

Informal Consultation on APA Agenda Item 3 on further guidance in relation to the mitigation section of decision 1/CP.21

Saturday, 5 May 2018, 10-11am, Genf, SB48

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Republic of Korea

- On features, they provide guidance on how NDCs is nationally determined – when, how, what
- Certain procedural and substantive guidance already defined in relevant provisions of PA including Art 4.2, 4.9, 4.12 (procedural) and 4.8, 4.9 and 4.13 (substantive)
- Need for new features quite limited
- Open to exploring new features if need is clear but they need to fulfil criteria: applicable to all, should not predetermined scope of new NDC – undermines the nationally determined nature of NDCs

Switzerland

- Features can be seen as characteristics of NDCs to ensure Parties understand each other's NDCs irrespective of their form
- General description but do not interfere with how NDCs are defined
- Not rules that prescribe how NDCs should look like nor look at ambition
- Does not include guidance on how to implement or demonstrate implementation thereof
- Applicable to all NDCs independent of form (follow with Korea on that)
- Features: list, guidance and elaborate on existing features, explore new features
- Further guidance of features
- Important to be mindful of more features can easily turn into a level of specificity that can be too prescriptive
- Quantified in terms of CO₂e, GHGI capacity w/o support of NDC, cover all emissions sectors and gases, reflect link to long-term low GHG emissions strategies, based on real data, poverty eradication strategies

Marshall Islands

- On behalf of AOSIS
- Mandate here isn't to list features but to elaborate further guidance
- Characteristics, contents, attributes of NDCs
- Guidance should respect and preserve nationally determined nature of Parties' NDCs
- In contrast to CTU – features are forward looking but CTU not
- Set out in our submission
- Additional: quantifiability in terms of CO₂e, notion of progression, highest possible ambition etc.
- Interacting with Parties: Korea and Switzerland raised interesting concepts on nation of features applicable to all – something we haven't yet considered but certainly something we need to think about further and interested to hear what other Parties feel

China

- On behalf of LMDC
- Highlight some points of LMDC's position:

- o Existing features already clear and sufficient to be reflected in this part; CBDR & RC in light of different national circumstances
 - o Support Art 3
 - o Support emphasis Art 4.5 that support will be provided by developed countries for implementation
 - o Art 4.7
 - o 4.13 on response measures
 - o Means of implementation as features of NDCs
- Second and third part of informal note: don't need to have, prefer options of no text; more elaboration and new and additional features not applicable for all – may result in renegotiation of PA
- Identifying existing features is enough to reflect NDC features

Brazil

- On behalf of Argentina, Brazil and Uruguay
- Agree with Korea that Art 4 comprises features
- Like the LMDC, cannot support new or further additional features
- Heard AOSIS on elaboration of features would mean but think those discussions dealt with on ICTU, on how NDCs represent a progression
- Like LMDC, duplication of discussions under ICTU or renegotiation of Art 4 – for our group this has been resolved under the PA
- Relates to history of mandate – where the word features is or isn't grounded – not part of PA text, but decision language. Features cannot build on new or additional elements to the Paris text.
- Should have simple, straight forward guidance that recognizes nationally determined nature of NDCs, must be in accordance of PA and CMA decisions

Zimbabwe

- On behalf of the African Group
- Our position from informal note is we prefer Option 2, a.
- Identifying existing features sufficient
- No need for new and additional features
- NDC features already embedded in the PA including the nationally determined nature of the NDCs, in line with principles of CBDR & RC. Including mitigation, adaptation, capacity building, technology development etc.
- Demonstrate ambition
- Need to prepare communicate and implement NDCs
- Common timeframes, successive NDCs
- Support provided

Saudi Arabia

- On behalf of Arab Group, align with views of the LMDC
- Existing features
- Nationally determined, full scope, mitigation, adaptation, capacity building, technology development etc. & in line with Art 2
- Sustainable development in line with Art 2.1
- Mitigation outcomes

- Response measures
- CBDR, national circumstances, different development stages of countries

St. Lucia

- Support statement by Marshall Islands on behalf of AOSIS
- 3 options in text, not necessarily mutually exclusive, value in listing of features in Art 4 but useful to provide guidance to Parties for preparation of future NDCs for submission
- We understand distinction between features and information
- CARICOM countries have set out important features we see in Art 4 that have value
 - Content related features: progression, highest possible ambition, developed country NDCs to be economy wide, developing countries to move towards economy-wide in light of national circumstances, CTU, carried out by Parties acting jointly etc.
 - Process related: reported in public registry (4.12), maintained (4.2), adjustable (4.11), communicated every 5 years (4.9) ... some of them speak for themselves but guidance would be of value
 - Reference periods, time periods, sectors and gases, quantification etc.
- Commonalities in collection of NDCs already
- Talking about updates in NDCs – useful to have full process and content laid out
- Formulation of NDCs differently without compromising the principle of no backsliding – changing types (useful and practical guidance)

European Union

- Informal note on features successfully captures range of views and options Parties have expressed, could be basis for moving forward
- EU's view – strong preference for collective reference (Option a.2 in reflections note), can live with other ways of referencing features collectively but note only on mitigation
- We have 4.13, 4.8, and public registry
- See no merit in classifying features further in guidance
- Attempts would create confusion and be ultimately pointless
- See elaborating new features and introducing new features such as criteria (agree with Korea), interested in quantifiability (word does not feature in Art 4 but it is a clarification of what the PA requires)
- Strong preference is for simple, collective features; open to new features
- Need to leave option for Parties to elaborate new features after CMA1 particularly in the lead up to the Global Stocktake

India

- Agree with views expressed by China on behalf of LMDC
- Views on features have been made in submission captured in informal note
- Characteristics of NDCs
- Confused about new and additional features
- Confounded by quantifiability – does not respect nationally determined nature of NDCs, different national circumstances, is prescriptive
- List a couple of features which are pertinent: differentiation an integral feature

South Africa

- Support statement by Zimbabwe by the African Group

- Features already listed adequately
- CBDR, differentiation
- Consideration of common timeframes only feature that needs to be elaborated – already being done in SBI under Art 4.10

Peru

- On behalf of AILAC
- Features of NDCs already reflected in Art 4 and Decision 1/CP.21
- Covers necessary characteristics of NDCs
- Further guidance on features should be focused on preparation of future NDCs
- As we have expressed in previous session, mitigation NDCs should be quantifiable

Ethiopia

- On behalf of LDCs
- Features reflected under Art 4 and others in PA
- Respect nationally determined nature of NDCs and CBDR&RC in light of different national circumstances
- Art 4.19 – strategies for long term low GHG emissions may need further guidance

Canada

- Agree with many things in the room – many features already identified in PA – can be operationalized in many ways
- All features related to NDCs are important
- Favorite features – everybody has them but some that should be elaborated:
 - NDCs should be quantifiable – Art 4.4
 - NDCs should be aggregable, in relation to temperature goal
 - Unconditional component – Art 4, para 2

Egypt

- Support views those made by Zimbabwe made on behalf of the African Group
- To provide further guidance on features
- To do so in a better structured manner
- Further guidance, not further features – need to exercise restraint
- Nationally determined – beg to differ with Canada that not all features are equal – this one needs to be given priority
- Sustainable development and poverty eradication
- Further additional will prolong discussions

Norway

- Many have divergent views on this issue
- Illustrates well that PA was good landing ground for features
- Agree that Art 4 well reflects features
- Short reference to Art 4 into decision
- Echo sentiment by South Africa that we should not spend too much time on features during deliberations

Iran

- Align with statement by China on behalf of LMDC
- Meaningful relationship between features and principles e.g. nationally determined, differentiation, different national circumstances and capacities
- Features and principles reflect the variety of Parties party to the Paris Agreement
- Features already registered in different parts of PA – can satisfy

Bangladesh

- Align with statement by LMDC
- Add to view of others that principles and key features are in place in the PA in particular Art 3 and 4
- Some provisions attached have “shall” and “should” – relevant features already stated clearly
- Support Norway, South Africa that we should not spend too much time on this issue
- Should concentrate on Option 1 features, then agree on which features should be our guidance for the Paris rulebook
- Some elements that need to be considered in a serious manner wrt to Art 5 in terms of support – should be considered in a balanced manner

China

- On behalf of LMDC
- Feature guidance is the shortest part in informal note but we see a lot of duplication here – want to suggest avoiding duplication

Mexico

- Applicable to all NDCs
- Increasingly improve robustness and ambition over time
- Prepare NDCs that are quantifiable for assessing collective efforts and progress towards goal
- Indicate what and how much we can do by ourselves and with support
- Nationally determined nature of NDCs
- Link with NDCs with long term low GHG emission strategies

Sri Lanka

- Associate with statement by China on behalf of LMDC
- Existing features are sufficient, no need to elaborate new features of NDCs
- Differences between parties, national capacities, CBDR&RC, national circumstances
- Full scope

Marshall Islands

- On behalf of AOSIS
- On removal of duplications and aspects of this document
- Our understanding of the mandate is that no options of Parties would be removed
- Trust you to remove duplications but not to remove options unless there is another part if the Mandate
- Features are forward looking, whereas information is that provided at time of the NDC – understand that view of some Parties is that this overlaps somewhat
- Open to have discussion with Parties on this

Co-Facilitator noted that 5 hours is up. Understand that there will be 1 more hour on Monday to go through the navigation tool. Parties are actively engaging with each other on the tool, that would capture everyone's proposals and not removing anything while not prejudging positions on eventual structure of the negotiating text. Active discussions and getting some expressions of optimism. Encourage colleagues to intensify discussions with each other. Give us some instructions on how we can move forward. Otherwise in consultation with Co-Chairs, we will give you something to consider by Monday.

Zimbabwe

- Our understanding of the navigation tool is the revision of the informal note reflecting Parties positions without prejudging the outcome
- Propose informal informals among Parties and can report back to the Co-Facilitator

Co-Facilitator said that they are not intending to replace the informal note but instruction was to work on an informal note for this session that would serve as a navigation tool. The 180 document with all proposals still remain on the table. The tool should help Parties make better sense of what Parties have put forward in a concise manner. Heard request for some space to discuss.

Co-Facilitator noted that Room Genf is available until 1pm and that Parties can remain here until then to continue discussions informally.

In response to a clarification question from India, Co-Facilitator said that the tool is supposed to be a neutral capturing of proposals.

Zimbabwe commented about the tool. Co-Facilitator said they aim for Sunday.

China

- On behalf of LMDC support navigation tool but highlighted that they need a basis for negotiation
- Can hand over 180 pages as negotiating text, since tool is just for navigation. Streamline text as collective basis for further negotiations
- Ground rules by Parties on how to streamline for another iteration of informal note will be helpful to make progress and achieve basis for further negotiation
- Understand there is some more discussion
- Maybe we can use this room now (coffee shop without coffee) to agree on ground rules now

Co-Facilitator said that it would be up to Parties on whether such a session is necessary. Hope to get sufficient sense of Parties if there is a need for a formal session. Tool on Monday – intention is that you'll hate it on an equal basis; no one will like it more than the other.

AOSIS noted that they were sympathetic with China's proposal to take the work forward but recalled Co-Chairs' mandate on how to proceed – any new mandate needs to be discussed in plenary setting at Stocktake Contact Group to be consistent with other sessions.

Ethiopia supported China on behalf of LMDC. If anyone willing to discuss now on how to streamline, we would be open to having that discussion.

Co-Facilitator requested to end meeting here but allow Parties to continue to discuss. Will be consulting with Co-Chairs on how to move forward but the imperative and instruction is that we need to produce a document for you for your reactions some time this weekend or on Monday.

The Informal Consultation ended at 11.15am.