

Conclusions on mitigation work programme reached after much wrangle

Penang, 23 June (TWN) — Parties to the UN-FCCC adopted conclusions on the mitigation work programme (MWP) after much wrangle at the recently held 56th session of the UNFCCC's Subsidiary Bodies (SB 56) in Bonn, Germany that took place from 6-16 June.

The contention arose over whether an informal note prepared by co-facilitators **Carlos Fuller (Belize)** and **Kay Harrison (New Zealand)** should be captured in the conclusions of the SBs. Following much debate, the conclusions were adopted without the co-facilitators' informal note. (See further details below).

(In Glasgow last year, Parties had agreed “to establish a work programme to urgently scale up mitigation ambition and implementation” in this critical decade, and requested the SBs to recommend a draft decision on this matter for consideration and adoption by CMA 4 [4th meeting of the Conference of Parties to the Paris Agreement] which will take place in November 2022 in Egypt this year), “in a manner that complements the global stocktake”).

According to the conclusions adopted, the Subsidiary Body for Implementation (SBI) and Subsidiary Body for Scientific and Technological Advice (SBSTA) “took note of the constructive discussions” held under the agenda item; invited Parties to submit their views on the work programme by 30 September 2022 and

“requested the secretariat to organize, under the guidance of their Chairs, a pre-session workshop on the work programme...open to all Parties prior to CMA 4”.

Parties had first exchanged their views on the MWP on 7-8 June. ([See related TWN Update](#)).

Following these exchange of views, the co-facilitators issued an informal note on the discussions held. The note comprised various headings such as “guiding principles” related to the work programme, “objective, outcomes, scope, modalities, institutional arrangements, inputs, outputs” and advancing the work on the draft decision before CMA 4, and had the following disclaimer: “*The draft elements contained in this note have been prepared by the co-facilitators under their own responsibility. These elements are preliminary, not exhaustive and have no formal status. They are intended to assist Parties in advancing the discussions on this matter and do not prejudice further work or prevent Parties from expressing their views at any time.*”

Reflecting on the informal note, several groups of Parties and countries reiterated their positions and said they would send their comments in writing because their views were either not reflected or adequately captured in the informal note. They also expressed their discomfort with certain elements featuring in the informal note.

The **United States (US), Canada, Australia, Norway, the Environment Integrity Group (EIG), and the European Union (EU)** expressed their discomfort with the “guiding principles” heading, which included elements such as “be based on the principles and provisions of the Convention and the Paris Agreement (PA), including equity and common but differentiated responsibilities and respective capabilities (CBDR-RC)” and “be led by developed country Parties”, among others.

The **Like-Minded Developing Countries (LMDC), the Arab Group, Africa Group and ABU (Argentina, Brazil and Uruguay)** expressed their concerns with the “outcomes” section of the informal note, which comprised elements such as “nationally determined contributions (NDCs) and concrete actions by major emitters with capabilities”, among others. Developing country groups stressed on reflecting differentiation in the manner in which it is articulated in the Convention and the PA (which is “developed” and “developing countries” and not other categories such as “major emitters”).

China strongly objected to the introduction of new terms outside the scope of the UNFCCC and the PA, as part of the MWP. It added that legal procedures exist to amend the Convention and the PA, and should Parties wish to introduce new categories of countries, they should not do so under the MWP. It said further that the informal note should capture the views of all Parties, but not those views that are outside the mandate of the MWP.

Following the deliberations, the co-facilitators of the MWP issued an updated version of the informal note on 14 June, with the following disclaimers that: *“It does not represent agreement among Parties and is without prejudice to what will form the basis of negotiations. Nothing in this informal note purports to amend the Convention or PA, including with respect to specific terminology used. This informal note is intended to assist Parties in advancing the discussions on this matter and does not prejudge further work or prevent Parties from expressing their views at any time. This informal note does not represent agreed views, ideas or text, does not attempt to draw any conclusions*

on possible areas of convergence or divergence, and does not make any judgment on whether information contained in it is within or outside the scope of or mandate under this agenda item. The structure, including headings, of and information in this informal note are preliminary, not agreed and not exhaustive. The order of the information contained in the note does not correspond to any hierarchy or sequencing of proposals according to convergence or importance”.

(The words “major emitters” were not reflected in the revised informal note.)

The co-facilitators also issued draft conclusions which “took note of the informal note prepared by them, recognizing that the content therein does not represent consensus among Parties”. The co-facilitators sought views of Parties on further intersessional work, including submissions and workshops prior to COP 27/CMA 4.

China spoke for the **Like-Minded Developing Countries (LMDC)** and said that the informal note was not balanced, had many duplications, misplaced issues, and “included many views that have crossed the redlines of our group”. It suggested that the SBs not take note of the informal note at this stage and instead proposed Parties to take note of the “constructive discussion under this agenda item during this session.”

With respect to the call for submissions, China said that the LMDC is of the view that it is necessary for Parties to think about the purpose of the work programme, how to design it, how the work programme could enhance implementation of NDCs and facilitate means of implementation support to developing countries and how to avoid duplication with the global stocktake. The LMDC suggested that these topics be included in the conclusions. It also added that the LMDC preferred not to have workshops at this stage, but to leave more time for Parties to have comprehensive deliberations.

The **Arab Group, the BASIC (Brazil, India, China, South Africa)** and **Algeria** supported the LMDC intervention. The **African Group and Argentina,**

Brazil and Uruguay (ABU) also supported the LMDC call of not referencing the informal note in the draft conclusions.

The **EU**, the **EIG**, **Norway**, the **US**, **Japan** and the **Independent Alliance of Latin America and the Caribbean (AILAC)** were of the view that a shorter and concise informal note is preferred, and that the note needs to be streamlined. They were however fine with the manner in which the informal note was reflected and supported the idea of having submissions and intersessional workshops. Further, the **EU**, **EIG**, the **US** and **Japan** said they would not agree to any specific themes for the submissions mentioned in the conclusions.

Following the disagreements, **SBI Chair Marianne Karlsen (Norway)** and **SBSTA Chair Tosi Mpanu Mpanu (Democratic Republic of Congo)** convened a meeting of the heads of delegations (HODs) to seek their views on a possible resolution.

Ahead of the HODs' meeting, the SB Chairs issued an updated version of the draft conclusions which did not have reference to the informal note; had a general call for submissions without mentioning any specific themes; and a request to the Secretariat to organize a pre-sessional workshop on the MWP.

During the HODs meeting, according to sources, **AILAC** proposed that the Secretariat synthesize the submissions received and for this to be reflected in the draft conclusions. The African Group it seems proposed defining the focus of the workshop to be around ambition and implementation.

The **LMDC**, the **EU**, and **Norway** were of the view that they did not see any value in a synthesis of submissions and the **US** objected to African Group's proposal of defining the scope of the workshop.

It was learnt that discussions in various huddles followed at the HODs, and with further consultations, Parties agreed to the conclusions proposed by the SB Chairs, i.e. without the call for synthesizing the submissions and without defining the scope of the workshop.

The key highlights of the conclusions on the MWP which were agreed to read as follows:

"1. The SBI and the SBSTA convened informal consultations jointly to consider matters relating to the work programme for urgently scaling up mitigation ambition and implementation referred to in paragraph 27 of decision 1/CMA.3.

2. The SBI and the SBSTA took note of the constructive discussions held under this joint agenda item during this session, fostering enhanced understanding on the work programme referred to in paragraph 1 above.

3. The SBI and the SBSTA agreed to continue work on matters relating to the work programme for urgently scaling up mitigation ambition and implementation in this critical decade referred to in paragraph 27 of decision 1/CMA.3 at SB 57 (November 2022), with a view to recommending a draft decision thereon for consideration and adoption by...the CMA at its fourth session (November 2022), in a manner that complements the global stocktake.

4. The SBI and the SBSTA invited Parties to submit their views on the work programme via the submission portal by 30 September 2022.

5. The SBI and the SBSTA requested the secretariat to organize, under the guidance of their Chairs, a pre-sessional workshop on the work programme referred to in paragraph 1 above open to all Parties prior to CMA 4."