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APA agenda item 4

Informal consultation

9 May 2018, Genf, 11-12

Session notes

Meeting does not begin until 11:15am, G77 huddles outside.

At 11:45, Saudi Arabia abruptly breaks in.

Saudi Arabia: no group should hold hostage the convening, if a party doesn't want to be here it's their problem. If you're not prepared to conduct business, we'll leave. I need an answer please?

Co-facilitator: We were here on time. But [the rules] requires that major groups are in the room to start the business.

Where is that rule that the major groups must be present

Co-facilitator: section of the guide for presiding officers, we have a list

Saudi Arabia: Thank you very much, but not sure we should subject our progress to the will of the groups, we have a work programme to finish. You have already announced the time and venue, and made clear to everybody that you're here to discuss this matter, if a group doesn't want to join it's their prerogative. It is unacceptable, indelicate, immoral, and introduces a new dynamic to our negotiation that's extremely distractive ... to the spirit of Paris. It is the groups who don't want to be here. Since you have already made this very public, go about your business since everybody is made equally aware. Can pick up this discussion at plenary or at COP.

.... More about the rules, asking to start.

If you're not ready to do that, we need to have a solution to this.

<murmuring around the table>

Co-facilitator: fully understand your concern, we're frustrated. We believe that rules are clear, if we open the session with the absence of major groups, any position taken in that session would be questioned and we don't want to do that. It's a prerogative of parties to attend the meeting but it's not our prerogative to change the rules.

Saudi Arabia: The rules are the rules, we all want to abide by the rules, ... but we shouldn't hold back business... otherwise subjecting ourselves to the manipulation of the rules. Need to discuss this with the APA cochaurs, you are being subjected, ... being influenced by the positions of the different groups and not able to lead the groups to not be disciplined with time and venue for the business to start. We have some kind of procedural leadership situation that we need to enforce somehow.

Saudi Arabia: Want to elaborate that the quorum is for decision-making and not for deliberation ... asks for a legal interpretation from the secretariat. Major groups/quorum is for when we make decision, here we're not even agreeing on text. We just want to discuss things. Don't hold back the process, etc. Asks co-facilitators to start the business.

Co-facilitator: In our reading of the rules, we can't have a meeting without major groups. We'll bring this to the co-chairs and seek further instruction.

Saudi Arabia: goes back to the text, reads out the provision about one third of the convention are present

Let's count. The presence of two thirds of the parties shall be required for any decisions to be taken.

I think we can start the business, this is not constructive for us in the spirit of Paris that hold hostage without you being able to do anything about it. We are deliberating only. We are wasting time. This is not good, either on our part or on your part as co-facilitators.

Co-facilitator: We are not opening the session, but we hear your concern. Are going now to talk to APA co-chairs to see whether there's a way forward.

Saudi Arabia: Within the mandate by the APA co-chairs to take that item forward. Remember, we elected you.... We don't see progress happening, breaking the mandate we have given to you, you're obviously not in a position to follow through with that mandate for obvious reasons. I can't find the part about major groups, we need to go back to the legality of the matter. When we raise it at plenary, there will be an issue we have to resolve, will reconsider the assignment of the co-facilitators for them to listen to the rules vs. the parties, the other parties in the room are here to listen to you ... are you saying that everybody around the table does not matter to YOU, co-facilitator? This is offensive to delegates and their constituencies and they're trying to listen to your guidance... ignoring everybody present in the room because of the rule about major groups.

...

We are out of time almost, but I just want to let you know that we're extremely unhappy with the way things are going, your chairmanship, your handling of the session that didn't start, as Arab Group, this is a major disappointment.

...

Did not respect the presence of a number of delegates around the table.

Accuses co-facilitator of misrepresenting

I can tell you who here belongs to which groups

"But thank you very much, co-facilitator"

We'll send you our submission on this specific matter on this matter—adaptation, hope to see it in the informal note.

Any try to hold back adaptation is not acceptable, want balanced package at Katowice, will sit down with APA co-chairs and talk to them as far as leadership is concerned.

Co-facilitator adjourns the session.

NOTE: An additional APA4 session was scheduled for 3pm.