

Working document

[Section A - Preamble]

Version of 4 September 2015 at 17:00

Main observations:

- During the first facilitated group meeting on Monday, 31 August 2015, Parties highlighted the importance of the Preamble in framing the context of the draft Agreement. Many noted that preambles set underlying philosophy and serve as a tool for implementation. Most agreed that the Preamble to the draft Agreement should be concise, but many also emphasized that it should set out key ideas and critical issues. A number of Parties considered that a meaningful discussion on the preamble was premature. Others wanted to flesh out conceptual ideas already at this stage to be further considered in the light of the outcomes of the negotiations on their sections.
- There was a general feeling that it could also be premature to address the preambular language of Part II (draft Decision 1/CP.21) and that more clarity would be needed on the content of the possible draft Decision 1/CP.21 as well as on the number of other relevant decisions that may be adopted at COP 21.
- The Co-Facilitators noted that a range of preambular provisions reflected in Part III of the Co-Chairs' Tool were referred to by Parties in their interventions. With regard to some of those provisions, a certain convergence of views was emerging. The Co-Facilitators identified the following possible areas for consideration and consolidation in the informal consultations on Wednesday, 2 September 2015:
 1. Reference to the Convention: as a whole/ principles/objective (Part I, Pp1, Pp2; Part III, Pp1);
 2. Global nature and urgency of climate change (Part III, Pp8); IPCC AR5 (Part III, Pp9), Science (Part III, Pp10);
 3. Rio+20 Conference (Part III, Pp5), Post-2015 development agenda (Part III, Pp31); Sustainable social and economic development (Part III, Pp33);
 4. Equality, environmental integrity and rights (Part III, Pp30); Health (Part III, Pp34);
 5. Role of private sector in capacity-building (Part III, Pp28); Action by non-State actors (Part III, Pp32);
 6. Challenges faced by SIDS and LDCs (Part III, Pp29);
 7. Adaptation as a global challenge (Part III, Pp18), Relationship between adaptation and mitigation (Part III, Pp19), Relationship between adaptation, mitigation and loss and damage (Part III, Pp20), Loss and damage and adaptation (Part III, Pp21);
 8. Means of implementation (Part III, Pp25).
- During the informal consultations on Wednesday, 2 September 2015, Parties exchanged views on the content of the eight areas identified above. There were suggestions to further merge some of the areas. Some noted that negotiations on substantive sections could inform whether there is a need to address some of these issues in the preamble and, if so, how they could be framed. In this regard, issues related to the area of adaptation and the role of the private sector and non-State actors were identified as areas to revisit later in the context of the preamble.
- Parties agreed to further discuss the following five general areas with a view to further identifying key elements and any possible bridging or consolidating of provisions. The discussion also covered issues that individual parties or groups of Parties wished to address under each area:
 1. Reference to the Convention: as a whole/ principles/objective (Part I, Pp1, Pp2; Part III, Pp1) and Means of implementation (Part III, Pp25) (concepts such as references to the Convention as a whole, to its provisions, to the objective or principles (all or CBDR and historical responsibility, means of implementation), reference to the KP and/or COP decisions;

2. Global nature and urgency of climate change (Part III, Pp8), IPCC AR5 (Part III, Pp9), Science (Part III, Pp10) (concepts such as global nature and urgency, solidarity, need for action, wide cooperation, international response, urgency for developed countries to take the lead, science and IPCC);
 3. Rio+20 Conference (Part III, Pp5), Post-2015 development agenda (Part III, Pp31); Sustainable social and economic development (Part III, Pp33) (concepts such as social and economic development, 2030 Sustainable Development agenda, SDGs, linkage between climate change and sustainable development, equitable access to sustainable development, equity and growth of developing country emissions, access to resources);
 4. Equality, environmental integrity and rights (Part III, Pp30); and Health (Part III, Pp34) (concepts such as environmental integrity, ecosystems integrity, integrity of Mother Earth, gender, just transition, human rights, including indigenous peoples rights, health);
 5. Challenges faced by SIDS and LDCs (Part III, Pp29).
- The Co-Facilitators invited Parties to submit inputs and proposals aiming to identify bridging options or texts for consolidation of various elements within the five identified areas. A number of such inputs were received from Parties and were made available as a compilation on the session's web page.
 - Based on the discussions in the facilitated group and the inputs received, the Co-Facilitators prepared a Non-paper on elements of possible draft provisions addressing the five areas identified above.¹ The Non-paper contained Co-Facilitators' own attempts at demonstrating how some of the concepts discussed during the week could flow in a preambular language. The Non-paper does not reflect any particular views of a Party or a group of Parties, nor any consensus on the issues discussed and therefore has no formal status in the process and is attached here for information only.
 - The Co-Facilitators' Non-paper was made available for initial reactions by Parties at the facilitated group meeting on Friday afternoon. While a number of Parties thanked the Co-Facilitators for the effort, most Parties emphasized that the Non-paper did not reflect all the views of the Parties. Parties also noted that while the discussions on the elements of the Preamble during the session were constructive, they did not have time to fully explore all the elements. Some Parties noted that the elements discussed during the week, including areas addressed, should be carried forward to the next session.

¹ http://unfccc.int/files/bodies/awg/application/pdf/adp2-10_a_03aug2015_ip.pdf

ANNEX

Illustration of how some of the draft provisions for the Preamble of the draft agreement might flow

Non-Paper by Co-Facilitators

For information only

4 September 2015

The Parties to this [Agreement],

Being guided by the provisions of the Convention and, in particular, the principles set out in its Article 3,

Conscious that the global nature and urgency of climate change call for all Parties to demonstrate solidarity and cooperation and to provide for an effective and appropriate international response guided by the best available science, including assessment reports of the Intergovernmental Panel on Climate Change,

Recalling the outcomes of the Rio+20 Conference entitled “The future we want” [and the UN 2030 agenda for sustainable development],²

Recognizing that responses to climate change need to be coordinated with the goals of sustainable social and economic development in an integrated manner, taking into account the right to equitable access of developing countries, in particular the least developed countries, small island developing States and countries in Africa, to sustainable development, and to the achievement of economic growth, and poverty eradication,

Acknowledging that action to address climate change should take into account environmental integrity, the integrity of ecosystems and that of Mother Earth³, fully respect human rights⁴, the right to development, the rights of indigenous peoples⁵, gender equality and human health as well as promote a just transition of the workforce and the creation of decent work in accordance with nationally defined development priorities and strategies,

Taking full account of the specific needs and special situations of the least developed countries and small island developing States arising from adverse impacts of climate change.

[...any elements to be brought in at a later stage based on the outcomes of the negotiations on other sections]

Pursuant to the mandate adopted by decision 1/CP.17 of the Conference of the Parties to the Convention at its seventeenth meeting,

Have agreed as follows:

² Following the expected adoption of the 2030 agenda later in September 2015 precise language on the link between climate change and sustainable development could be further considered at ADP2.11.

³ Language from Decision 1/CP.18, paragraph 2.

⁴ Language from Decision 1/CP.16.

⁵ Language from, e.g., Decision 1/CP.16, paragraph 2 (c).