

COP 23 agenda adopted, pending consultations on two items

Bonn, 7 November (T. Ajit and Meena Raman)- The agenda of the 23rd session of the UNFCCC (COP 23) was adopted, pending informal consultations on two specific proposals by Parties for inclusion in the agenda.

This took place on Nov. 6, the first day of the annual climate talks in Bonn, Germany, which is scheduled to end Nov.17, 2017. The adoption of the COP 23 agenda was preceded by an opening ceremony.

Well ahead of the opening of the talks, two agenda items were proposed for inclusion in the COP 23 agenda.

The first proposal for inclusion came from the **Like Minded Developing Countries (LMDC)** on *“Accelerating the implementation of the pre-2020 commitments and actions and increasing the pre-2020 ambition in accordance with paragraphs 3 and 4 of decision 1/CP.19”*.

The second proposal was from the **Democratic Republic of Congo (DRC)** (endorsed by **Mozambique**) on a *“Gateway to encourage, measure, report, verify and account for greater ambition from corporate entities, investors, regions, states/provinces, cities and civil society organizations”*.

The two proposed agenda items were contained in a supplementary provisional agenda ([Document FCCC/CP/2017/1/Add.2](#)).

COP23 President, Fijian Prime Minister, Frank Bainimarama, presided over the opening session and said that he had carried out “intensive consultations” with Parties over the proposed agenda items and had concluded from these consultations that while there was no consensus to include these items in the COP23 agenda, there was a willingness among Parties to exchange views and to explore ways forward.

Bainimarama therefore proposed that the

additional agenda items, which were “unique and deserve focused attention” be given due consideration through further consultations, and that the supplementary provisional agenda be adopted with the exception of the two items, “subject to consultations”.

He also said that further consultations on both the issues would happen under Salaheddine Mezouar from Morocco, who was the COP22 President. He said that the outcome of the consultations would be heard on Saturday, 11 Nov.

Bainimarama then gavelled the adoption of the agenda.

Soon after, the proponents of the proposals intervened and expressed their displeasure at the agenda being adopted without their proposals being considered and wanted to know from the COP 23 President which Parties were opposed to their proposals.

In response, the COP23 President maintained that there was no consensus among Parties to include the items on the agenda, without disclosing who were opposed to their inclusion.

The **DRC** took the floor first to say that it did not agree with the idea that an important agenda item could be postponed or put off until future. It said that it would like to know why the two items were excluded from the agenda, and added that both the items dealt with an “increase in ambition”. “These items should be re-instated in the agenda and if there are Parties that are against it, they should expressly and publicly say so,” it said.

Iran for the **LMDC** said that theirs was “not a new agenda item” and it was rather a matter of “unfinished business”. It added that past decisions of the COP such as that taken in Warsaw in 2013 (decision 1/CP.19) had called for more ambitious and accelerated climate action to be taken in the

pre-2020 period.

(The pre-2020 period refers to existing obligations under the Convention and the Kyoto Protocol, while the post-2020 time frame refers to the obligations under the Paris Agreement.)

Iran referred to paragraphs 3 and 4 of the Warsaw decision.

(Parties in Warsaw had resolved under para 3 “to accelerate the full implementation of the decisions constituting the agreed outcome pursuant to decision 1/CP.13 (Bali Action Plan), in particular in relation to the provision of means of implementation, including technology, finance and capacity building support for developing country Parties, recognizing that such implementation will enhance ambition in the pre-2020 period.

Under para 4 Parties also resolved “to enhance ambition in the pre-2020 period in order to ensure the highest possible mitigation efforts under the Convention by all Parties by:

(a) Urging each Party that has not yet communicated a quantified economy-wide emission reduction target or nationally appropriate mitigation action, as applicable, to do so;

(b) Urging each developed country Party to implement without delay its quantified economy-wide emission reduction target under the Convention and, if it is also a Party to the Kyoto Protocol, its quantified emission limitation or reduction commitment for the second commitment period of the Kyoto Protocol...;

(c) Urging each developed country Party to revisit its quantified economy-wide emission reduction target under the Convention and, if it is also a Party to the Kyoto Protocol, its quantified emission limitation or reduction commitment for the second commitment period of the Kyoto Protocol;

(d) Urging each developed country Party to periodically evaluate the continuing application of any conditions associated with its quantified economy-wide emission reduction target, with a view to adjusting, resolving or removing such conditions;

(e) Urging developed country Parties to increase technology, finance and capacity-building support to enable increased mitigation ambition by developing country Parties;

(f) Urging each developing country Party that has communicated its nationally appropriate mitigation action to implement it and, where appropriate, consider further action, recognizing that nationally appropriate mitigation actions will be taken in the context of sustainable development, supported and enabled by technology, finance and capacity-building;

Iran also referred to the facilitative dialogue held in 2016 (FD 2016) at COP 22 in Marrakech, and said that Parties needed to follow up on its outcomes, adding that it had been an “oversight to not include the issue of pre-2020 in the COP23 agenda” especially since it was rooted in previous decisions.

It also added that it understood that the adoption of the agenda would follow the consultations held by the COP Presidency by Saturday, while proceeding with the other work in the interim. “Post consultations, Parties could revisit the COP23 agenda on Saturday and adopt it,” said Iran further.

In a strong statement, which drew applause, **India** said that the issue of pre-2020 actions was an ongoing agenda item and was very much part of a process that was mandated with arriving at a global agreement in 2015 (referring to the Paris Agreement) as well as to enhance mitigation action before 2020.

“While we have seen rapid progress on the post 2020 agenda, we have not seen similar progress on the pre-2020 agenda. Any delayed action is going to cost us more. In the light of scientific evidence, there is no rationale for not taking up this item. This has been one of the key issues of trust and confidence among developing countries because any gap in the pre 2020 action will lead to further problems in the future. It will lead to a distribution of the mitigation gap on all developing countries,” said India.

India also said it would like to hear other Parties’ objections on the issue. “We have heard that everyone wants urgent action. We would like to hear how this can be a matter of doubt or a matter that does not have consensus,” it added further.

It further said that Parties have past decisions where there has been talks about the ratification of the Kyoto Protocol, the removal of conditionalities for further ambition, the revisiting of the emission reduction targets, the need for support for developing countries, and expressed that many of these actions have not materialised.

“If we don’t follow the decisions we taken in the previous COPs, what confidence do we have that the decisions taken in this COP would be honoured? What kind of confidence are we inspiring? What kind of trust are we generating in the process itself?” asked India.

It also pointed to the irony that while the Paris Agreement had come into force (in 2016), the

second commitment period of the Kyoto Protocol (2CP) had still not entered into force.

(In 2012, Parties had agreed in Doha, to amend the Kyoto Protocol [KP] to incorporate the 2CP where developed countries who are Parties to the KP would undertake aggregate emission cuts that would be at least 18 per cent below 1990 levels. They also agreed that developed countries would revisit their emission reduction commitments by the end of 2014, with a view to increasing their ambition level. However, neither has the 2CP come into effect, nor has there been a revision of the ambition level for the emission cuts of developed countries thus far. For more, see [TWN Update 1.](#))

India indicated that the fact that 2CP had not come into force signifies that there is a “reluctance on the part of some Parties to really take action now and defer all the action to the post-2020 period”. It underscored the “need for a space for discussing the item during the COP” and urged the COP Presidency “to reconsider the decision and allow Parties to have a meaningful and fruitful discussion to enable us to have some kind of a timeline, to take suitable action so that what has not been done till now is done quickly and we have some meaningful action on the pre-2020 agenda”.

Switzerland for the **Environment Integrity Group (EIG)** said it while it agreed with India that pre-2020 action was an “important item”, this was being discussed under several other agenda items and that it was ready to engage in those discussions. It, however, said that the EIG supported the COP23 President’s approach on moving work forward through consultations.

In response, **China** said that some Parties might say that different agenda items are already looking at pre-2020 issues, but the “issues are not being addressed there.”

“Even if it appeared that there are items to address the issues, they do not address them in the manner in which they should be considered. There remain gaps. In any case, if some Parties insist that they are being addressed, it would be good to take stock of the progress and have a complete overview of all matters in relation to the mandate in paragraphs 3 and 4 of 1/CP.19, and that is exactly what the LMDC is proposing,” said China.

“If we do not respect our previous decisions, how do we maintain the trust among Parties and how do we show the world that we are on the right track and how do we prove the effectiveness of the multilateral process?” asked China.

China echoed India on the need for urgency, the imbalanced progress on pre-2020 issues and the irony of the 2CP not coming into force. “Decision 1/CP.19 was adopted at a COP held in Poland. We will have another COP in Poland next year. It is our sincere hope that all commitments would have been fulfilled by then. We support Iran’s proposal that we have the consultation and look at the issues and reconsider the adoption of the agenda on Saturday,” expressed China.

In response, the COP President said that that a decision had been made and that they would come back on Saturday to the two agenda items and asked for Parties’ understanding.

Iran sought further clarification on the fate of its proposal and said that since there had been no objection for the inclusion of its proposal, it requested the Presidency to include the item in the agenda and establish a contact group.

“It will not be good to let the bygones be bygones because we are left with only three years for the Paris Agreement implementation to begin. We would like to see it included in the agenda,” it said further.

The **DRC** also intervened to say that Parties had exercised utmost goodwill by adopting the agenda and reiterated that its proposal too had not faced any objections. It emphasized that since the agenda had been adopted, it hoped that the consultations held would lead to a decision by the COP; otherwise the goodwill shown at the opening may no longer remain at the end of the COP and no body would like a difficult end to the COP.

In response COP23 President said “bygones would never be bygones” and repeated that there was no consensus on the two proposed agenda items.

India stressed that “whatever discussions we have been hearing, we have not heard any Party opposing it” and requested that the LMDC proposal be accepted.

However, COP 23 President repeated his statement yet again, offering no scope to learn who was against the LMDC proposal.

“I have mentioned that I have had intensive consultations with Parties and there has been no consensus on this issue,” said Bainimarama.

The COP then carried on with its proceedings, pending informal consultations on the two remaining items.

