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APA agenda item 4

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... denotes where the notetaker missed something.

Summary

Saudi Arabia and Uruguay went back and forth for two hours on how to acknowledge party submissions in the final iteration of the informal note. They did not reach consensus, and the APA co-chairs provided a resolution adopted by the parties at a contact group later in the evening. These notes are unedited.

Session notes

Co-facilitator: To address delay, we have had good conversations in corridors, important to keep the progress made so far, and hopefully use that as a springboard. With that, would like to suggest a way forward, since this is our last meeting, we have the challenge of capturing our progress. In essence, we've been able to produce a second iteration where we've recorded as progress up to that point. We propose the second iteration will be the final product, but cannot ignore that after the second iteration some very good work/opinions has happened, parties have sent textual proposals, it would be unfair not to capture those in some manner, suggest we do exactly that by compiling textual submissions we have received and some of the contributions made from the floor that will reflect the ideas and suggestions that parties have made after the second iteration to have them in a document to contribute to the basis for the discussions in Bangkok. Extra material will be annexed to the second iteration in a way that's visible and available, ready to be used and that will be the basis and will be used as a tool to continue our discussions. Can be used as a method of work for this last meeting. Opens the floor.

Saudi Arabia: Clarification, second iteration will be final note, any other stuff will be added, and that whole package will be basis for discussions in Bangkok.

Co-facilitator: You explained it better than me.

Uruguay: Proposal is unacceptable... second iteration ... are ok to have compilation of views and all inputs, want a compilation of views on the webpage of UNFCCC on item 4, discussion of these inputs hasn't happened, it's very last moment so can't see.. status of second iteration, we see a very different nature of these inputs, so we can't accept these being a package or language with the same status.

Co-facilitator: Important distinction. What stands on the table is in the second iteration. Aware that most of the material contained in the additional material has not been fully covered, but we need to agree that there's difference between actual text of the iteration (G77 structure) all of that information is in the second iteration and then further material that would accompany the second iteration that would aim at capturing those ideas we didn't fully discuss in the room, but we believe are necessary to record in order to use it as an input for our discussions in Bangkok. Is that clear?

Russia: compilation of views will be useful, but don't support it as an annex to the second iteration of the informal note. informal note is text we all know and have discussed, but we shouldn't match this annex with the informal note.

South Africa/African Group: In consideration of the time we had here and extensive engagement, would agree with you that the second iteration be the basis for our work going forward. The second part, additional inputs and material, our view is that we have been transparent with the second iteration, every Party member is fully aware. Second part, you are talking about, additional recording of submitted views, haven't had an opportunity to have extensive conversation and engagement, don't think with slight adjustment that it can be basis for engagement as we move forward, but useful to collate those inputs/submissions, as an input which time allows in Bangkok we can therefore look at it. From African Group, see second iteration, as a document that serve as a basis for our engagement going forward. With adjustment mentioned, your suggestion is something that we can live with.

Co-facilitator: Thanks South Africa for their flexibility.

Malawi/LDC: Second iteration, all agree had extensive discussion, looked at preamble, went into further detail on some sections, all parties were engaged. Russia/South Africa, we're also concerned about annexing. Not clear in what that means, could get clarification, but see value in terms of compiling inputs. Second iteration is basis, but compilation can inform our discussion.

Co-facilitator: appreciate interventions from SA/Malawi, a matter of finding the right wording and right way to refer to this additional material.

Colombia/AILAC: Echo comments made by African Group. Second iteration of informal note should be basis for future work. If we can just accept to have this compilation as a document but not as an annex, can accept to have this kind of compilation as a general input without any kind of legal status. Cannot accept this kind of document as an input for future discussions... can go along with the proposal made by SA/Malawi that the basis shall be the second iteration as it is.

Co-facilitator: we have the same purpose, will recognize those things as inputs but pick up from the second iteration.

Ecuador/LMDC: We can live with the co-fac proposal. [repeats co-fac proposal].

Co-facilitator: Thanks for your support

Saudi Arabia: (align with LMDC) Arab Group believes that we are all in the same boat. A request to clarify wording on how you'll refer to the additional input in this note.

Co-facilitator: Every Party in this room wants to make progress on this very important issue and capture as much progress as we can. I will consult.

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Resumes

Co-facilitator: Same structure as previous versions of informal note, would read final iteration and would hold today's date, ... exactly the same up to "own responsibility"

Since the issuance of the second iteration of the informal note, parties have made additional proposals that are compiled and available on the UNFCCC website as an input for discussions on this item.

Uruguay: 5 minutes to discuss this outside with my colleagues. AR, BR, UR Colombia, leave.

Saudi Arabia: Let me talk before you consult, this might be helpful.

BR AR UR Colombia come back in.

Saudi Arabia: It might be helpful if they deliberate knowing how we feel, we don't accept that the input is not compiled with the second iteration, if you see there is a need to identify when input was received, I don't think there's a major problem with that, but it's not an unusual practice to identify additional input, we did this in the APA3, had parties inputs, have no agreement, we can acknowledge no discussion happened, up to you as to how you reflect this

Co-facilitator: Need to find a way to reflect that the final iteration is different and distinguishable from the inputs that we have received and do not belong in the same category.

Saudi Arabia: Thank you very much appreciate your elaboration and agree with it 100%. Don't agree with the approach taken for the distinction. Can assure you that there was presentation of many of the elements, those are Parties' submissions, ... all of your points presented, agree 100pct, but disagree with the approach, notes above. Believe that the distinction is clear if you clarify what this paper is and what the other paper is, owned by all of us, and this is not owned by all of this, this is a submission by party X or Y.

Co-facilitator: Interesting, the approach of ownership, I like that. Would like to say that the inputs are not owned, that's the root of the difference, so then we might be able to work on a proposal based on that concept. Thanks for that contribution and flexibility

Don't know if parties still want to huddle, the floor is open.

South Africa: Clarification, ???

Co-facilitator: What I understood from KSA, unclear about physical form issues since both will be posted on the webpage, the objective of describing factually what those documents are, the final iteration is a document owned by everybody, and the original material is inputs from some parties that we haven't had the chance to fully discuss. That's my recollection of what KSA was suggesting.

Switzerland: We're talking about two documents, right?

Co-facilitator: Unclear, but the informal note will make a reference to the additional material. Let's not talk about whether there will be one PDF or two PDF, they're both going to be on the same webpage, "I beg you", a question of whether they're gonna be part of the informal note.

Saudi Arabia: We're trying to ... something we did already last session, language from the last session, some parties provided input. [is he reading from APA3? I think he is] Proposes that language.

Co-facilitator: We have that material and can reflect the dynamics of what has happened here in APA4, if it fits, we'll use it. On the basis of this latest intervention, we'll have a 2 minute consultation.

[Second co-fac goes straight over to KSA]

[G77 huddles in the far corner, mostly Latin American countries]

We have 10 minutes, hope we can work this out, it's not a major issue. Thanks KSA for providing APA3 example, suggest...

.. own responsibility. Since the issuance of the second iteration for the informal note, parties have made additional inputs aside from those contained in this final iteration. Those inputs are accompanied in pages x and y.

South Africa: We're really getting closer. In demonstration of greater flexibility, can maybe to avoid situation where we open up the second iteration, because we spent time engaging on that, to add second to final, so there's common agreement on that, however, we don't go further around references and footnote and so forth, parallel to that allow the collation of input, which is very important material, under that understand that these are the inputs that have been submitted without having been subjected to the transparent process of extensive conversations that we've been having, see the second/final iteration as a clear base in which we engaged extensively, the collation of input without making a lot of cross reference, ... we didn't have time to engage and so forth, can them go through them as we seem them, can then have a discussion in Bangkok. Might make additional reference for APA4.

Co-facilitator: I think we are very close, only need to make clear that compilation of inputs starts after the second iteration finishes. That's something we can reflect in the text.

Uruguay/AR,BR,UR: Thank you.. adaptation is very important to our countries, to explain how we see this, will come back to the nature and the timing to analyze these inputs, we don't even know what inputs are those, this will be the final iteration and we agree that ... the work we've achieved all together will bring us to good basis for negotiations in Thailand. Re: SA, need to have some space for these input, but we need flexibility since we don't know those inputs, but good for them to be recorded on UNFCCC webpage. Good to read before come back to Thailand. We see the value of having those in the webpage.

South Africa: Haven't seen the new submissions, so difficult to cross-reference for the final iteration, parties are free to submit after this meeting, referencing things we haven't even seen is a challenge.

Co-facilitator: One simple way of crossing that observation, is to not make the cross-reference and add the material at the end of the informal note, if we don't do that cross-reference, how will we solve the problem of the different nature of the two components

Saudi Arabia: Thank my colleagues for mostly constructive work... seek your help, co-facs, in trying to understand what is going on, trying to understand the justification, find it really difficult to understand those inputs we haven't seen yet can go on the website but we don't want the favor of printing them out. Not seeing the parties input doesn't mean that they haven't made input. "That's a factual thing that has happened" [reiterates] Can avoid this disagreement by not agreeing to anything, by simply stating the facts. Not going beyond any normal conduct.. Not trying to invent something new here.

Co-facilitator: the language we have suggested is very clear, we need to be aware that if some parties express their opinions about not having seen those inputs, they've been received and our own responsibility that we're compiling those inputs, and we are the means of those inputs getting in to the document, and those our views from parties. Whatever a party is saying, we need to hear it and include it, with attention and respect, make sure that all views from all parties have a role in our discussion. Ask you whether you can consider the proposal we've just made and tried to present in the simplest way possible, as KSA said, in a factual way. Hope provides comfort for parties and we can move forward

Palestine: Fully support proposal and your language, this very clear language, reflects what is happening and not against any other intervention by any other party, urge colleagues to consider this.

El Salvador: Fully endorse your proposal, it is factual language.

Co-facilitator: We are over the hour and in the last moments of the Bonn session, we need to finish now. I hope that what we have suggested provides safety and comfort and that we can use it as a way forward.

Any other requests for the floor?

Uruguay: We need time to consult.

[they go consult]

Uruguay: Thank you for suggestions made, have discussed with other groups, we can go along the lines of suggestion, will say this out loud and clearly, footnote in the final iteration, in this session, parties presented additional inputs to co-facilitator. Link to UNFCCC webpage, be clear that some haven't been discussed, that additional material will have an attribution.

Saudi Arabia: So there will be a footnote referencing a website link, the option that these haven't been discussed is opened to interpretation, would urge my colleague to remove, we think they've already been represented before the session and orally presented in the session.

[Latin American countries huddle]

Uruguay: At this point, don't know to what extent those inputs are, especially those ... are just giving ... we believe as a factual thing that if we haven't seen those things we haven't discussed them.

Co-facilitator: This isn't a time to discuss to what extent we've discussed those inputs. Some parties perceive that some inputs haven't been discussed fully. Urge parties to try to focus our discussion in how we reference the additional material, we offered a possibility, Uruguay declined. Can reflect same idea that captures the factual nature.

Malawi and KSA requests for floor, but will consult again.

[resumes]

What we could do, is have a footnote in the title of the final iteration and the footnote:

"Since the issuance of the second parties have made additional inputs aside from those in the final consideration. Those contained on page xy, which are not part of the final iteration."

Saudi Arabia: “aside from those”, “those are not part of”. That’s duplicative.

Co-facilitator: I’m aware of that. I’m trying to provide more comfort to parties who feel the need for it. Beg flexibility in order to move forward.

Uruguay: Happy to engage, we’re very near to ending this thing, thank you about previous intervention, our approach to this, was not to ... this is a huge compromise on our side. We would like to have a minor amendment, just because we have different views on the issues of inputs being discussed, but definitely cannot have assurance, [another textual proposal] You see the great flexibility on our side

Saudi Arabia: Need equal treatment for all APA agenda items, basically Parties’ submissions as attributed were footnoted in co-fac note. Party x and y have made submission. Simple direct straightforward not passing judgement about anything. Qualification “aside from those” the easiest solution is always the most direct solution. Not passing judgement, even if one party’s submission was the drawing of a flower. Thank you very much.

Co-facilitator: Need to push for an agreement here. Asks Uruguay and KSA to come up and chat super quickly with him.

Malawi: Can we come too

Co-facilitator: the space isn’t that big

Malawi: I was talking about myself, not everybody

[ca 20 people huddled in the corner]

[30 minutes later, Trigg Talley, US HoD shows up having obviously just put his tie back on]

Co-facilitator: at 5:17pm, sorry for the delay, trying to find formulas that would work, agree that the considerations we can put in front of you for a simple solution that’s not complete? Second information note is final iteration, will stand as it is, with no changes and no referencing. End with “end of the final iteration” would be followed by more pages “Inputs received from parties during the session” will cover all inputs received textually during the session with attributions. Material that we’ve been receiving that can be useful to the discussions in the upcoming sessions. Still resolving how we number the pages. If some parties had the impression that if we finish the numbering of the pages in the last page of the informal note and then continue numbering in the following section, that will imply that they stand in the same category, wouldn’t be a fair treatment of two different sections. Issue of numbering will be brought to the co-chairs to find a solution respecting coherence across APA agenda items.

Saudi Arabia: Please don’t allow my boss to laugh at me if he hears that the issue was a number of pages issue. But final iteration ahs no consensus, there are many other suggestions than the one you put forward. The issue is that the final iteration note has had no consensus, we have tried to fix it and we have failed, and maybe this is applicable to all APA agenda items and that needs to be taken into consideration.

Co-facilitator: Sorry if I misunderstood or implied not our discussions, I understood second would be final and complemented by additional info, this is how we understood the consensus in the room. The question, as KSA pointed out, that there is a fair reference to the inputs that will appear after the end of the final iteration, apologize for the reference to numbering, please correct me if I’m wrong, KSA.

Saudi Arabia: Just trying to be clear on my understanding. The issue is the treatment of parties' submissions within or outside of the note. "There are so many hundreds of thousands of solutions" we have not even discussed the substantive elements of the second iteration. ... the treatment might happen inside or not inside, whatever, ... the final note has no consensus on the elements that are not substantive, just the elements referencing the treatment of the party submission.

Co-facilitator: I really think we've exhausted the discussion and we'll bring this to the co-chairs. We can reflect this later on in plenary.

South Africa: Issue of the final iteration was clear from my group ...

Uruguay: ... unclear.

Co-facilitator: We have some common understanding, KSA was very clear about the issue of treatment, I think we have exhausted the discussion here and report to the co-chair.