

Parties agree on further work on Paris Agreement rules after tussle

Bonn, 19 May (T Ajit and Meena Raman) — The UNFCCC's Ad Hoc Working Group on The Paris Agreement (APA) ended its work on 18 May, after lengthy deliberations and four versions of the draft conclusions which finally got adopted late evening at 9.30 pm.

The wrangling over the conclusions between developing and developed countries centered mainly on what roundtables should be held on what issues, and on what topics should be covered as regards those issues.

The root cause of the wrangling appeared to be differences over what was seen as a 'mitigation-centric' approach (preferred mainly by developed countries) versus a more balanced and comprehensive approach (preferred by developing countries) in relation to the progress of work in designing the rules for the implementation of the Paris Agreement (PA).

(The APA, along with the subsidiary bodies, was tasked by the Parties in Paris in 2015 to draft the rules for the implementation of the PA and has until 2018 to complete this.)

The work of the APA, along with the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA) began in Bonn, Germany on 8 May and ended on 18 May.

In the conclusions adopted at the APA plenary on 18 May, Parties noted that "substantive progress has been achieved at this session in making a transition from conceptual discussions to focused technical work, including, as appropriate, on textual elements."

In the conclusions adopted, the APA also invited Parties to make focused submissions on nationally determined contributions (NDCs), adaptation communications, transparency framework, global

stocktake (GST), and on facilitating implementation and promoting compliance of the PA.

Discussions on these issues have been captured in informal notes by co-facilitators facilitating the various informal consultations (see related [TWN Update](#)) and is referred to in the conclusions.

The APA also agreed to conduct roundtables on NDCs, adaptation communication, transparency framework and GST, with some of them held just before the twenty-third session of the UNFCCC's Conference of the Parties (COP23). (COP 23 which will take place in Bonn from 6 to 17 Nov. this year, and will be hosted by Fiji.)

The APA also noted the intention of the APA Co-chairs "to release a reflections note to provide an overview of the outcomes of this session and to suggest options for the way forward based on the views and ideas that Parties put forward at, an expressed through their submissions for this session."

The closing plenary was marred by confusion (see details below), and there were several disagreements among Parties on the issue of roundtables, which in the first place had necessitated the issuance of several iterations of the draft conclusions by the Co-chairs.

There had been huge differences and wrangling between developed and developing countries around the roundtables, which arose at the APA contact group held on 17 May to finalise the conclusions to be considered and approved at the final plenary.

At the contact group on 17 May

The APA had discussed the issue of roundtables in two contact groups held on 17 May, but was unable to arrive at any consensus.

Discussions in the contact group revealed that while many developing countries wanted roundtables to be held on the issues of NDCs, adaptation communications, the transparency framework on action and support, facilitating implementation and promoting compliance and the GST, the developed countries were less balanced, preferring a ‘mitigation-centric’ approach.

Developed countries especially said that issues such as adaptation communications, the GST and facilitating implementation and promoting compliance “were not mature enough” and that there should be no roundtables on these issues. They preferred roundtables on the mitigation component of NDCs and transparency of action (and not transparency of support which is related to the means of implementation.)

Developing countries such as the **Like Minded Developing Countries (LMDC)** countered by saying that they could not go along with the approach of developed countries and that adaptation communications and transparency of support were very important.

The **African Group** added that precisely because the issues related to transparency of action and mitigation had advanced (more than the other issues), roundtables should be held on issues that had not advanced so that enough focus could be given on those.

India said that ‘balance’ had been the key word in the Bonn session. It said that it was looking for balance in outcomes through the draft conclusions, adding that it could not agree to conclusions that led to imbalances. “We cannot have informal notes and non-papers for some (issues) and nothing for the others. Without being selective, we should capture all the views, convergence and divergence, and reflect the reality of the process. Progress cannot be only in mitigation and transparency of action. Progress has to be made in GST, transparency of support as well as adaptation,” added India.

The most contentious issue was around the roundtable on the transparency framework. Developed countries said that Parties had agreement within the informal-informal session (which was closed to observers) to conduct a “multi-day” workshop on transparency.

However, developing countries said that if a transparency workshop had to be held over two

days, it should be divided into transparency of action and of support respectively, with a day each. There was no agreement on this proposal.

There were long huddles during the contact group held on the draft consultations to find solutions.

In the huddle that lasted over an hour-and-a-half, there were various proposals put forward. The APA Co-chairs also joined Parties and groups of Parties, and a proposal emerged. The APA Co-chairs are **Sara Baashan (Saudi Arabia)** and **Jo Tynall (New Zealand)**

According to the proposal, there would be pre-session roundtables over two days.

On the first day, roundtables on transparency of support and adaptation communications would be held in parallel sessions. Co-chair Baashan proposed that the roundtable on transparency of support would also include technical expert review (TER) and facilitative multilateral consideration of progress (FMCP).

(This is to ensure that the transparency of support does not only address the reporting of the provision of support and receipt of such support but also a review and a consideration of what has been provided and received).

On the second day, there would be a roundtable on transparency of action, addressing both mitigation and adaptation and another one on GST. In addition to these, there would be in-session roundtables on the issues of facilitating implementation and promoting compliance, as well on NDCs.

South Africa for the **African Group** sought clarification on whether the TER and the FMCP was specific to transparency of support, or whether it would be a general discussion on TER and FMCP.

Baashan responded that while the TER and FMCP would include relevant aspects of transparency of support, it could include other items too. South Africa then added that it was not in a position to accept the proposal given that the proposal did not provide the necessary balance the group sought.

Iran for the **LMDC** suggested that the title of the roundtables should be kept short and concise and proposed that the roundtable should be referred to as ‘transparency of support’ on day 1 and ‘transparency of action’ on day 2.

With no agreement, Parties concluded their deliberations at the contact group and the Co-chairs announced that they would continue discussions on 18 May at the APA closing plenary.

At the plenary session on 18 May

Parties at the final plenary session held evening of 18 May were taken by surprise when APA Co-chairs presented them with draft conclusions that were to be considered and adopted by the body, which contained three options.

The first option was similar to the conclusions in the previous iterations of the draft conclusions, which contained the call for submissions, had references to the informal notes of the co-facilitators as well as proposals for roundtables on the issues mentioned above.

In the second option, references to the roundtables were removed, while the third option contained a short sentence that the “the APA agreed to continue its work” at its next session in Nov. later this year.

Ethiopia for the **Least Developed Countries (LDCs)** objected to proceeding discussions using the draft conclusions with options as the basis of discussions. It called on the Co-chairs to return to an earlier version of the draft conclusions that was circulated in the morning of 18 May, and did not want to recognize options 2 and 3 as there was no basis for them.

Ethiopia was supported by **Brazil**, the **Alliance of Small Island States (AOSIS)** and the **African Group**.

South Africa, for the **African Group** suggested that Parties proceed with discussions on the draft conclusions with the understanding that options 2 and 3 do not exist and that Parties focus only on

option 1.

This proposal of South Africa drew a lot of traction with other Parties, and Parties decided to focus on the draft conclusions with the understanding that options 2 and 3 did not exist.

Following issues raised around the Co-chairs’ proposed draft conclusion on the roundtable on the transparency framework, the final proposal that was adopted reads as follows:

“The roundtable will address the following: (i): On 4 Nov.: transparency of support provided and received; technical expert review and facilitative, multilateral consideration of progress, both including a focus on transparency of support;

(ii) On 5 Nov: transparency of action in relation to mitigation and transparency of action in relation to adaptation.”

Parties also agreed that the roundtable on NDCs will be held on 6 Nov; the one for adaptation communications will be held on 4 Nov; the roundtable on the GST will be held on 5 Nov. and the one for facilitating implementation and compliance will be held on 6 Nov.

The APA also elected Co-chairs Baashan and Tyndall to continue as the Co-chairs until the end of 2018.

Some groups of Parties presented closing statements, while the others said that they would post their statements online.

The SBI and SBSTA also held their final plenaries, following the adoption of various conclusions. (Further articles to follow.)