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Session/Agenda Item: SBI agenda item 5: informal consultations on further guidance in relation to the mitigation section of decision 1/CP.21

Location: UNFCCC COP 24, Katowice Poland

Room Number: Baltyk Meeting Room 2

Date and Time: 06/12/18 10:00-11:00

Participants: Large negotiation session

Attachments: https://unfccc.int/sites/default/files/resource/SBI49.DT_i5.pdf

Notes

Co-facilitator

- Option 2 summarized as work in proposal in respect to 5 and 10 we were talking about
- I want to emphasize paragraph 5 - you can see the “way-point” is in brackets because the legal team is saying we might need appropriate terminology
 - *5. Decides that Parties whose nationally determined contributions have a 10-year time frame shall provide information on an indicative [waypoint] at the 5-year mark;*
- Paragraph 6 looking at how do you reflect and take advantage of GST/progression as reflected - pretty much same thing but different formulation

South Africa

- Doesn't see their proposal fully reflected in the draft text, only partially
 - Paragraph __ option 2
 - Was in our original proposal
 - With 2 ndcs, parties need to be clear what they do when they update; needs to show progression
 - Every 5 years thereafter not just to 2025
- Disappointed
 - Came here to take substantive position
 - Only found procedural text
 - Get a sense that there's very much political will being reflected here
 - Disappointed in the EU for not having said much
- Paragraph 7
 - Surprised to see 241
 - We thought that several times in Bonn, Bangkok and even last time
 - Thought we were conferring on 2031 onwards, not 2041 onwards
- Want subst. Conclusions, if we can only get procedural conclusions, we'll go along with but be unhappy

Saudi Arabia on behalf of Arab Group

- Disappointed with the paper
 - Huge issue looking at the paper
 - In bangkok, promised from you that paper we had (bullet points) would not be reflected as a draft text
 - But it's being reflected in the draft text
- Also, want the procedural
 - How can we trust you, co-facilitators? Very very upset
 - Wants more clarification

Co-facilitator

- Will respond after China

China on behalf of LMDC

- Echo Arab Group - might be procedure position one of the options, doesn't mean we're doing this direction(?)
- Glad to see the option we discussed last time being captured
- We couldn't be at the Inf inf last night - hope what happened last night will not influence draft text
- Wrong placement for our option -
 - LMDC proposed option 2 paragraph 2-4 and 7 but wants 5 and 6 to be deleted.
- Want to provide clarification why 7th paragraph is 2041 onwards - our proposal - copied according to Paris paragraph 23
- Let's decide what happened for parties to communicate in 2025 and 2030
 - In 2025 allowed to submit 2035 and 2040 target year
 - Those that did 2040 - update in 2030
 - If you did 2035 in 2025, submit in 2030 for 2040
- What happened in 2035 - lets request SBI to decide for the work to be done
- So 2035, parties should - if they choose 5 year time frame they do 2045 and 10 year they do 2050 - depends on party chooses and our position and whether it's 5 or 5+5
- This isn't our choice to include other proposals combined with others, we hope our proposal is clear and complete because now we see conflict between paragraph 4 and 5 - says it's decided this way and another way that are in conflict with each other
- In 3 and 4 - please submit target year, but if you already submit 2040 please update ... confusing?
- We can't allow
- Please have a halfway point at 5 year mark - want to copy what happened now - in 2020, we'd never ask party
 - Would want to ask please give update in 2020 if they did 2015 and then 2030
- So paragraph 3 and 4 are head butting

- Seek one more clarification on paragraph 5 - indicative way point at 2025 - maybe this proposal came from a party wanting to see what happens middle year before and wants to see indicative in the future
- Confused - my suggestion to keep LMDC proposal as clean and independent because otherwise it gets confusing - so if paragraph 5 and 6 is another proposal then make it a different option
- Hope we can find language to gather country's concern that they don't want to log what happens right now - might be another option to add something like 'after invite party to communicate by 2025 NDC for 2035 or 2040 - paragraph 3 under option 2 could say 'unless otherwise decided by CMA in future decisions' so that if there's a different choice by 2025 (or was it 2035?), can do that
- But their proposal is locking in 2025/2030
- If parties already have submitted to 2040, allow to updated.
- Reply to 2041 - since we'll decide arrangement on what's target year 2041 onwards - same expression regarding paragraph 3 third line for NDC to be implemented 2041 onward is same as 'officially communicated' from 2031 onwards
- Welcome other questions and clarifications - we have already done a lot of work and want to see something done
- What we achieve now is big progression but reluctant to include this decision language as addendum - procedure position and then request SBI to decide in future
- Never seen one decision addendum is another decision
- Already have worked a lot on this, so let's keep in mind for second discussion - hard to decide procedure decision and then addendum as another position
- Bracket confuses her - didn't catch concern from the proposal. Wants the proposal to stay clean
- Fixed - have to admit that it's already locked what happened in 2025 and 2030.

Marshall Islands for AOSIS

- This topic always gives me a headache
- I would like to thank China on efforts to try and clarify
- I agree on landing procedural outcome but capturing outcomes - if we had procedural outcome - wouldn't be consistent to have addendum that reports/decides something
- I want to be frank - this is priority for our constituency
- Not going to converge in next 30 min and next session on 5 or 10 years as distinct option (even within AOSIS), and so they have to be honest with each other that they won't hit 5 or 10 and that should apply for next round
- We really like what China did on behalf of LMDC in option 2 to clarify proposal - first time i've understood what parties trying to do in this room (even sometimes myself don't understand)
 - Very clear, but...
- BUT We don't agree! Because it delays what we want to do further and we respect that they want to present their option intact and distinctly and it has to be respected
 - Fundamental difference don't understand where 2040 came in.

- Understand NDC proposal - 2030 time in option 2 refers to communication but we want to see common time frame apply as a run from 2031 - notion is same but time of application is different - we're happy to put down proposal or capture with distinct option - don't think we'll converge remaining time in Katowice
- So want to pick up on China point - could have procedural conclusion with goal of outcome next year, but to capture LMDC option as distinct clean option and capture other options countries have had - clearly as options as bullets without decisions so we can at least capture discussion
- Support procedural outcome - want to capture outcomes intact but not the ones in decision language, purely in options language in annex
 - That'd be reasonable outcome and help us moving forward
 - Would want the SBI to figure it out by next year. Want to make something this week, but put it in annex language. This would be reasonable

Singapore

- Echo about procedural outcome
- Procedural outcome capturing the options would be the way forward
- Disappointment with certain things
 - Par 6 2a and 2b
 - Appears to reinterpret and distort art. 14 of the PA
 - Parties "shall" update puts a legal requirement on Parties when this isn't in PA
- How timing of GST
 - Should only discuss the temporal aspects
 - Only affects
 - Not affecting CTFs
- 2b option
 - Interprets something in paris agreement
 - Why necessary? Not clear
 - Already in 4.3 in PA
 - Adding nothing new in temporal perspective
 - Temporal perspective already covered and progression is already in 4.3
 - If we don't add anything new, temporally, might seem logical
- All for now

Japan

- Echo other parties
- Made progress but.
- In last session, he was more optimistic about getting concrete decision. But now and how this is going on, we now don't feel good
- Echo about procedural decision about locking of ctfs in the future
- Important aspects that should be reflected in the procedural decision
 - Identified options

- 5, 10, 5/10
 - Should be reflected
- CTFs applied to second round of ndcs 2031
- ^^to capture progress in the decision, include these

Russia

- Acknowledge efforts to try and address views
 - Tbh - I was confused by second iteration because in first iteration - quite clearly displayed options - and ideally they could have been in this version, but the options now are quite confusing
 - Both have lots of conditionalities - in our view somehow deviate from language of paragraphs 23, 24 of PA
 - Therefore, we can't support any of the options
 - Previous stance was 10 years and update every 5 years
 - And option 2 not written clearly so we can't support it either
 - Having procedural conclusions and no annexes - prepared to start from blank sheet
- Get the two options but quite confusing. Of course choose between 5 and 10 years but both have confusing
23 and 24
We originally wanted the 10 year, 5 year update one
Cannot support either option.

Saudi Arabia (on behalf of Arab)

- Asking for clarification from earlier
- Co-facilitator says sorry we didn't give feedback, but parties are responding we might need procedural ____
- He wants to support colleague about no annex attached

Co-facilitators:

- Seems like were going to have a procedural decision, so that deals with your concern

South Africa

- Disappointed with procedural but if that's how it goes, they're ok
- Work to come to procedural conclusions
- Paragraph 7
 - Could be reduced.
 - Clear wants 2041 to be changed to 2031
- Agree with china
 - If we don't decide anything now, cant put decisions into the annex
- Clear that
 - SA will not accept a decision here or next year
 - 23 and 24 as compromise in the PA, but don't want to extend that compromise into the future

- Version of paragraph 7 with year change being essential - with our prejudice
- Could see
- Your addendum in paragraph 1
 - First three expressed the options we wanted more
 - Your options were very clear. 5, 10, 5/10.
 - Can see that to copy and paste the three and not include option 4 (nationally determined) - please delete the fourth one,
- Who knows who'll come back next year

Co-facilitator

- Would like guidance on the fact that Russia and Saudi that we should have no addendum(?)

New Zealand

- Blessedly short paper, like it
- Thanks to China for LMDC for laying out their proposal and the clarity.
- Want to see something captured in the procedural conclusion
 - Agreement that convergence is what we're aiming towards
 - Not just common time frame, but converge on it over time
- Work that's been done shouldn't be lost
- Three options in addendum shouldn't be lost
 - Cut that fourth option!! She says
 - Consistency with the 5 year heartbeat
- Like Singapore,
 - Paragraph 6 not sure about all the elements
 - Not clear that they fit our mandate
 - Look like new decisions out of scope

India

- Supporting China on LMDC option should be clearly referred
- Thanks Saudi Arabia proposal on procedural outcome - probably would be likely outcome
- Singapore and New Zealand already highlighted incoherence of para 6 in terms of mandate
- Also raised last time because it was para 3 in the last version - but those views haven't been captured
- In paragraph 4b, close resemblance to 24 in terms of timelines, but language slightly different since it reads - should update NDCs by 2030 - but should be to communicate or update NDCs by 2030 - that's how 24 reads and we should stick to it
 - *(b) Those Parties whose nationally determined contributions communicated under paragraph 3 above contain a time frame up to 2040 [to][shall] update these nationally determined contributions by 2030;*
- On para 5, we could have it deleted

Bangladesh on behalf of LDC

- You have made sincere approach to capture progress and we appreciate it
- We got some understanding of various groups' proposals
- Strongly feel we should capture the ones already put forward and they should be reflected in totality - we support option 1 with proposal of option 6 2b since we agree Singapore that we have to capture Paris spirit, especially 4.3
- LMDC pointed out it should be reflected in totality - we agree on that and should capture in precise manner
- Also feel that since we're fairly progressing, shall we need to capture progress in next iteration - as you asked us in Russia proposal - we have to capture progress and we wanted substantive discussion from these exercises by COP24
 - But If we feel like we can't then we agree on procedural conclusion capturing progress made since we've put time and resources and we have to show global community
- Re. para 7 - confused so we should make it more clear and palatable
- With three options reflected in paragraph 1 of the addendum
 - - additional captured in option 1 should be reflected - we're talking about 5, 10, 5 AND 10 so we should have two successive NDC (5+5)
 - New proposition in next iteration

Co-facilitator: requests Russia, Saudi Arabia and Brazil to consider the annex thing

Zimbabwe on behalf of AGN

- We thought there was convergence in Bonn at SB, but this convergence disappeared at Bangkok
- But following guidance about procedural conclusion - can understand, but want to see our options reflected.
 - Not fixed on whether have an annex or not
- Agree with bangladesh that it would be ideal to somehow capture the progress we made here

Indonesia

- Procedural text fine in this stage
- Prefer the annex
 - No one in room has commitment yet, so annex would make sense for this decision
 - Should reflect the 5/10 years option
 - Include option: if 10 year cycle, the waypoint thing
- GST
 - Doesn't belong to this agenda item
- Paragraph 7

- Good to put option of starting point 2031 or 2041, so during next session we'd be done focusing on this one.

China for LMDCs

- Support procedure position captured in the options
- Language - for first paragraph - welcome progress made in consideration of CTU
- Parties shall apply CTFs to NDCs from 2031 onwards
- Request ISBI consider consideration of CTFs to make accommodations by CMA of Paris at Nov 6, 2023 session
 - We decide before 2025 - so this would allow 2 years before next NDCs which we think is enough time understanding
- Open as time Nov, 2022 or 2021
- Three paragraph is proposal as big option and procedure position - will provide draft language later
- Other question if there's annex to capture view we've just achieved
 - We don't want to include language about our views in the procedural text if this will cause confusion on different options of text language
 - Better idea is footnote with link to another doc link with capturing views (vs annex)
 - Otherwise, another conclusion we decide - prefer link to footnote

Chile

- Consider ___ of CTU and
- In regard we see option 1 to suggest 5+5 is coherent and could accommodate all of us
- From original South African proposal - wording on progression captured in option 2 shows most recent progression in NDC implementation
- 'Urges parties to communicate and update every 5 years consistent of progression in light of most recent..' - think it should be in option 1
- 2025 is good timing for all of us when parties include NDC
- We value progress made exchanging views since last May and want to capture progress on discussions
- If we're going to have procedural decision to postpone CTU choice we should set a date

Marshall Islands

- Thinks we're making progress
- Understand we're:
 - Moving towards procedural decision
 - But understand there's nervousness by parties to suggest our views right now (how to present this)
- China made suggestions for text for procedural outcome we'd like to see
- Like Chile
 - Need to be able to inform next round (date for when we decide things)

- Concern:
 - Very little time left now
 - Sense we need more time among parties to understand the language around the procedural conclusion.
 - Need time to ensure both the manner that progress is captured and the time by which we'll capture it
- Suggest to co-facilitators
 - We need inf inf time to discuss how the views will look
 - At this stage, won't be able to merge options
 - Capture options needs to be done in -fact by parties
- Capturing options
 - Decide mode
 - And ensure that parties' views are being accurately expressed

Brazil

- Would have liked to finish, but understand time is limited
- Welcome LMDC put forth
- Welcome to apply after 2031, and we are to decide to make sure we have time to plan things before 2025 (ndcs that would kick in 2031)
- Open to discussing how the views will be expressed
 - Paper, annex, footnote
 - Open to option of 5 years
- Procedural decision/conclusion
 - Think this is different
 - Decision: would be useful to keep parity with outcome from PAWP
 - Doesn't exclude Conclusion that could come from SBI: would have meat in it; capture more about things if needed.

Russia

- Quite unhappy with the last draft
- The most that gets us is absence of square brackets around different paragraphs looking like they've been agreed on, but we disagree on that
- That's why we won't support possibility to even have it in the annex
- That's why we're prepared to start with blank sheet - otherwise everything in brackets in the annex which would be a mess
- Need further consideration of parties and your guidance (co-fac) on how to proceed/take on board experience and practices of this negotiation to maintain the momentum from Bangkok and then here
- I thought we'd be able to reach decision given it's not most important agenda item in front of us

Saudi Arabia

- Respect opinions of parties about capturing things from parties

- But still doesn't want annex
- Can maybe be ok with a footnote showing decisions
- COP23 practice main session - footnote that says CRP hyperlink been capturing those points for parties to start there or discuss other things they want
- China on lmdc
 - Mentioned need to change language on decision [??]

Co-facilitator:

- Not able to land a substantive decision because of mandates but good that there seems to be want to reflect what's been shared this week.
- Will prepare procedural outcome from this session - will not difference on how to assess progress and that there's a bridging proposal that people are converging around - link to CRP (?)
- Next steps
 - Inf inf space to discuss how procedural outcome can be captured and just to note I appreciate proposals that could be forwarded in regard to content
 - If you could meet in inf inf infs we'll make space
 - Next version (procedural outcome) will be presented by tomorrow and final session Saturday

Marshall Islands:

- Please do not clash with APA-3, most of us also negotiate that.

Saudi:

- Please nothing after 6 pm

Follow-up:

- Procedural outcome doc will be released by tomorrow and final session is on Saturday