

APA Informal Meeting on Agenda Item 3

Goals of Informal Meeting on Agenda Item 3:

- Features of nationally determined contributions, as specified in paragraph 26
- Information to facilitate clarity, transparency and understanding of nationally determined contributions, as specified in paragraph 28
- Accounting for Parties' nationally determined contributions, as specified in paragraph 31

Report from the Round Table

- Need to accelerate progress in the coming year
- Need to start focusing on making a skeleton outline or having headings with relevant content
 - Capture work from informal meetings in informal notes
 - Would like to be in an iterative and transparent way
 - Guidance should be useful, politically accessible, not leading to renegotiating of Paris
- Finish by COP24, accounting for national characteristics
- Should focus on developing guidance

Questions from Round Table

- How to define features
 - In PA
 - Different views as to what qualifies a feature (national determination key)
 - Parties have different views on scope, differentiation, quantification of information
- Information
 - Tool to support NDC preparation and clarity in understanding NDCs
 - Diversifying views in reflecting info, application of guidance, and quantification of information
 - Different levels of circumstances → targeted capacity-building activities
 - Notion of flexibility (information could be improved over time)
- Accounting
 - Guidance should be practical and simple
 - Need to avoid double counting
 - Consistency in baselines and coverage
 - Strongly held views in differentiation and quantification of information
 - Not about units but about providing clarity in how parties deliver on NDCs
 - Requirements should be flexible and less demanding for developing countries

Comments from the Round Table

New Zealand

- Hopeful to continue in the good spirits seen at the round table

China (LMDC)

- We have a focused problem and can elaborate views in a constructive manner
- Already have a non-paper
 - BUT have to be pragmatic, still divergence among parties
 - Questions to be addressed:
 - How many details do we want in guidance?
 - Some countries need this guidance to make future NDCs. Can provide a clear framework to domestic actors
 - Or, do we not need a prescriptive framework that's going to be overly burdensome for countries. International guidance isn't a driver of domestic action.
 - Will parties have to change their current NDC to align with the guidance created or will countries have the option of doing so?
 - Is this guidance legally binding or just a wishing list/shopping list for countries to choose from depending on their national circumstances and capacity?
 - Will guidance be enforced?
 - All countries are at a different starting point
 - Guidance can't prevent developing countries from producing their highest realistic NDC

Switzerland

- Could co-facilitators send their notes they read about the round paper?
- Questions raised by China are good and need to be addressed
 - Paris isn't about putting pressure on parties to make goals they can't meet

Marshall Islands (AOSIS)

- Non paper is a good summary/place to start work
- Agree with China
 - Guidance developed can't be too burdensome especially on countries with least capacity to implement them
 - Importance of capacity-building
 - Developing countries can't be expected to get it right the first time → need additional time
 - BUT need to produce further guidance and a no-text option isn't an option
 - Synthesis report is a good start for text
- Vulnerable countries need time to comply fully with gold-plated standards, but also aware that tasked with completing this by the end of COP24

EU

- Roundtable not as interactive as it could have been
 - Like a swan peddling furiously under the water, but not going anywhere
- Roundtable didn't solve any of the issues discussed, but raised awareness of important points
- Parties ready to start discussions re: accounting

Norway

- Non paper's a useful input
- Timing of applications is important

- Can't set countries up for failure
 - Must be easy to track and account for progress
- Guidance decided should be to assist countries and not to burden them
 - Will discuss detail
 - Should help countries in making clear targets, which is helpful for countries domestically
- Capacity building is incredibly important
- Shouldn't aim to get everything right the first time
- Need to have a dialogue that doesn't deviate from PA and that fulfills mandate

Brazil

- Round table didn't bring much innovation in moving forward towards the text
 - Rather, just brought about issues that will complicate negotiations
- Want to leave COP23 with a text we can work upon and will be the basis for textual negotiations in 2018
- Will be a better use of their time if informal note can lead to text
- Haven't had a proper discussion on the structure
 - Will this be 1,2, or 3 decisions?
 - Will guidance take same approach for each of the sub items?
 - Should/shall/may?
 - Everything voluntary?
 - General list of elements?
 - Each sub item needs a different approach, level of detail, way to reflect
 - Can't work on elements/bullets without having a discussion on the structure

China (LMDC)

- Can't endorse all of the suggestions made by other countries, but do want progress
- Bifurcation and target issues
 - Scope issue and how to reflect differentiation
 - In the existing approach, there's no bifurcation approach
 - Bifurcation and differentiation issue deserves discussion
 - "Tracking targets" – this isn't a discussion on transparency
 - If it is, could have a joint conversation with transparency co-facilitators
 - *NDCs are comprehensive* and not target-based
 - NDC should include mitigation and adaptation
 - Mitigation targets are an important part, but by no means the whole thing
- "Purpose of guidance is to assist parties in communicating NDCs"
 - Agree, but that's not helpful for developing countries in how to communicate NDCs
 - Seems like a name-and-shame for developing countries and may prevent them for providing their highest possible NDC the first time
- Re: Brazil
 - Need to consolidate elements for a text, specific structure can be decided later
 - Bullet points should be discussed further
 - Bullet points being elaborated → more prescriptive rules → China not ok with that (too burdensome for developing countries)

- Could have 2 options – 1) very detailed list 2) bullets with general information, specific information for developed countries, specific information for developing countries and parties can choose which items to select

Co-Facilitators

- Organization of session:
 - Expected to finalize work by 1pm Tuesday, Nov. 14
 - Closing contact group that afternoon
 - APA closing plenary on Nov. 15
 - 6 one-hour slots to work (5 remaining)
- Co-facilitators had bilateral talks with parties yesterday
 - Heard diverging viewpoints on guidance and how to make progress on the agenda item
 - Mandated to provide an informal note to capture work
 - Countries need to discuss their viewpoints with one another
 - Find out if terms are compatible and if ideas converge or divergence

Mexico

- Range between having too-detailed of guidance and extremely vague
- Want to have useful guidance that helps countries communicate with each other
 - Goal is to assist countries that need guidance on how to prepare NDCs
- Move to make discussions more detailed and practical – not theoretical
 - Need to discuss structure of guidance
 - Moving to this discussion would be helpful
- Be aware of special circumstances
 - Developing countries would like more assistance in how to shape their NDCs
 - Would like guidance to be substantive to make clear NDCs

India

- Working on guidance and not prescriptions
 - Goal is to help countries
 - Respect different capacities, not superimpose a structure upon countries
 - Differentiation is recognized in the PA
 - Still general unwillingness to operationalize this difference in capacities
- Non paper provides a good start
 - Next step is to list out all the options that countries currently have in order to arrive at concrete options in subheadings
 - One part for developed and one part for developing countries
- Must allow countries to have flexibility in how they design and communicate their NDCs
- India has made strides in energy market – not just because they've communicated targets, but because they've taken action

Colombia (AILAC)

- Excited to actually start work
- Even though we've been discussing a lot and have a better understanding of what should be in guidance, we only have 5 hours left.
- LNDC's concerns are valid and potentially should be discussed in an informal setting
- Have many submissions already, so ready to start talking about a text
 - Can talk about structure at the end of the week

- Discussions amongst parties are the best way to do this

PNG

- Would like a process to begin moving forward
- Understand that parties are uncomfortable with some of the very specific issues
 - PNG has specific issues
- More constructive dialogue would allow countries to explain why they put different things in their proposal
 - Can have multiple, complementary proposals
- Of course there is the need for guidance, but where will that guidance come from
- Agree with Brazil and views by China and Columbia

Canada

- Should the guidance be mandatory or optional?
 - Information necessary for clarity and transparency is already mandatory under Article 4.8
 - But what info is necessary? – only have paragraph 27
 - Guidance here shouldn't impose any additional burden beyond those from Article 4.8
 - Don't believe guidance should constrain countries in making certain NDCs or hierarchy of types of NDCs
 - Consistent with national determination of NDCs and PA
- Approach going forward?
 - Look at pieces common to NDCs today and what specific info could help those pieces
 - Annex to the non-paper may help that
 - Focus on pieces now
- Level of detail in guidance?
 - Guidance doesn't need to be that detailed
 - Most NDCs don't need much more info
- Timing of application?
 - Guidance should not be retroactive
 - Shouldn't be trying to defend or protect current NDCs
 - Should think back to process of preparing NDCs and can think about problems and solutions to help shape future NDCs

Japan

- Guidance with substantive content shouldn't impose additional burdens
- First look at technical elements and then how it will be applied to parties

Iran

- Don't need to repeat what was said at the roundtable
- Either need to reach a conclusion next year or this will be a waste of our time
- Have a non-paper and informal note
 - Some elements are there, but countries have said that they desire more
 - Dialogue will be helpful
- Brazil and China proposed useful ways to reach an agreement

Australia

- Re: Detail and prescription
 - Agree with Mexico → range of options in submissions and round table
 - Somewhere between guidance that's too constraining and guidance that's such high level it's unhelpful
- What technical problems do countries need to be addressed?
- Guidance not intended to humiliate
 - But peer pressure can be helpful
- Philosophy of guidance
 - Not prescriptive principles and expectations
 - Providing parties guidance for how they can express that they've done it
 - Maintaining consistency
 - Shouldn't be constraining countries' policy options
 - Would like to hear what parts countries believe are too prescriptive or too vague
 - Can answer even if you believe structure should be discussed first
- When does it apply?
 - Support Brazil
 - Don't prejudge applicability or structure while still understanding what's practical

EU

- Structure v. process is the question
- Modes of working
 - EU would support informal settings that are open and visible
- Approach suggested by APA co-chairs
 - Mandate here is to develop guidance
- Some parties can't accept prescriptive guidance designed for all countries
 - EU agrees – doesn't support one size fits all
 - Think about national capacity and national characteristics
- How to discuss substance?
 - Move forward, not backwards—but right now we're just standing still
- Capturing substance?
 - Skeleton framework
- Structure?
 - Re: Brazil
 - Would prefer 3 decisions
 - Could be 1 decision with separate annexes on the different sections
 - Want a decision framework that provides a separate mandate on the different features from Paris
 - Flexible on the form, but 3 sections shouldn't be combined under another APA agenda item
- Substance?
 - We need to agree on guidance by 2018
 - Recognize it'll contain things the EU doesn't like
 - Bifurcated guidance is counter to the EU's goals and doesn't follow the PA

Brazil

- Re: China

- Agree we're not in a position to agree on any structure
- Suggestion made is simply to focus on task ahead of us and that's not to develop guidance yet
 - Rather to have a document that allows for the next section to further develop guidance
- Would be helpful to shorten the number of bullets
 - But to move into bullets, need to layout different options for structures/bullets
 - Tell countries their views aren't off the table

Switzerland

- Want useful/helpful guidance
 - Will require some areas to be more specific and others less
 - Different capacities are clearly reflected in the PA as is importance of flexibility
 - Bifurcation clearly doesn't reflect different capacities or follow PA
- Different NDCs may need different guidance
 - Can have type specific guidance for NDCs
- No one wants to humiliate anyone
 - If a country adopts and ratifies a document, they must not see it as humiliating
- Article 4.8 already requires countries to do things
 - So NDCs don't need to
- Now, important to agree on the structure for the informal note
 - Structure will capture discussion

Ethiopia (LDCs)

- We've been discussing procedures/structures but we can still discuss substantive issues like features
- Begin actually listing out things and have a way to compile those opinions
 - Don't need to discuss what form/status the paper will have
 - Would rather say what we would want to see under each category

Saudi Arabia (Arab Group)

- What's happening here is an echo of the round table
- Would like to see options
- Agree with China
 - 2 sets of guidance: one for developed and one for developing
 - Can't be based under Article 27
- All versions under each heading/subheading/element/subelement
- Basis of work shouldn't just be under appendix
 - For all technical work need agreement
- Disagree with starting with accounting like EU had suggested

Co-Facilitators

- Some want to start with structure, others heading, some want their options fully reflected in the informal note, others think that's a bad idea but we should rather just gather all info together
- Doesn't see a clear way forward
- At the end of the afternoon slot, need a path to informal paper

Bangladesh

- Viewpoints are captured by the non-paper
 - Need to consolidate them in a constructive manner
 - Requires a structure that's sequenced in terms of priority
 - National determined characters should play a role in discussions
- At the end of COP, have a more streamlined, consolidated text that's not more than 15 pages

Marshall Islands (AOSIS)

- More optimistic than co-facilitators
- Note the possibilities that have been expressed
- Important to operationalize differentiation
 - Developing countries need time to get it right → no one disagrees with this
- Re: Capacity building
 - Disagree with Switzerland
 - Range of NDC types and capacity is different for all of them
- Heard non paper captures views from countries
 - Agree, need to start moving forward
- Guidance needs to be helpful and how much detail that requires is up to the parties