

## Reflections on progress made at the fifth part of the second session of the Ad Hoc Working Group on the Durban Platform for Enhanced Action

### Note by the Co-Chairs

7 July 2014

## I. Introduction

1. At the fifth part of the second session of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP), held on 4–15 June 2014 in Bonn, Germany, you:
  - (a) Further elaborated the elements for a draft negotiating text that the ADP has been mandated to prepare by the twentieth session of the Conference of the Parties (COP), to be held in Lima, Peru;
  - (b) Identified, including through the discussion of a draft decision, information that Parties will provide when communicating their intended nationally determined contributions (INDCs), as well as the process for the consideration of those contributions;
  - (c) Identified policy options and actions to enhance pre-2020 ambition through the workplan on enhancing mitigation ambition, and identified elements for a draft decision on pre-2020 ambition for consideration in Lima.
2. The work was conducted under the ADP contact group established in March 2014, which considered both workstreams. We are encouraged by the progress and appreciate the commitment of Parties to constructively engaging in formal, interactive and focused negotiations. However, a substantial amount of work remains ahead of us in order to arrive, within more or less the next nine months, at a draft legal text of the proposed agreement to be formally translated.
3. The work continues in accordance with the agreed core principles, namely:
  - (a) That the process is Party-driven;
  - (b) That the process is built upon inputs from Parties;
  - (c) That any outputs of the process will reflect such inputs from Parties.
4. We sought your guidance during the session on how best to intensify the negotiations and undertook at the closing plenary to prepare the following inputs for our next session:
  - (a) This reflections note;
  - (b) A non-paper presenting Parties' views and proposals on the elements for a draft negotiating text in bullet point format;<sup>1</sup>
  - (c) A revised draft decision on information that Parties will provide when communicating their INDCs;<sup>2</sup>
  - (d) A draft decision on advancing the workplan on enhancing mitigation ambition.<sup>3</sup>
5. The above-listed inputs will be made available in conjunction with this note. They summarize our understanding of what you have elaborated and proposed in our negotiations. They aim to facilitate understanding of the issues and the options that you have put on the table. We have tried to be inclusive and comprehensive, and we encourage you to alert us if important ideas of proposals have not been reflected.
6. Along with our reflections on the work at our last session, the sections below provide additional information on the products and suggestions on how you may wish to use them. Closer to the October meeting we will issue a scenario note with suggestions on how to organize the work at our next meeting.

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<sup>1</sup> ADP.2014.6.NonPaper.

<sup>2</sup> ADP.2014.7.DraftText.

<sup>3</sup> ADP.2014.8.DraftText.

## II. Work towards the 2015 agreement

7. At the contact group meetings on the elements of the 2015 agreement, Parties conducted negotiations on all of the matters identified in paragraph 5 of decision 1/CP.17, as well as related issues such as assessment and review of INDCs and compliance. Parties also considered the overall functioning of the agreement, including future cycles of contributions and commitments, and discussed the structure of the agreement and the broader outcome of COP 21. Parties clarified their views and submitted a wealth of material to help their negotiating partners understand their positions, bringing many further elaborations of the elements to the table.
8. There is now greater clarity on the way forward on many of the substantive areas and progress has been made towards identifying a limited number of political choices that need to be made for a successful agreement in 2015.
9. Parties reaffirmed that they will submit their INDCs in accordance with their national circumstances, clarified that the concept of INDCs includes, but is not limited to, mitigation, and considered how contributions relating to other elements of the 2015 agreement could be formulated.
10. We have heard support for the 2015 agreement providing a strong direction for the long-term to mitigation, as well as to other areas. For example, Parties have started to define with more precision how the global and collective aspects of adaptation will be addressed and how they relate to individual Parties' action on adaptation. Parties clearly wish to give equal importance to mitigation and adaptation, and are now exploring ways to reflect that intent.
11. On finance, there is convergence on the idea that the existing financial mechanism will play a key role in the new agreement and that Parties are interested in considering enhancements to it, including guidance for its future operation post-2020. Similarly, there is strong interest in providing a key role for a strengthened Technology Mechanism and in considering which arrangements are most suitable to strengthen capacity-building to enable the effective implementation of the 2015 agreement. Parties also want to see a transparency system which will build on existing arrangements and while accommodating its on-going development and evolution.
12. Many of the politically significant and long-term aspects of the 2015 agreement were discussed during the High-level Ministerial Dialogue on the Durban Platform for Enhanced Action, which took place during the session. As highlighted in the summary conclusions by the Co-Chairs of the dialogue,<sup>4</sup> the dialogue confirmed that the agreement should be applicable to all Parties, be based on nationally determined contributions as well as science, and cover all of the essential building blocks. The agreement should respect the principles of the Convention, allow flexibility and define approaches to reviewing existing commitments. Ministers considered trust and confidence-building to be essential and identified the Secretary-General's Summit, the initial resource mobilisation of the Green Climate Fund (GCF), and the implementation of existing commitments as important opportunities for enhancing that trust and confidence.
13. Building on the strong substantive progress made in June, the October session is a window of opportunity not to be missed to deepen negotiations in relation to both the elements for a draft negotiating text and information on INDCs. In October we have the benefit of an ADP-only meeting which we must use to its full potential, whereas in Lima we will work within the limitations of a full session of the COP and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol.
14. On this workstream at the October session, we think that it will be important to:
  - (a) Further advance the elements for a draft negotiating text;
  - (b) Conclude the draft decision on information on INDCs in a form that can be ready for submission to the COP for adoption in Lima.
15. As mentioned above, we have prepared a non-paper containing bullet points describing Parties' views, proposals and possible solutions, which were derived from Parties' statements, submissions and other inputs, including conference room papers, in relation to the elements for a draft negotiating text.
16. The bullet points of the non-paper reflect many important substantive challenges that we need to overcome. These include clarifying:

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<sup>4</sup>Available at:

<[http://unfccc.int/files/meetings/bonn\\_jun\\_2014/in-session/application/pdf/140610\\_dp\\_ministerial\\_summary\\_final.pdf](http://unfccc.int/files/meetings/bonn_jun_2014/in-session/application/pdf/140610_dp_ministerial_summary_final.pdf)>.

- (a) The mitigation aspects of the 2015 agreement, in particular identifying the long-term aspects of mitigation as well as ways to assess the aggregate level of ambition and ensure that we stay on track to a low-carbon and climate-resilient world. Proposals made by Parties for this challenge are reflected in lines 78–115 of the non-paper;
- (b) How would a global goal for adaptation be formulated, how would it function, and how would it relate to other aspects of the agreement, including contributions/commitments. Proposals made for this challenge are reflected in lines 148–180 of the non-paper;
- (c) The ways to reflect finance in the 2015 agreement, including issues referring to scope, nature and sources. Proposals made for this challenge are reflected in lines 304–330 of the non-paper;
- (d) What the agreement can do to strengthen enabling environments and remove barriers on technology development and transfer. Proposals made for this challenge are reflected in lines 432–441 of the non-paper;
- (e) What institutional arrangements can strengthen the provision of finance, technology, and capacity-building support, how existing institutions can be made fit for purpose in the post-2020 period, and how they function in relationship with each other. Proposals made for finance are reflected in lines 353–376; for technology in lines 400–430 and 453–455 and; for capacity-building in lines 495–500 and 510–512, of the non-paper;
- (f) How to build on existing transparency arrangements, in particular how transparency arrangements could be tailored to the needs of the new agreement and to the contributions/commitments Parties under the 2015 agreement, including strengthening MRV of support. Proposals made for this challenge are reflected in lines 539–543, 552–569 and 608–612 of the non-paper;
- (g) The rules, arrangements and mechanisms that will be put in place to facilitate and help Parties to strengthen their INDCs, including a longer-term cycle of contributions (see also paras. 21–23 and annex below). Proposals made for this challenge are reflected in section IX of the non-paper.

17. In our view, addressing these challenges is critical to advancing our work. In addition to the above, we would consider it useful to continue the discussion started in June on the structure of the 2015 agreement and the broader outcome of COP 21, without prejudice to the final form of the agreement.

18. We invite you to reflect on these and other questions, and consult among and between yourselves and your grouping over the coming three months before we meet again. Clearly there are many other challenges on the table and it is up to you to decide which you prefer to focus on. As agreed in Doha, this process is always open to inputs from Parties and observer organizations.<sup>5</sup>

19. A very specific challenge given to us by the COP in Warsaw was to identify the information that Parties will provide when putting forward their INDCs. To take this issue forward, and taking into account the negotiations on this issue in June, we have also prepared a revised draft decision, which focuses on the information and possible ways of considering that information in 2015. The draft decision reflects the main options and the political choices to be made and does not prejudice the scope, form or legal nature of the contributions, which are also important aspects that require attention.

20. The importance of reaching further clarity by Lima on INDCs was underlined during the High-level Ministerial Dialogue, where, according to the summary conclusions by the Co-Chairs of the dialogue, many participants highlighted challenges related to the domestic preparation of INDCs and many asked for guidance from the COP on the scope and type of information to be prepared, as well as on the process for the consideration of INDCs.

21. In June we started to look beyond 2015 and had a useful discussion on the process for considering contributions under the new agreement in the medium and long terms. We see this aspect as very central to our work and believe that further clarity on it will help other things, such as national preparations, move forward. A number of Parties have made proposals for a cycle of contributions. Many proposals relate to individual parts of a cycle, but we also discussed the cycle as a whole. Now we think that it would be useful to continue exploring how the various proposals can be combined into a coherent whole, and where common ground could be found in relation to those proposals.

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<sup>5</sup> See paragraph 22 of document FCCC/ADP/2012/3.

22. We have prepared the graph contained in the annex to reflect our understanding of Parties' proposals of the main ideas for a cycle of contributions, including different timelines, as well as relevant context. It is intended to enhance clarity, trigger further thinking and assist you in your preparations.
23. We encourage you to give thought to this issue prior to our next meeting so that we can have an in-depth exchange on the matter, including on the following issues:
- (a) Many Parties have suggested e.g. a mid-term review, regular assessment of overall progress, different ways to understand and enhance contributions/commitments, or different types of ex post assessment. It is important to clarify the nature and basis of the different reviews, what they would focus on and what inputs would feed into them. In that context distinction needs to be made between reviews looking at individual Parties on the one hand and reviews of collective progress on the other;
  - (b) There is also a need to consider how the timelines for the different activities align. For instance, in the 10-year cycle, it has been suggested to assess compliance at the end of the period. However, it is likely that a compliance assessment can only begin some years after the end of the period once the emission data is available;
  - (c) The purpose and timing of *ex ante* and *ex post* consideration of INDCs, in particular how this relates to existing assessment processes, such as the transparency framework developed under the Bali Road Map, and whether the existing transparency framework should continue alongside any new provisions or would have to be adapted accordingly;
  - (d) A number of Parties have expressed interest in better synchronization of the cycle of contributions with the IPCC process. Parties may wish to explore further whether and how such synchronization could be arranged;
  - (e) You may also want to reflect on the potential administrative, human resources and financial implications of any new future process.

### III. Pre-2020 ambition

24. The contact group provided further thoughts on ways to accelerate the full implementation of the decisions constituting the agreed outcome pursuant to decision 1/CP.13, as well as to enhance ambition in the pre-2020 period in order to ensure the highest possible mitigation efforts under the Convention by all Parties, and on the means of following up on the actions and policy options identified at the TEMs.
25. Many Parties called for the acceleration of the implementation of the agreed outcome pursuant to the Bali Road Map and for a stronger political commitment to building trust and confidence in order to provide a foundation for successful outcomes at COP 20 and COP 21. The operationalization of the GCF is a step forward and urgent initial resource mobilization by COP 20 would send an important signal.
26. On pre-2020 ambition, Parties advanced the work in the contact group, in a forum on experiences and best practices of cities and subnational authorities in relation to adaptation and mitigation, as well as in technical expert meetings (TEMs) on urban environments and on land-use.
27. We have heard strong support for the TEMs. In particular, we note the strong interest in continuing them beyond COP 20 and COP 21 to inspire Parties to increase their ambition in line with having a likely chance of holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels and assist in developing ways to overcome identified barriers to action. We also heard many specific and useful suggestions for strengthening the technical examination process, including through more focused and interactive dialogue, provision of regularly updated information on policy options on the UNFCCC website, greater interaction with political processes to provide momentum, as well as increased focus on country- and region-specific barriers and incentives. In this regard, we note the strong calls for taking stock of progress made in Lima and taking this effort to the next level.
28. The High-level Ministerial Dialogue also addressed pre-2020 ambition. The discussions demonstrated that deep concerns remain about the significant gap between the aggregate effect of pledges and pathways consistent with having a likely chance of holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels. Yet, many expressed commitment to the full implementation of the pledges and highlighted additional national and multilateral actions. A number of Parties outlined their expectations for overachieving the pledges made for 2020. In addition, ministers identified areas of action, such as REDD-plus,

short-lived climate pollutants and cooperation with non-state actors. In this context, many Parties have called for a platform for ministerial engagement on the workplan on enhanced mitigation action starting in Lima, building, *inter alia*, on the progress made through the TEM process.

29. Areas that require further deliberation include:

- (a) How to take forward policies, practices and technologies that can enhance ambition by Parties that best fit their national circumstances?
- (b) How to assist Parties, in particular developing country Parties, in addressing barriers and challenges in implementation of these policies, practices and technologies, and ways to overcome these barriers?
- (c) How to provide incentives to Parties that have not yet communicated a quantified economy-wide emission reduction target or nationally appropriate mitigation action, as applicable, to do so as a matter of highest priority?
- (d) How the UNFCCC process can assist Parties by catalysing implementation of action and enhancing their ambition through further engagement of the bodies established under the Convention, specialized technical organizations, partnerships and observers?
- (e) What will implementation of work plan on enhancing mitigation ambition entail in 2015 and beyond?

30. Regarding the inputs to our meeting in October, we have prepared a draft decision for Lima on advancing the work programme on enhancing pre-2020 ambition. The decision focuses on how to capture in Lima the results of the ADP workstream 2 in 2014, including the TEMs and how the work plan to enhance mitigation ambition can be strengthened in 2015.

31. The draft decision emanates from the discussions and negotiations that took place in the March and June sessions of the ADP and reflects the recognition by Parties that work under workstream 2, so far in 2014, has facilitated an in-depth engagement of Parties and other stakeholders in thematic areas with high mitigation potential. The draft decision contains, *inter alia*, provisions for:

- (a) Means of assessing the implementation of paragraphs 3 and 4 of decision 1/CP.19;
- (b) Recognition of progress made in 2014 and further guidance from Parties on the way forward with regards to implementation of the work programme on enhancing mitigation ambition;
- (c) Guidance to UNFCCC institutions in providing enhanced support to developing country Parties in implementation of appropriate good practice policy options in areas of high mitigation potential;
- (d) Possible ways forward in 2015 and beyond to facilitate implementation of the work plan on enhancing mitigation ambition, including through continued organization of technical expert meetings.

32. At the October session we need to build on the strong progress made in June. There will be opportunities to consider ways to accelerate the full implementation of the decisions constituting the agreed outcome pursuant to decision 1/CP.13, as well as to enhance ambition in the pre-2020 period in order to ensure the highest possible mitigation efforts under the Convention by all Parties. We plan to hold TEMs on action on non-carbon-dioxide greenhouse gases and on carbon capture, use and storage. We also plan to provide the necessary time during the ADP session in October to allow for appropriate follow-up on the TEMs already launched.

33. We also note the critical importance of intersessional follow-up to ensure the success of the TEMs and further note that the secretariat was encouraged to facilitate follow-up actions arising from the TEMs in collaboration with relevant UNFCCC institutions, international organizations and initiatives. As mandated, the secretariat will update by the session in Lima the technical paper on mitigation ambition to reflect the exchange in June and will make the content of the technical paper available in an interactive format on the UNFCCC website.

34. Also, we would like to continue to engage intersessionally with the existing relevant UNFCCC institutions namely the Technology Mechanism consisting of the Technology Executive Committee (TEC) and the Climate Technology Centre and Network (CTCN), as well as the Green Climate Fund (GCF), in line with their respective mandates, in assisting countries in scaling up the deployment of renewables and energy efficiency policies, initiatives and actions. We would like to also engage them in the areas of land use and action by cities, as areas that were discussed at the TEMs during the June session of ADP.

35. We have requested the secretariat to take a more active role in facilitating these follow-up actions, by liaising with the relevant institutions and stakeholders and to continue to make information available on the UNFCCC website on how Parties can access international organizations and resources.

#### **IV. Other matters**

36. In addition to the substantive challenges described above, another important issue we need to consider in October that relates to our work as a whole is the negotiating time that will be required in 2015, including the need for any additional meeting time. This is necessary in order to give Parties and the secretariat sufficient time to undertake the necessary preparations. Two particular milestones in the first half of 2015 will be (i) the submission of INDCs during the first quarter 2015 and (ii) the preparation of a fully elaborated legal text of the agreement six months ahead of COP 21 in Paris, to be held at the beginning of December 2015. Given the many meetings that are likely to take place next year in our process and outside of it, there is a need to determine dates and book facilities as early as possible. In particular, if a decision on an additional session to take place in the first half of 2015 is taken in Lima, the secretariat may not be in a position to guarantee that funding and/or facilities can be arranged.

37. We would like to reiterate our encouragement for you to make submissions well in advance of the next session. This will greatly facilitate the preparation and planning of the session.

38. We also encourage you to visit the Co-Chairs' corner on the ADP website which is a vehicle for communication with you and contains further details on our activities.

39. It would be advantageous if you could engage with each other intersessionally to build common views around key issues, including those suggested in paragraph 16 above, and develop those into concrete proposals. In this regards, it would be particularly important that you start moving into a bridge-building mode and reach out to those who hold different views.

## Annex

### Suggestions and context for a cycle of contributions

This graph attempts to illustrate the main suggestions by Parties for a cycle of contributions in 2015-2030, and provides context by identifying relevant existing processes that have been put in place by past decisions. This is without prejudice to any future decisions that might affect the character or timing of such processes.

