



GENEVA HIGHLIGHTS: WEDNESDAY, 11 FEBRUARY 2015

Throughout the day, the ADP contact group on item 3 convened, focusing on the structure of the agreement and the way forward in Geneva.

ADP CONTACT GROUP

STRUCTURE OF THE AGREEMENT: Co-Chair Reifsnnyder invited parties to discuss the structure of the 2015 agreement, focusing on: what the agreement should do; how it will advance the Convention; whether it will be a “one-time agreement” or an agreement evolving through successive sets of commitments; the role of the bodies and mechanisms created since COP 15; how to address adaptation, mitigation and MOI; and which issues should be included in the agreement and which ones should be addressed through COP decisions.

The RUSSIAN FEDERATION said the agreement should include: objectives; principles; and major thematic issues. He emphasized: establishing a clear link between commitments and compliance; universal participation; and considering lessons learned from the Kyoto Protocol for the entry into force of the new agreement.

Saudi Arabia, for the ARAB GROUP, emphasized that the agreement’s legal nature should not be discussed ahead of agreement on the substance.

NORWAY said the new agreement should include a section on both mitigation and adaptation to reflect balance and the universal nature of commitments on each. Tuvalu, for the LDCs, called for: a separate section on loss and damage; balanced treatment of mitigation and adaptation; and enshrining existing institutions. TURKEY suggested the new agreement take into account socio-economic realities and be guided by science. Guatemala, for AILAC, underscored the agreement should: be ambitious and universal; prevent backsliding; and lead to gradual scaling up of all commitments.

NEW ZEALAND emphasized the principles of universality and longevity. She identified mitigation as essential, noting that while arrangements for support are necessary they “should not

be seen as an end in themselves.” She suggested that accounting rules for the land-use sector and markets be included in the agreement and technical details be addressed in COP decisions. Emphasizing that form must follow function, AUSTRALIA underscored: effectiveness; simplicity; durability; and avoiding duplication.

The Maldives, for AOSIS, proposed: that loss and damage be included in the agreement separately from adaptation; clarifying the relationship between the agreement and COP decisions; and considering headings and subheadings. SWITZERLAND called for an agreement that: brings in everybody; develops and strengthens existing institutions; and includes rules on mitigation, adaptation and finance that address each area according to its specific needs.

BRAZIL stressed the importance of an agreement that does not need to be revisited every cycle. MEXICO supported an agreement that allows for efficient adjustments without a ratification process. Malaysia, for the LMDCs, stressed that the Paris outcome must enhance the implementation of “the already long-lasting and durable” Convention, not replace it.

The US stated that the agreement should evolve over time to promote progressively more ambitious action. He said the agreement should include both mitigation and adaptation. The US opposed including INDCs in annexes, indicating that another format would be more appropriate for 195 diverse INDCs. The EU reiterated preference for a legally-binding outcome in the form of a protocol, identifying the need for provisions on entry into force and ratification, as well as on regional economic organizations and compliance.

Several parties stressed the importance of distinguishing what will be in the agreement and what will be included in COP decisions. The EU identified the need to consider what stands the test of time and what needs to be amended on a regular basis. The US noted that there should be no hierarchy among the agreement and decisions. BRAZIL said there should be no “second-class elements.” CHINA indicated discussions on what goes into the agreement or decisions are premature before agreeing on the legal form of the Paris outcome.



Panama, for CfRN, called for including the Warsaw Framework on REDD+ and clear accounting rules in the new agreement. MEXICO, the US and BRAZIL supported including existing institutions under the new agreement to facilitate its implementation. BRAZIL underscored that any agreement with a market mechanism must be based on a common understanding of the mechanism's accounting rules. VENEZUELA proposed deleting references to market mechanisms in the new agreement.

The Bahamas, for CARICOM, supported a protocol with sections on, *inter alia*: general principles, including and anchoring institutions; commitments and obligations; communication of information related to implementation; compliance; a dispute settlement mechanism; and financial mechanism.

INDIA opposed proposals for new annexes x, y and z, and called for: a workshop on the implications of the legal nature of the new agreement; clarification on how IPCC assessment reports will inform the negotiations; and ensuring that decisions on workstream 2 (pre-2020 ambition) are finalized before Paris. Malaysia, for the LMDCs, called for shifting focus from the different nature of adaptation and mitigation to balanced and holistic treatment of all elements. He called for strengthening the rules on MRV of support.

ARGENTINA stressed that the ADP's work must be in line with the Convention and its principles, reflecting CDBRRC and, in a balanced manner, all elements in Decision 1/CP.17 (mitigation, adaptation, finance, technology, transparency of action and support, and capacity-building). He indicated that the land-use sector should be excluded from the agreement.

STREAMLINING: Co-Chair Djoghlafl explained that the revised text in its entirety with corrections will be available on Thursday. He indicated that the "Geneva text," with corrections, will serve as the negotiating text unless the parties agree to change it. Co-Chair Djoghlafl then asked parties to present proposals on how to streamline the text. He stressed that such proposals will be captured in a separate non-paper. He also explained that the Secretariat had identified almost identical paragraphs in the revised text, which were displayed on the screen.

Tuvalu, for the LDCs, and BOLIVIA raised points of order, requesting more time to reflect on the new text before moving into streamlining. BOLIVIA underscored that deciding which proposals in the elements text are alike is an exercise for parties, not the Secretariat, to undertake. The LDCs explained that with the many new proposals put forward by parties, it would be more useful to hear justifications for the new proposals.

Co-Chair Djoghlafl stressed that those parties who had refrained from presenting their proposals earlier in the week must be given the opportunity to present their streamlining proposals. Chile, for AILAC, identified three areas in Section C (general/objective) for merging and/or shortening. ETHIOPIA suggested, *inter alia*: a global emission budget to be divided amongst all

parties according to the Convention's principles and provisions; a 1.5°C target; and that the governing body of the new agreement define the quantity of GHG emissions that each Annex I party may emit. On market mechanisms, he proposed, *inter alia*, that parties be allowed to seek up to 20% of their emission reductions in the territory of others. Referring to the almost identical paragraphs identified by the Secretariat, AUSTRALIA agreed to delete one of her country's proposals from the mitigation section.

VENEZUELA urged using the time in Geneva efficiently and undertaking the first multilateral reading of the Geneva text. The RUSSIAN FEDERATION supported starting negotiations but opposed the Co-Chairs' proposal to move to a smaller setting. ECUADOR and VENEZUELA suggested having parties explain their specific proposals. BRAZIL suggested that parties identify areas of duplication through open-ended informal discussions. The MARSHALL ISLANDS supported this approach, suggesting that parties decide later in the week whether to capture that work in a document. MALAYSIA sought clarification on what would happen to the Geneva text once parties start proposing changes.

IRAN, supported by EGYPT, requested that the Secretariat make an attributed version of the new text available, while VENEZUELA and COLOMBIA opposed. SWITZERLAND indicated that attributions could be helpful, and called for identifying areas in the text where similarities can be found.

Co-Chair Djoghlafl indicated that the text with attributions is an internal document and that parties will be able to obtain information on the proponents. He noted intentions to facilitate informal consultations on Thursday morning in parallel with ADP contact group discussions on workstream 2.

IN THE CORRIDORS

On Wednesday, all sections of the new "Geneva text" were available online. The Secretariat continued to include parties' corrections, expecting to finish this work on Thursday.

Many delegates seemed pleased, even surprised, at the speed with which the text had been produced. Some felt that the objective of the Geneva session had been achieved: "We already have a negotiating text!" Others were eager to see more progress and proceed to streamlining, not to waste precious negotiating time.

Parties therefore spent most of the afternoon discussing how to proceed. Some called for a text with attributions, others opposed. Some parties were eager to begin weeding out duplications, others feared informal consultations on the text would become a "slippery slope," starting with the removal of "simple" duplications and ending with "more complicated re- or misplacements." One observer commented: "It looks like some are too shy to get on the dance floor while others seem to be aggressively insisting on a dance now."