

UNFCCC Meeting Report (Negotiating Session)

Prepared by: Alden Standley, Guinter Damé Vogg, Washington University in St. Louis

Date: 12/8/23

Session/Agenda Item: NCQG - 10 (e)

Location: UNFCCC COP 28, Dubai, UAE

Room Number: MR 4

Date and Time: Friday 8th, 2023 - 10:13 am - 11: am

Participants (name and organization):

Attachments: - (could not find draft document that was being discussed in the meeting)

Notes/Summary:

Introduction:

- Guidance for 2024 ad hoc work programme – convergence on most of the issues on the table
 - Increased party engagement
 - Provided revised version of text to reflect convergence and provide proposal
 - Substantive parallels on options on the table
- Focus on not micromanaging co-chairs and early ministerial engagement
- Calls attention to document of draft and focus to ad hoc program for 2024

Party Responses:

- Brazil (G77 + China)
 - Thank co-chairs for the new iteration of the text, welcomes it as the basis of the text on the modality for the 2024 work plan
 - Questions about how the elements of the work plan proposed by the co-facilitators interact with one another, want clarity before moving forward
 - How do rules and procedures apply to the process (TEDS and negotiations)
 - Advocated for TEDs and negotiations to operate in tandem
 - Named inclusivity as a key priority

- Questioned what would be the basis of the draft text from co-chairs, what would they draw upon next year? Stated that there are many import inputs (especially the submissions)
 - Asked for greater clarity on interactions between steps of next year's work plan – how will high-level co-chairs interact with the work programme co-chairs, and what is the flow of input (interaction of processes)
 - Reiterated the role of submissions, in addition to the work programme, in 2024 (shift to negotiating), stated that submissions can provide the basis for negotiations
- Highlight the need to make the right correction on the next year's work plan version
- Included many questions about how the many elements proposed by the co-chairs would interact with one another
- Ask for focus on a negotiation space with effective participation of all bodies
 - Reiterated that funding is needed to participate in the meetings - asked for clarification on funding estimates
 - Importance of clarifying the steps of interaction
 - Confused about how the negotiations will interact with the work program
 - Argued that they could improve on the use of the submissions, in addition to the work plan, the submissions can be a very good channel and element to provide input to the various discussions
- Need more time to engage as a group on connecting aspects before moving forward
- Pakistan (Aligning G77+ China)
 - Supported the streamlining of the text and the continuation of the 2023 co-chairs for the sake of continuity
 - Support convention of the HMLD before CMA 6
- AILAC (Aligning with G77 + China)
 - Fully support the continuation of the co-chairs in the 2024 process
 - Focusing on paragraph 11(e)
 - Argues that this is micro-managing
 - States that options have already been identified – instead work plan should start with packages and allow TEDs to delve into items of further consideration
 - On submissions, encouraged the inclusion of many views on the work program. Offered a suggestion on how to better harness the submissions:

Submission can propose their packages in the submissions versus only providing feedback for the TEDs

- Supported the continuation of the TEDs and negotiations
- Wanted greater elaboration on the function of the process
- Australia (Support G77 + China)
 - Supported current draft as bridging
 - Also questioned how the two formats would interact, suggesting that this is potentially something to be explored via submissions
 - Wanted to make sure that the TEDs remain constructive. If the dual format is going to happen, must ensure that they are avoiding redundancy
 - Similar question to G77+ China on how the process would work
 - Raised the cost implication of hosting these additional negotiating meetings and brought up the UNFCCC budgets and burden on developing countries
 - Highlighted that they do not want the TEDs to be a talk-show fest where only talks are made but not work done
 - Asked for framing about how the co-facilitators of the consultative level would interact with the political level, if we have both programs happening at the same time, must ensure collaboration between the two
 - Wondered how the process could be packaged in a way that is more understandable
 - Stated that they wanted more time to discuss the synergy of the dual program
- Argentina (Align with G77 + China)
 - Happy with the substantive elements in the draft
 - Supported Para 8
 - Asked for slight modification to Para 11(b) – include the phrase “at least”
 - For Para 11(e), believed that this is an extra step that is unnecessary
 - For Para 17, thought it was useful to move the process forward and create a space for exchange at the high level
 - Requested guidance from high-level for continuing work on the technical level, stating that participation at the political level is indispensable
 - States that conclusions could be drawn from high-level dialogues for deliberations
 - Argued that the primary theme should be the methodology of work on the way forward to 2024
 - Stated that it has issues with substantive parts, but their current focus is on methodology. They will bring up substantive issues later

- Norway
 - Felt like there was consensus on the process
 - In reference to Para 7, understood that the TEDs could be used as negotiating spaces
 - Agreed with G77+ China on wanting clarity on the objective and role of the TEDs
 - Saw the role of the TEDs as providing an expert perspective and an opportunity for a deep dive
 - Questioned how adding a modality to the TEDs could be helpful
 - Stated that it is important to have early submissions on the workplan, wanted to focus the submissions
 - Advocated for TED9 to focus on linkages and, from there move to negotiating texts
 - Was open to seeing if TED10 is needed at the SBs. This would be needed if a step-change is needed
 - In terms of political engagement
 - Argued that the need for political engagement is important
 - But wanted the political process to be integrated, working in tandem (versus processes running parallel)
 - Stated that this would be an opportunity to learn from the GST process
 - On substantive matters, wanted to discuss more before the text is given to ministers
- Canada
 - Thought text was helpful for bridging
 - Echoed G77+ China and Australia on approach to the work plan
 - Called for COP29 to have a dialogue between ministers (versus the sequential speeches). Hoped to include this in the text and offered further discussion in an inf inf
 - Agreed with Australia on cost and ensuring the work programme is budget friendly. Argued that this is part of making sure that the meetings are inclusive to party and non-party.
 - For Para 11 (e), questioned what the additional meetings would do? Suggested filling the gap between TEDs and Ministerials
 - Touched on the substantive topics and questioned where the best place would be to talk about it, with the ministers? In an inf infs?
- AOSIS (Belize)
 - Aligns with G77+ China

- Emphasized focusing on the modality and the importance to “make sure to get it right”
- Echoed the concerns that has been raised by G77+ China and developing countries on how the process all works together, questioned “who is wagging the dog”
 - Reflected on the SDG process – how the long technical process fed into political negotiating
 - Argued that the current text will disadvantage SIDS. The process needs to make sure that they can effectively and meaningfully participate, specifically referring to the budget
- Recalled that the first set of co-chairs met regularly with AOSIS but this past year, they were unable to meet with the co-chairs at all
- Argued that the basis of work that is inclusive takes account of all submissions from the start of the work program. Just taking the most recent is disadvantaging because the SIDS have a more obstacles to getting in submissions regularly
 - Also recalled that they have already submitted something that is very comprehensive
- Stated that they need to make sure the process remains legal within the negotiating process
- For Para 11 (on the work plan) needs to be tailored to the idea that they are aiming for a draft text, stating that they need to make the link more concise
- Argued that budget is always used as a barrier for participation by AOSIS. It is not just observers who are excluded. Encouraged to think about “who the observers are, they do not look like us”
- For Para 10, argued that they must tie any mandate that is given to the co-chairs to the party observers of the process. Part 11 of the work plan, this needs to be tailored to all
- Gambia
 - Happy with the text
 - For Para 8, new and fresh thoughts are always helpful in pushing the process forward, but they thought that the 2023 co-chairs were progressive. As a result, advocated for them to stay for the coming year
 - Thought that May 2024 will be too late to engage in the process
 - Recognized that having co-chairs come up with text by March is challenging but wanted to put it back on the table

- For Para 11, supported the ideas of AOSIS and voiced concern with the dates
- Argued for HL negotiations/need to be informed by the political level
- Stated that if they could have input on one takeaway, it would be the timeframe of the NCQG
- Argued that the most logical approach is for the technical process to inform the political level (versus the current draft that stated that the political level informs the technical process)
- Switzerland
 - Thought that the negotiations are good to move forward, a good balance between clarity and micro-managing
 - Wanted to emphasize ensuring there is enough time to move from discussing packages to drafting text
 - Wanted to make sure the process is cost-efficient and inclusive
 - Suggested maybe transforming the TEDs into a negotiation space
 - Supported the appointment of co-chairs and ministers, but again asked to specify the link between the technical and political process
 - Suggested solution was to outline what is political and technical early in the year
 - Encouraged discussion on this across parties
 - Stated that perhaps the Annex can speak to some of the options
- Saudi Arabi (Arab Group)
 - Echoed G77+China
 - Stated that the ad hoc work program will utilize the rules of procedure of the UNFCCC
 - Advocated for general principles for adoption including:
 - Not too prescriptive on the work of the co-chairs, specifically on how the process will go
 - Emphasized the need to separate the work of the co-chairs and the outcome of the process, which could be more prescriptive
 - Restated that they should not be too prescriptive of the type of work that will go on next year to avoid micromanaging the co-chairs
 - For Para 11 (e) - Argued that it too prescriptive by dictating how the work is going to go, but they should not set it in stone
 - Concerned over Para 11 (g) – Again stated that it is too prescriptive of the Presidency. Thought that the Presidency should structure the political engagement (versus the not co-facilitators)

- Brought up budget considerations. In Bonn, discussed increasing the budget by 19%, but argued that that should not be later used to penalize developing countries
 - Recalled that the same issue/challenge tackled in the JTWP
 - Reiterated that the budget should not be used to block participation
 - Substantive issues included:
 - Argued that it should not go to the ministerial level for the decision. Stated that this would go against NCGQ, which it should remain a technical-level discussion. Saw political engagement as a “betrayal” of the goal
 - Voiced concerns about some parties’ idea that that substance material is going to ministerial
 - Argued that there is not enough time for this COP to go to the ministerial level
 - Argued that the original goal was completely political and that keeping it solely on a technical level is a sign of learning from this process
 - Highlighted limited opportunity for discussion on substantive issues
- US
 - Agreed on the importance of a strong mandate for the co-chairs for next year
 - Agreed with AILAC that this mandate not be too prescriptive
 - Voiced questions on the role of the ministerial co-chairs is
 - Stated that the decision should not be too deterministic
 - Recalled the processes of the L&C Transitional Committee, stating that they should draw upon this model to allow co-chairs to be able to table issues as needed and adapt to different formats if needed
 - Addressed a tension between needing to strengthen the work (more meetings) and budgetary/inclusion concerns, highlighted the need to ensure there is sufficient negotiating space
 - Again recalling L&C Transitional Committee, suggested text on potentially convening high-level government and high-level financial institutions (MDBs, private sector)
 - Voiced unhappiness with the current HLMD process
 - Advocated for focusing the first TED of 2024 on linkages (should be requested of the co-chairs). Stating that now is the time to think through linkages as it needs to happen before the text

- Concerned about the limited substantive discussion
 - Called document “scary”
- Pointed out the number of TEDs for 2024 reduced from 4 to 3 in the draft text
- Had not considered the role of submissions yet internally but was open to discussion
- UK
 - Agreed that the text is something that they can work from
 - Sought further clarity on how the processes work together
 - For Para 11, echoed points from LDCs on balancing the timeline for the substantive processes and ensuring time to submit
 - Argued that we must make sure the political and technical processes are engaged with one another
 - Called for substantive elements to be summarized further
 - For Para 10, requested to not be locked into the annual report
 - For substantive material, argued that they should be seeking progress here, especially because we are in the session of the negotiations
- South Africa (African Group)
 - Aligned with G77 + China
 - Said that the process should not be as complicated as they are making it be
 - Stated it is not clear if parties can use the draft text as the basis for negotiation or not, and voiced concerns over throwing away a year’s worth of work
 - Stated that South Africa had 16 of the 23 paragraphs of the methodology paragraphs, getting at the point that there is overlap but not complete overlap
 - Advocated for moving to negotiating text, outlining the process as follows:
 - Start with submissions
 - Then, make drafts based on submissions
 - Iterate until satisfied
 - Agreed with AOSIS that they need to establish safeguards or recognize that the only safeguards are the SBs
 - Stated that they are the biggest group in the room, but only 10 seats are funded by the UNFCCC, pointing out that not only AOSIS is underrepresented
 - Argued that the work plan was unnecessary, instead, the next steps are clear. All that is needed for CMA6 is a basis for negotiation
 - Need negotiation text to begin negotiating the final decision

- Asked for the negotiation text to be based on 2023 work plan and submissions
- Argued that the idea that the President “must appoint ministers early” was not ideal. Instead, they should maintain trust in the Presidency
- EU
 - Did not support separate programs from TEDs or SBI program
 - Stating that adding more processes does not necessarily lead to more process
 - On timing, argued for moving up the time table up so the submission are in by the end of January and the work plan is finalized by February
 - Argued that the TEDs are very efficient and reminded room that the only thing that the process needs to deliver is a negotiation text
 - Recalled negotiated this in great detail in Glasgow. Then it was on the table to be on the SBs or not and came to the conclusion not to be on the SBs
 - Don’t believe that more processes would generate a better outcome
- China
 - Happy with the streamlining of the current draft
 - Called on co-chairs need to maintain political trust
 - Saw the NCQG is the most important agenda item under the finance
 - For Para 11(e), doesn’t believe that it is necessary, and felt like it is micro-managing the co-chairs
 - Believes that the ministerial dialogue is necessary inside the developing country
 - For Para 26 and 27, argued that it is not in line with the mandate of the NCQG agenda mandate
 - For Para 94, maintained their position that they cannot support option 1 or 2
 - For Para 46 and 47, does not see it was within the mandate, calls for it to be be delayed
 - For Para 44, recognized that it acknowledges 9.3 (PA) but feels like it does not reflect 9.3 language
 - For Para 51/52, saw this is incomplete as it does not represent the consensus language of the Paris Agreement
 - Requesting adding portion about human rights
- New Zealand
 - For Para 11(d) , recognizes that it tries to speak to the inclusivity of the process but is concerned

- Argues that the fact that indigenous people have not been able to properly access the process should be added to the text
 - This would align with that Para 51/52 talks about the importance of including Indigenous people
 - India (LMDC)
 - Align to G77+China
 - Focused on the process alone
 - To ensure continuity, wanted the co-chairs of 2023 to continue into the next year to ensure the ability to reach a decision
 - Supported Para 8
 - Called to have discussions in TEDs on a draft text prepared by co-chairs based on the 2023 work program
 - Similar to SA, wanted the COP presidency to have flexibility to decide on high-level co-facilitators and wanted more clarity on the process
 - Requested clarity on the overall organization of the program
- Questions/How to move forward
 - Saudi Arabia (Arab Group)
 - Reiterated their position that they are not consenting to the bracketed text going to a high-level
 - Instead, advocated for continued work at the technical level and clarity on what is coming in Week 2
 - South Africa (African Group)
 - Thought that inf inf will be unhelpful
 - Co-chair (in response)
 - Argued that an inf inf is better because there is a huge scheduling issue
 - Discussed the presidency's request for the co-chairs to meet with ministers
 - Stated that they will convey that the negotiators want more time on a technical level to engage
 - Urge negotiators to consider if, beyond tomorrow, will they be willing to engage in a different format
 - AOSIS
 - Pointed out that the CMA does not close on the 12th and does not understand why technical discussions would not continue if there is the will to finalize it
 - There is no urgency here
 - G77 + China
 - On the co-chairs' message for ministers: The negotiators are trying to move forward collectively on shifting the modality to negotiations, and there is willingness from everyone in the room to get the process right

- But requested more time for informal consultation with the expectation that the secretariat has been planning for this
- Stated that the G77+ China is not ready to put forth bracketed text and requires time to coordinate and discuss before doing so
- Australia
 - Asked the co-chairs to communicate with ministers that negotiators need more time
 - Reiterated their support for co-chairs
 - Voiced disappointment that there cannot be inf inf as it could clarify thinking on the process, arguing that they should not restrict how the conversation moves forward
- Saudia Arabia (Arab Group)
 - States that no unique ideas be removed from the draft
 - Argued that in the next iteration, the entire text should be bracketed
 - Argues for a substantive option and no text option where parties do not agree
 - Reiterated that the process has only been procedural, not substantive, thus far

Follow-up:

- **Co-Chairs would discuss with ministers and pass along the communication from the negotiators**
- **Stated it would attempt to schedule a room in the morning of the following day, the following negotiation would be much more focused on substantive issues**

Take Away:

Key Points of Controversy:

- **There is still a significant amount of dialogue and confusion about the proposed dual structure for the 2024 work plan**
 - **Specifically how the political and technical aspects will interact with one another**
 - **Additionally, considerations around inclusivity in terms of creating a structure that is budget-friendly was a consistent theme**
- **There was a general consensus that the text is not ready for ministerial consideration, but varying views on what format is best (informal consultations, inf inf) as well as what the next step of the process should be (remaining strictly**

technical vs. moving to political consideration).
