

Key outcomes of the June ADP Session in Bonn

On the way to Paris Agreement

Dr. Marzena Chodor,
Clima East Key Expert

August 2015

The contents of this publication are the sole responsibility of the author and can in no way be taken to reflect the views of the European Union

Following the previous ADP session in Geneva in February 2015, a lengthy text of 86 pages emerged, elaborated by the UNFCCC negotiators. This contained all options proposed and supported by all Parties. This was then translated into six UN working languages and circulated to the Parties as the 'Geneva negotiating text' on March 19, 2015. It is this text that the Parties decided to adopt as a fulfilment of the mandate given to ADP following COP.20 and obliges it to finalize, before May 2015, a negotiating text for a protocol, another legal instrument, or an outcome with legal force under the Convention applicable to all Parties. Given the length of the cumbersome outcome of the Geneva negotiations, it was clear that the key objective of the June ADP session would be for Parties, guided by the ADP Co-Chairs, to work towards a more concise negotiating text but at the same time a text that would retain key options and capture progress in a working document. In order to support this process, on 9 April the Secretariat of the UNFCCC prepared and made public an informal note on the overlaps and duplications in the Geneva negotiating text¹.

In their 'scenario note' issued in advance of June Bonn session², the ADP Co-Chairs proposed that in June, Parties advance work on the negotiating text and discuss how to facilitate pre-2020 action and how to further advance the technical examination process, all in line with COP.20 decisions. The process was to continue being Party-driven and building on the inputs from the Parties. The Co-chairs envisaged a continuation of work along the lines adopted in Geneva, in two negotiating groups. It was planned that both groups were to undertake efforts to consolidate and streamline the negotiating text by reducing overlap, repetition and duplication whilst the Geneva text was to be retained as a point of reference. It was also hoped that in addition to streamlining and shortening the negotiating text, Parties would consider which elements should be included in the Paris agreement and which ones should be left to COP decisions. It was expected that substantive negotiations could start in Bonn. However, in Bonn the ambitions of the Co-Chairs 'scenario note' remained unfulfilled as negotiators focused their attention instead on the mode of work and only minimal progress was achieved.

In order to move forward on the Geneva outcome, the Co-Chairs proposed an informal mode of work, taking the form of facilitated groups focusing each on one section of the negotiating text with a view to streamlining the text and consolidating, within these groups, options on each section of the official negotiating text. As a result, ADP negotiating groups undertook reading the negotiating text, while discussions were held in informal facilitated groups. Discussions on the general, objectives, mitigation, adaptation and loss and damage, on technology, finance, transparency and capacity building were all held separately.

A lack of progress on finance and on the transfer of technology is seen as one of key stumbling blocks in ensuring consensus between developed and developing countries. Consensus is also needed on the understanding of CBDR (Common but Differentiated Responsibilities) which is needed to agree on contributions/commitments/actions of Parties and their obligations under a new agreement. The informal groups worked at different speeds and in different modes, and only towards the end of the second week were some facilitated groups engaged in conceptual discussions. Most of the time was spent by negotiators on procedural discussions but, as stressed by Parties and observers, this exercise enabled them at least to build a good degree of trust among Parties. The Bonn session is considered to have been a success in this regard. Otherwise, ADP 2.9 session in Bonn resulted in two non-papers, which were published on the UNFCCC website under ADP outcomes:

¹ ADP.2015.2 Informal Note

² ADP.2015.3 Informal Note

1. Revised streamlined and consolidated text, dated 11 June 2015³
2. Working Document, dated 11 June 2015⁴

The slow progress made by the facilitated groups in collective textual streamlining was recognised and led to the Parties deciding to entrust to the ADP Co-Chairs with the task of the preparation of a “*fully streamlined, consolidated, clear and concise version of the Geneva negotiating text that will present clear options and will not omit or delete any option or position of Parties*” in the period following the session. This is a substantial task but one that may succeed in providing an acceptable outcome, given the realisation of the Parties that collective streamlining cannot work in the short timeframe remaining before the COP, even if the October ADP session is prolonged by a few days as was proposed following the slow progress made in June. Speeding up the streamlining process, and catching up on time lost at the June session in Bonn is essential. In order to support progress in the course of the August-September session, the Co-Chairs promised to put forward a compromise proposal of a text for consideration of Parties at ADP 2.10. Mindful of not falling short of delivering on the trust which was granted to them by Parties, the Co-Chairs were at pains to stress that the Geneva text will remain the only official document (as contained in FCCC/ADP/2015/1) and as a point of reference for both, the forthcoming attempt and for all possible future attempts of streamlining, enabling Parties to judge how the proposed new iterations of the text relate to the official point of departure. All the in-session documents issued during the ADP 2.9 in Bonn will remain to be treated as non-papers. Also all future in-session documents will have no status and will be treated as interim tools helping Parties to produce the final agreed ADP outcome in Paris. The text proposed by the Co-Chairs will be annexed to their Scenario note for the ADP 2.10 session, which will be published on 24 July. As explained by the Co-Chairs, their proposal will have a status of a tool aiding the further work of the Parties. It will be “*a single document based on the structure of Annex II to the Scenario Note of 5 May 2015, and guided by the views expressed by Parties during the 8 June stocktaking meeting, taking fully into account the discussions on this issue during the 75 meetings of the ADP negotiating groups as well as the meetings of the facilitation groups. It will include a fully streamlined, consolidated, clear and concise version of the Geneva Negotiating Text that will present clear options and will not omit or delete any option or position of Parties.*”⁵ The Co-Chairs will also attempt to separate issues/paragraphs that „by their nature” should be included in the agreement from issues that should become part of the draft COP decision. Parties did not agree in Bonn on whether to start identifying which elements of the negotiating text should be placed in the agreement, and which should be addressed in future COP decisions. The agreement, in order to be applicable to all has to remain inclusive and therefore based on general provisions, while details can be operationalized through the COP decisions. Many Parties felt, however, that this was still too early to deal with during the June session.

The Co-Chairs also promised that „*issues clearly requiring further substantive negotiation among Parties to determine their placement will remain in the streamlined, consolidated, clear and concise Geneva Negotiating Text without inclusion in either category and will be clearly identified*”. This proposal, and the suggested mode of work, will be discussed with Parties during pre-session consultations starting on the 26 August.

In parallel to slow progress on workstream 1 at the June Session, there was a lack of progress on advancing work on closing the gap in the level of mitigation ambition in the pre-2020 period under workstream 2. In Bonn, the Technical Examination Process was continued through two Technical Expert Meetings dedicated to scaling up the use of

³ adp2-9_i3_11jun2015t1630.pdf

⁴ adp_2_9_wd_11062015@1645.pdf

⁵ http://unfccc.int/files/bodies/awg/application/pdf/way_forward_11_june_-_edits_1026am.pdf

renewable energy and to energy efficiency in urban environments. This was followed in the second week of the session with attempts to capture Parties' views on how to continue TEP in the pre-2020 period. Several regional groups put forward their views on workstream 2 through submitted CRPs. However, Parties were not able to agree upon what precisely was mandated under workstream 2. China and LMDCs called for developed countries to upscale their pre-2020 mitigation pledges and commitments, and to remove all conditions preventing them to do so, which prompted the EU to announce that it was not considering that the conditions for upscaling its pre-2020 ambition were met. Parties could not find a convergence point with regard to the continuation of TEP, with some developing countries calling for more robust high level engagement of which developed countries were more skeptical as well as differences emerging with regard to placing future TEMs after the closing of ADP under the COP, or in one of SBs. AOSIS proposed a new institutional framework for TEMs, and developing countries called for more support for experts representing developing countries to participate in TEMs. Some developing countries supported the monitoring of the TEMs effectiveness. Some countries also envisaged a similar process in upscaling ambition in the post-2020 period. India, supported by China, wanted to progress by compiling all Parties views into one draft negotiating text in the manner following negotiating text in Geneva under workstream 1. In the end, no progress was made on the text of the draft decision and workstream 2 will remain a potentially contentious issue for the next ADP session. In the past, many developing countries stressed the link between progress on workstream 2 and progress on workstream 1. This was less pronounced during this session, perhaps because workstream 2 is now focusing more on non-state actors and upscaling policies, actions and initiatives discussed during TEMs than on Annex 1 pre-2020 actions. However, there is a risk that a lack of progress on workstream 2 could impact negatively progress in negotiations under workstream 1.

Negotiations under SB41 on the outcome of the 2013-2015 review turned out to be another unexpected risk to reaching an appropriate agreement at the Paris COP. Parties were expected to adopt conclusions on the Structural Expert Dialogue which was elaborated in Geneva, and to prepare a draft decision for COP. Some Parties were however, against preparing a draft of decision on the 2015 Review, claiming that this was not mandated and insisting instead on drawing upon the general conclusions of SBI and SBSTA. Other groups representing developing Parties (AOSIS and the African Group) wanted to recommend to the COP to strengthen the long term goal to 1,5 degrees Celsius. Such a move will mean that Parties would have to envisage considerably greater efforts to reduce emissions in the short term, given that IPCC considered only one scenario of reaching a 2 degree goal by end of this century was viable. Despite the efforts of the co-facilitators of the Joint SBI/SBSTA Contact Group and of the SBSTA Chair, this agenda matter was not closed at SB41 as intended, and will be further debated in Paris. Since the ADP is meant to be informed by the results of the 2015 review, this SBs agenda matter will create an additional hurdle for negotiators on the way to bridge differences among the Parties. Various options currently included by Parties in section D, 'mitigation of the negotiating text under heading of *'Long term and Global Aspect'*, show how important the issue of operationalisation is to the long term goal.

Another setback for SBSTA was a lack of agreement on Articles 5,7,8 of the Doha amendment to the Kyoto Protocol, and, linked to this issue, a lack of agreement on the interpretation of Article 3.7 of the Doha amendment to KP. No outcome in Bonn with 6 respect to these two agenda items will further slow-down ratification of the Doha amendment to KP by Parties. So far, the number of ratifications does not allow the amendment to enter into force. Lack of progress on these issues is a problem for Parties that are participating in second commitment period of the Kyoto Protocol. It also undermines trust among Parties. Slow progress on ratification of the Doha amendment was invoked in some of the statements

made by the parties at this ADP session. Some Parties linked a lack of progress on KP ratification and the ambition gap in the pre-2020 period to progress in negotiations of the Paris agreement. These two agenda items will come back during SBSTA42 in Paris.

From the list of issues considered by the SBs, the outcome on REDD+ was welcomed as a success. Parties achieved a breakthrough agreement on the REDD+ mechanism by including transparency and quality reporting requirements for developing countries' forest programmes, incorporating safeguards to protect indigenous rights and including recognition of non-market approaches. It should be noted that even though guidance on safeguarding information systems has finally been agreed, it is rather general in nature. The three draft decisions annexed to the conclusions from SBSTA are nevertheless a marked step forward from Lima. As a result, it was deemed that there will be no need for discussions on REDD+ in Paris.

What are the key challenges ahead of Paris?

The participation of all countries in the global agreement is crucial, and it is expressed through their INDCs. The EU and its Members States and a number of other countries have come forward with their INDCs in the first quarter of 2015 and during the Bonn session two developing countries, Morocco and Ethiopia, submitted two more national contributions. Many more, including Eastern Partnership countries, are at present working on their INDCs and intend to submit those contributions prior to the Paris COP. For the 2015 Agreement to be meaningful, all Parties need to come forward with ambitious INDCs well in advance of 7 Paris COP. Given their importance, all major economies should come forward with their contributions as soon as possible.

In the climate negotiations, one of the key issues is the ambition of the new agreement and how this will correspond with the objectives of the Convention and the long term goal that Parties want to achieve in order to prevent dangerous climate change. The collective ambition of INDCs submitted as the Parties' contribution to the 2015 Agreement will have to be somehow measured against the long term goal, and cycles of review and action will have to be designed as a mechanism enabling Parties individually and collectively to monitor, review and correct the joint course of action. Parties need to decide whether, after reviewing overall progress towards the long term goal, they will be bound to increase their efforts. The EU calls for a dynamic agreement. This means that Parties need to agree on a process to regularly revisit and, if necessary, raise ambition over time to achieve the collective long term goal. Ambition cannot be judged without a robust MRV system, and corrective action will not be possible, if countries do not know whether they are on path to achieve their objectives assumed under the climate agreement. For many experts cycles of contributions/commitments/actions are crucial for holding countries accountable for achieving objectives of their proposed nationally determined contributions and will provide natural intervals at which corrective action could be taken, if necessary. The EU is of the view that it is crucial for Parties to agree that the 2015 Agreement will deliver transparency and accountability of Parties' against their mitigation commitments.

Agreeing on a long-term goal and its regular review is closely linked to the issue of collective ambition. Parties will have to achieve a consensus on the long term goal and its operationalization pathways. The long term goal is defined in reference to the ultimate objective of the UNFCCC as stated in Article 2 of the Convention: *'The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention,*

stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner' (UNFCCC, 1992). The limits beyond which anthropogenic interference would become dangerous or changes to the climate system that are considered necessary to prevent dangerous anthropogenic interference with the climate system can be defined in terms of various criteria, such as the stabilisation of GHG concentration at a certain level, limiting the global mean temperature or limiting the rising in sea levels, or ocean acidification. The assessment of impacts, vulnerability and adaptation potentials is important for determining the scale of climate change which would result in ecosystems, food production or economic development being threatened to a level sufficient to be defined as dangerous. Since 2010, Parties to the Convention agree that the objective (of the Convention) is to limit the rise of the global temperature by end of the century to below 2 degrees Celsius in reference to pre-industrial levels. Many countries would like to strengthen that goal by replacing 2 degrees with 1,5 degrees Celsius. The long term goal agreed in Paris must be achievable, reflecting IPCC recommendations and realistic mitigation scenarios most recently outlined in AR5. Above all, the long term goal must be clearly determined and susceptible to monitoring and verification. No matter how it is selected, its implementation would require developing consistent emission pathways and levels of mitigation.

Climate finance is another key stumbling block which could render the agreement unachievable. A robust financial package needs to be agreed in Paris, taking into consideration CBDR and equity principles, agreeing how climate finance will be provided to those countries in need of financial support on mitigation but also supporting the most vulnerable and poor countries on adaptation. A clear message to international big players on carbon-neutral investment and divestment from carbon assets will reinforce the efforts of governments. The 2015 Agreement will have to achieve consensus on adaptation and contribute meaningfully to achieving climate resilient sustainable development through effective adaptation. Vulnerabilities to anthropogenic climate change are strongly regionally differentiated, with often those in the poorest countries being the most susceptible to adverse impacts.

Adaptation is considered as crucial. Since "*stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system... should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner*", the challenge of enabling economic development to proceed in a sustainable manner is crucial for understanding what is at stake in these negotiations. Projected anthropogenic climate change, as confirmed most recently by IPCC AR5, is likely to affect sustainable development in an adverse way, with negative impacts certain to increase in line with higher levels of climate change and increased GHG concentrations. On the other hand, the more costly mitigation measures, the more pronounced adverse effects on economic development, as we traditionally perceive it, that is - to be measured through incremental GDP. This is the real dilemma facing policy makers.