

Second version of Paris Outcome text issued – but a deal is still far away

Paris, 11 Dec (Meena Raman and Hilary Chiew) – The second version of the draft Paris Outcome was presented to Parties at the end of a brief meeting of the Paris Committee under the UNFCCC on evening Thursday, 10 December, by COP21 President, French Foreign Minister Laurent Fabius.

The first version of the draft Paris Outcome, encompassing the post-2020 agreement and an accompanying decision which includes decisions relating to pre-2020 actions, was issued on Wednesday, 9 December. The new iteration of the text, which was initially scheduled to be provided in the afternoon of 10 December was only made available at 9 pm.

At this fifth meeting of the Paris Committee that was established on Saturday (5 December), COP21 President Fabius said after significant work and a series of consultations, Parties can now move to a decisive step.

Together with the Secretariat, he said, the text was prepared to reach balance, impartiality and reconciled positions. The text is shorter although brackets remain around complex issues, he said, citing issues of finance, differentiation and ambition which will see more consultation in these final hours of the COP.

(The new text was reduced from 29 to 27 pages of which 12 pages contained the draft agreement and 15 pages were allocated to the accompanying draft decision.)

“Compromise does require us to forget the ideal solution for everybody. That is the work we have now ... we are close to the finishing line and we

must find common grounds. In other words, time to come to an agreement,” said Fabius.

He then proposed that Parties study the new draft and consult with other Parties over the next 2.5 hours which will be followed by consultations similar to the setting on Wednesday night. He said he will chair the ‘indaba-type consultations’ which he named ‘indaba of solutions’ where he urged Parties not to present statements but to provide compromise solutions.

He also said in the event when there are persistent differences, the facilitating ministers will be asked to meet at a corner of the room or in a separate room and to report back to the indaba within 30 to 45 minutes.

After this final round of consultations, the COP21 President hoped to present a final version of the text on Friday (11 December). He hoped Parties will agree to this method of work in the final hours to complete the final lap that separates them from a legally-binding, ambitious and fair agreement that the world is expecting.

At 11.30 pm, the COP 21 President convened the indaba consultations, which was closed to observers.

According to sources, the consultations revealed that several developing countries, including China and India raised their concerns over the dilution of the principle of common but differentiated responsibilities (CBDR) in the draft agreement as reflected in the obligations of Parties. They made proposals to address their concerns.

However, sources said that the United States, represented by its State Secretary, John Kerry, supported the agreement, saying that

differentiation was reflected, through the notion of ‘self-differentiation’ as represented by the intended nationally determined contributions (INDCs).

It seems that he stressed that the new agreement was a “monument to differentiation.” Kerry was reported to have regretted the “situation” of the US where there could not be a mandatory system (for emission cuts) and for finance to be legally binding.

Sources disclosed that divergences continued with developed countries stressing that the ‘donor base’ of those contributing to climate finance should be expanded to include developing countries, with references in the draft text to the mobilising of climate finance “as part of a shared effort by all Parties”. Developing countries, on the other hand, could not agree to such proposals in the text.

Information provided to TWN revealed that developed countries also expressed that they are unable to commit to a quantified number for finance in the agreement. Several developing countries indicated that developed countries were breaking away from their obligations under the

UNFCCC; one developing country said that the issue of finance could be a make or break for the Paris deal.

With the help of facilitators, breakout groups on differentiation, ambition and finance were held with Parties trying to find solutions.

According to sources, Parties expressed their red lines, which clearly reflected continued divergences over the issue of differentiation and its application as regards the various elements, especially in relation to mitigation, finance and transparency.

The consultations ended at around 5.30 am, on Friday, 11 December.

The COP President informed Parties that there would be a “slight delay” in the conclusion of the COP with a final text to be presented on Saturday morning, 12 December, and for its adoption sometime in the afternoon. (The COP was scheduled to close on 11 December.)

Whether and how compromises will be reached remains a challenge.