

Agenda Item 8b
Wed, Nov 8th, 2017
17:00-18:00, Nairobi 1/2/3
(actual time: 17:15-18:15)
Note taker: Mariah Shriner

Co-chair:

Second meeting of Agenda item #8 -- "last minute shift" in time of meeting, following yesterday's mistake where most finance experts weren't able to make it due to scheduling conflicts.

Announcements:

- APA stock taking group tomorrow afternoon
- This meeting doesn't clash with any finance or budget-related meetings
- Measures taken to improve communication flows
 - Secretariat and co-chairs have reached out to parties directly, including about the topics addressed in each meeting
 - They've also raised concerns with the bureau, president, etc about these clashes
 - Bureau had identified a path forward on time management. Parties will be informed about this
- For APA Agenda item 8(b): five possible additional matters to be discussed
- If party level representation is not possible at these meetings, parties are urged to make an effort to have group and/or constituency representatives

Questions:

- There are questions identified in the last meeting, which are contained in a note published on the UNFCCC website by the Secretariat yesterday (posted on screen but hopefully people have already read)
- All questions posed by co-chairs have no formal status and are only to facilitate discussions

Recap of yesterday, summary of positions thus far:

Some parties are of the opinion that these issues are not being addressed by the COP under item 10(f) -- that modalities of such communication are not included in Article 9, Paragraph 5 of the Paris Agreement (thus forward referred to as Article 9.5) -- but that COP could have a mandate to undertake this.

Other parties are of the view that Agenda item 10(f) is the forum in which to deal with all issues relating to Article 9.5

Projections on the screen:

APA 1-4 Agenda item 8(a): Co-Chairs' questions

- a. *Is preparatory work on this matter currently being undertaken? If so, where?*
- b. *If there is no preparatory work being undertaken on this matter, is preparatory work required, and if so, by which body?*
- c. *What should be the time frame for completion of this work?*

Modalities for biennially communicating finance information on the provision of public financial resources to developing countries in accordance with Article 9, paragraph 5 of the Paris Agreement: Additional questions:

1. *What are those specific additional procedural matters concerning Article 9, paragraph, that are not being addressed by the COP under its agenda item 10(f)?*
2. *What is the appropriate forum for considering these additional procedural matters?*

Philippines:

- Unable to attend meeting yesterday
- There is work being undertaken on these issues already related to long term financing
- Developing countries are asking for contributions from developed countries and “we want them to have a quantitative pathway to scale that finance given a series of parameters” (looking at foundations from before the Paris Agreement (PA) as well.
- PA says that long-term finance decision falls within the COP mandate and that Article 9.5 very clearly sets this forth. Additional paragraphs (1, 3?) also relate
- This work should be based in existing processes and moved forward from there
 - Shouldn't do preparatory work, can go farther if building on existing processes
 - Recognizes timeframe (of until 2018)
- Under Article 9.5, modalities discussed relating to finance are only one needed component
- The APA is the forum for additional work

Canada:

- Decision 1 of COP21 clearly set a path forward on this agenda item and issue as agreed in Paris
- APA and other subsidiary bodies are already very busy with overloaded agendas (parties already expressing concern about this), compromising ability to cover all existing items
- It is not to their advantage to add new items duplicating work from other agenda times
- Canada is not neglecting to understand the concerns being raised by some countries on issues they feel might not be being discussed to their satisfaction. But this discussion can happen within existing COP agenda item (within the bounds of the guidance of PA and Decision 1 COP21)
- Existing COP = forum for discussion

European Union:

- Article 9.5 has high importance
- 10(f) is the article that deals with this -- other articles don't deal with this
- Process question

Colombia:

- Brief intervention to highlight that they're already advancing under COP on this issue - need to continue this work. Best way to proceed for fruitful discussion (continue under current discussions)

South Africa:

- This is the second attempt at addressing this issue. African people would like to get clarity on whether the understanding reached during the contact group (when discussions were undertaken) will be recognized
 - A number of parties discussed and reached agreement (on proposal set forth by China) -- wants to ensure that this is the understanding that will take place

Answer from co-chair:

- Produced iterations of informal notes from May session on both subjects on agenda. Can do the same and produce informal note(s) on each of the five remaining additional matters

South Africa:

- Appreciate the co-chairs views on Agenda item 8 and the questions they've provided
- Proposal by China was specific on this agenda item
- When it comes to future discussion on this topic, will all viewpoints be captured? Need to reflect on other matters as well but have specific manner to address agenda item 8b

Co-chair:

- Will recall in contact group. Will address issue on informal contact groups
- Comments on proposal by China?

(Pause while no one responds)

South Africa:

- It was a motion put forth by a party and supported by two other parties in the contact group. No objection was made when the proposal was brought forth. By procedures of the convention, this motion would then be accepted as an amendment of the proposal
- Find it odd that with this doesn't seem to be the case

Co-chair:

- Correct that no one spoke to object to China's proposal -- however, it was actually a lack of objections to the motion being taken up in the broader group

Australia:

- Commented on this issue but wants to provide clarification on their position
- The work discussed was agreed upon in the contact group (supporting South Africa), but did not agree based on an understanding that they were negotiating the amount of work. If they'd understood that, they would have noted that they didn't support the proposal
- Do not support the proposal (by China)
- This (Agenda item 8) is a matter of process, not a matter of substance. COP is fulfilling the mandate provided by Decision 1 of COP 21 and decision from Marrakesh last year

South Africa:

- Review of the content of earlier discussions, repeating earlier points re:contact group events

Co-chair:

- Impossible to reach a decision at this point so making note of what was said and suggesting pick up that discussion later
- Seeks to move on with speakers list

Japan:

- Echo statement made by Canada and European Union
 - Article 9.5 clearly stated
- Based on this mandate, work has been undertaken by COP
- Modalities for communication are outside this mandate -- not necessary to address

USA:

- Made brief remarks yesterday re: Article 9.5
 - Matters to be taken up under Article 9.5 are under 10(f), which was agreed upon by parties in the PA (part of compromise)

India:

- Supports the views made by G77 coordinator
- Article 9.5 expected to provide security of flows to developing countries re: climate action finances, it's very clear on this issue. Needs to be ensured

Norway:

- Re:contact group issue -- a decision was not made on the proposal. They didn't voice object because they felt it would be handled in a good manner and discussed further down the road
 - Objecting now (same as Australia)
 - Would have expected very explicit communication if a decision was being made
- Re:work -- covered by 10(f)
 - With modalities, going into detail in addition to the language of paragraph 5(??).
 - Not warranted to expand scope of work set forth

China:

- Won't speak on the matter of their own proposal (proceeds to speak on proposal)
- During contact group, made a proposal -- it was already taken note of and taken up. The understanding is that the co-chair agreed to their proposal.
 - This is the understanding of the developed countries. It was agreed upon by developed countries and is now facing a challenge
- Why they made the proposal:
 - Even though they realize there's an agenda item under the COP to address it, it's very difficult to make any progress. This would ensure a coordinated and coherent approach
 - Want substantive discussions on the matter, would allow parties to produce notes
 - Seems very reasonable to request, in line with other issues being approached
 - If you look at discussion and COP on this matter → no progress, no material, no note, no document... This is a risk and why they raised the proposal
 - Allow for balanced treatment across on all items

Co-chair:

- Co-chairs are responsible for APA not comparable progress across all items across PA. Working within mandate. Gives their assurance that they will write up note about these discussions

Egypt:

- Two items to discuss: substance and procedure
- People seem to be forgetting that Article 9.5 is part of the PA, have to cover it
- Must be part of outcome of discussions and elements -- core and important element of PA
- Preparatory work is not being undertaken anywhere
- Can't say Article 9.5 doesn't fit into outcome of Paris rulebook, Article 9.5 = core element in PA for transparency, compliance -- mandate of APA
- Modalities
- Procedure - contact groups are where decisions are made (same understanding as South Africa), not just substantive discussions leading to further discussion in formal sessions. This is now a procedural discussion. Shouldn't revisit what was agreed upon already
 - Debate about differences and/or similarities between contact groups and informal consultations

Ecuador:

- Address comments being made with regards to financial information -- information and modalities
 - Being discussed elsewhere too. Similar to info presented in CTFs.
 - Info: includes categories of data (numbers, sectors, etc)
 - Modalities: include underlying information, discussions, etc
 - Renders info preparable and agregable
 - If don't discuss modalities, will only have info without discussion of methodologies, etc. Good learning exercise but difficult to compare info.
 - Have heard opposing arguments saying there's no mandate to discuss modalities in 10(f), that 10(f) is only about process to identify info. But modalities not being discussed anywhere and need to discuss somewhere

("Can have five additional speakers if they each speak for 30 seconds")

European Union:

- Agenda item #8 is a procedural issue
- Support the points made by Australia and the USA

South Africa:

- The debate re:proposal is within procedure and, being fair to process, it is important to hear a response by the secretariat to the issue raised by Egypt
- The framing of the co-chairs' questions (based on discussions from yesterday) focuses on procedure but the Africa group talked about modalities -- very different concepts. Like what colleague from Ecuador said. Lack of political will present
- Yesterday, Africa group presented substantive views of the parties and feel that that co-chair isn't reflecting those views she doesn't agree with. Must be sure to include
- Will publish something re: the above mentioned views

Georgia:

- Article 9.5 is important
- Want to follow that negotiation of 10(f)
- Want to cover this issue but oppose additional time because their delegation can't commit it
- They're a developing country but align themselves with Australia, EU, and USA

Philippines:

- Question is whether COP is prepared to follow-up with action on PA
- They represent their developing country colleagues -- a substantive process is needed

Japan:

- They support the interpretation in the APA contact group plenary

Egypt:

- Still waiting for an answer to their 2nd question (earlier in meeting)
- The procedures are not up for interpretation

Co-chair:

- Will continue this discussion later -- discussions of Article 9.5 on Friday
- APA stock taking contact group tomorrow afternoon