

APA Co-chairs to prepare negotiating texts on Paris Work Programme

Katowice, 7 Dec (Perna Bomzan and Meena Raman)- At a stocktake plenary held on 6 Dec, the Co-chairs of the UNFCCC's Ad Hoc Working Group on the Paris Agreement (APA), informed Parties the time had come for the Chairs to produce their "own proposals," to help the process forward and that based on "where possible landing zones are emerging or may lie," the Co-Chairs will produce the next iterations of the negotiating texts "under their own responsibility", which would be made available to Parties on 7 Dec for their consideration.

APA Co-Chair **Jo Tyndall (New Zealand)** announced this after the report back from co-facilitators of the status of negotiations on the various agenda items under the APA on the Paris Agreement Work Programme (PAWP). Explaining the rationale for the change in the mode of work, Tyndall said that a successful completion of the final version of the draft texts by the afternoon of Dec.8 did not look possible with the same pace of work, as the texts need to be forwarded to the UNFCCC COP Presidency with "only a bare minimum of issues" for next week and Parties were "not there yet".

Ministers are starting to arrive in Katowice, Poland and are expected to resolve the key outstanding "political issues."

Following the APA session, a stocktake session of the Subsidiary Bodies took place on the PAWP related agenda items. (For more, see below).

APA Stocktake

At the APA stocktake session, Tyndall also informed Parties that the proposed texts would then be made available to Parties on 7 Dec. to work on them. Parties were encouraged to complete work by 7 Dec. itself with a possible extension of working time until 11 am on 8 Dec. if so required.

Following the interventions by Parties in response to the Co-chairs' proposal, Tyndall said that it was good for them to hear their concerns and expectations, which made "our job easy" and gave the assurance that the process would continue to be inclusive and transparent and that they "would not be making things up" but the texts will come from the what they have heard and from the inputs of the co-facilitators. She however stressed that they "cannot reflect all views of Parties in the document" but will "ensure that what is proposed is a balance of interests" and it was important to hear what those key interests were.

Egypt on behalf of the **G77 and China** said that it was a timely stocktake and was hoping to "build on the joint reflections note but we do see a step back happening with some of the texts" especially on finance. It added that attempts were being made by "dilution of obligation of developed countries to provide finance," with the "deletion" of references to "new and additional" finance, on the basis that the PA was different from the UNFCCC.

Other important issues for the G77 included "full scope" of the nationally determined contributions (NDCs), which cover not only mitigation but also adaptation and means of implementation. Additionally, the key element of "differentiation" in the NDCs (between developed and developing countries) is being "diluted and almost gone," said Egypt further. On the enhanced transparency framework (ETF), it said that "several omissions" in the first iteration of the texts did not reflect the discussions that had been held.

The G77 Chair made a strong and clear request to the APA Co-Chairs that "hopefully these thoughts will be taken on board".

Gabon speaking for the **African Group** expressed similar concerns on the slow progress and with even a “pushback on key provisions especially on finance”.

On the NDCs, it strongly objected to the “one-size-fits-all” guidance with “no differentiation” and called for “new and adequate support” by developed countries to implement the NDCs. On adaptation, it said that “assessing needs (of developing countries) is critical and this has been removed” from the texts. On the ETF, it expressed concern with the latest iteration of the text saying “flexibility needs to be taken into account” for all developing countries. On the issue of global stocktake (GST), it underscored its “firm position to operationalize equity” saying that the decision must give “due attention to loss and damage and response measures”. On the issue of compliance, “operationalization should reflect the principles of the Convention”, it added. Gabon stressed the need for more time “to reflect on the new texts” to carry the work forward “with the view that the final text will be endorsed by all Parties”.

Iran for the **Like-Minded Developing Countries (LMDC)** reminded Parties that the PA is to enhance the implementation of the Convention based on the principles of equity and common but differentiated responsibilities (CBDR) and requested that this be the premise of the new texts to be proposed by the APA Co-Chairs. It echoed the views and assessments of the G77 and China and the African Group on the priority issues of finance, NDCs, the ETF and the GST. Additionally, on finance, it said that “we need to launch the process to set the new collective finance goal”.

Maldives for the **Alliance for Small Island States (AOSIS)** requested the Co-Chairs to “maintain the principle of inclusiveness and transparency” on the way forward and further urged Parties to not have conceptual discussions but rather look for “landing zones”. It said work needs to be advanced in “good faith and willingness” and that “there was no time for Parties to hold existing positions and redlines” stressing on “flexibility, openness and constructiveness”. It informed that on the issue of NDCs, its option also supported by other Parties has been removed from the text without consent and that it expected to see the option back on the new text. It cautioned against the use of “new

terminologies” and underscored the issue of loss and damage.

Ethiopia for the **Least Developed Countries (LDCs)** said that “a balanced package is crucial for the success of Katowice outcome” and that “issues related to finance and loss and damage are part of this package”. It stressed that “deleting positions of Parties will not be constructive”.

Columbia for the **Independent Alliance of Latin America and the Caribbean (AILAC)** said that it is “fundamental to finish technical work” and that there are still “large divergences” to take it to the Ministers (next week). It added “all items must progress at the same pace, after all, no agreement until all work is completed”.

Saudi Arabia for the **Arab Group** stressed that “this process remains Party-driven and remains inclusive” and the views of all Parties must be reflected. It informed that on the enhanced transparency framework, it was extremely concerned about its views not being reflected in the new iteration. It was concerned that the modalities, procedures and guidelines were undermining the nationally determined character of NDCs. It also underscored that the NDCs must be of “full scope” and the guidance on information and accounting must be “differentiated”. It strongly concluded that “one omnibus decision” needs to be delivered that is “all inclusive and all balanced”.

India stressed that work must proceed on the basis of some “agreed principles” referring to the work ahead on the Co-Chairs’ proposed iteration. It stressed that “any rules and guidance cannot contradict the PA and that the language of the PA must be reflected in the iterations” giving the specific example on the issue of finance where the terms “developed” and “developing” are being contested by the developed countries. It spelt out that if these terms are considered not to be in the PA then, “we should go according to the Convention language of Annex 1 and non-Annex 1 countries”. In terms of identification of options in the new iterations, “realistic assessment of what major groups are highlighting should be narrowed down according to those concerns”, it said and further cautioned that “enhancement of obligations for only developing countries is something to guard against”. “Iterations we have now have tried to dilute the issue of differentiation especially in the NDCs which is non-negotiable, since the mandate is in the PA, it added and also said that there must be “no backsliding” of

obligations and concluded that there must be an “overall balanced comprehensive iteration which captures the momentum to take the PA forward”.

Australia for the **Umbrella Group** briefly remarked that it paid due regard to the PA and also called for the mandate to be respected and hoped for a “balanced, comprehensive and robust guidelines”. “Our concerns are well known to you and hope to see reflected”, it remarked.

The **European Union (EU)** expressed “urgency to reach the bare minimum of clearly expressed options before Ministers arrive” and that “work needs to be comprehensive, and balanced but tailored and sufficiently detailed, consistent with what we agreed in Paris. “We will need some significant Ministerial engagement”, it said since “different interpretations of the PA” should be left to the political leaders.

Stocktake session of the Subsidiary Bodies

At the stocktake session of the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body on Implementation (SBI), Parties also provided their assessment of progress in the negotiations.

Egypt for the **G77 and China** expressed “discomfort” over the negotiations as a “step back”, reiterating that “reaching a balanced comprehensive finance package” will unlock other issues. It stressed again that “we need to have a balanced comprehensive package with the satisfaction of all Parties” at the ongoing technical stage of the process, before moving on to the high-level political phase in the coming week.

Gabon for the **African Group** reiterated that “issues of finance and technology transfer are of importance but finance, in particular” saying that on the key issue of Article 9.5 (on ex-ante information on public financial resources), there must be “clear reference of new and additional finance”. On Article 9.7 (on ex-post information on financial resources provided and mobilized), it said that operationalizing the article was a clear responsibility of developed countries.

Iran for the **Like-Minded Developing Countries (LMDCs)** expressed concerns over the “moving away from the language of the PA” with references to ‘reporting Parties’ that do not have any grounding in the Convention or its PA. It also said that not having any reference to new and additional support is backsliding from current practice and there is need “to have the reference

to progression”. On the other key issue of technology transfer, it said “we are disappointed that the provisions of PA are being diluted and references to CBDR being removed and paragraphs on provision of support which is an obligation of developed countries are being bracketed. Article 10.6 is clear that support shall be provided to developing countries.” It is amply clear that developed countries are mandated to provide this support,” reiterated Iran.

Ethiopia for the **Least Developed Countries (LDCs)** said that work on the Adaptation Fund needs to be “finalised” as well as work on the “new goal on finance needs to start here”. It expressed concern about “developed countries bringing in new language”

Saudi Arabia for the **Arab Group** expressed strong concerns over the backsliding on issues of finance as well as response measures. It also indicated that more time may be needed “as it is not a good message to Ministers if we technical people have failed” suggesting to have “two more days” if need be. “If we do not get a balanced package going forward then the whole COP meeting may be a question mark”, it cautioned that “in absence of a balanced package, we are not prepared for decision in Katowice”.

Ecuador said, to complement the G77 and China and the LMDC, it wanted to flag a couple of concerns with regard to Article 6 negotiations (on cooperative approaches), which are going in a “confusing manner”. One of key concerns was the “different use of brackets for Article 6.2, 6.4, 6.8” since there are “brackets within brackets” which is not a “conducive indication”. It urged to aim for what is “feasible and necessary” at this stage while a “large part of the complexity” can be left for later or next session. It nonetheless reported on the good progress with regard to work on the local communities and indigenous platform.

Following the intervention of Parties, **Paul Watkinson**, Chair of **SBSTA** gave the assurance that “we will deliver results which are balanced and comprehensive” and with a “state of texts as good as we can”, with the “smallest number of open questions.” This will then be sent to the COP for finalization, he explained further.

Emmanuel Dlamini, Chair of **SBI** also said that the end results must be across all items and across all bodies with “a balanced, comparable and coherent outcome”.

The new texts have started appearing on the UNFCCC portal morning of 7 Dec and Parties will be making their assessments on the way forward.