What Parties are requesting is for transparency and for non-native English speakers to understand more clearly the proposals on the table so they could have an appropriate response. It added further that what Parties are saying is that the specific suggestions or amendments to the Co-chairs’ text are put on the screen, so that Parties could react to them. “Instead of putting the feelings of the house in two far extremes”, the Co-chairs should bring Parties closer. It was not suggesting “a line by line or comma by comma” negotiations. What was being asked is for transparency and clarity on the proposals for amendments to the Co-chairs’ text. After the initial reactions, the next stage could involve “line

by line, word by word” negotiations on the screen. China suggested to the Co-chairs that “from tomorrow, put your text on the screen and ask the secretariat to type in the specific proposals made” so that Parties can have their own reflections.

Singapore said that it was not asking for a “compilation text” but what Parties are trying to grapple with is a “consolidation of proposals being made” for clarity and understanding.

Pakistan agreed with China, adding that compilation or consolidation of proposals is the first step and that line by line negotiation is the next step and this is established practice in the United Nations system. All proposals need to be reflected, it added.

In response to Pakistan, Kumarsingh said that this was what was suggested before by the Co-chairs for “improved texts.”

Cuba said that it could proceed as China and Singapore had suggested.

South Africa agreed with China that Parties were not far apart and supported the idea of a ‘friends of the chair’ process to assist on the way forward.

Kumarsingh then adjourned the meeting and asked Parties who were interested to meet the Co-chairs as “friends” after the meeting at 6.45 pm.

According to sources, the ‘friends of the chair’ meeting did not reach agreement on a way forward and another meeting of the ‘friends’ is to take place at 10 am, Thursday, 4 December. It seems that the US was concerned about the ballooning of the decision text.