



Lively exchange of views at closing of SBSTA

Kathmandu, 16 May 2018 (Perna Bomzan): The forty-eighth session of the UNFCCC's Subsidiary Body for Scientific and Technological Advice (SBSTA 48), adjourned its meeting on 10 May, after a two-week intersession climate talks in Bonn, Germany, and saw a lively exchange of views among Parties on a host of issues, including on emissions from fuels used for international aviation and maritime transport.

Led by the **African Group**, the **Arab Group** and **India**, serious concerns were expressed at measures taken at the International Civil Aviation Organization (ICAO) and the International Maritime Organisation (IMO) to reduce emissions from fossil fuels, without sufficient regard for the provision of finance and technology transfer to developing countries to reduce such emissions, and without due respect for the principles and provisions of the UNFCCC. (See below for more details.)

The **SBSTA Chair, Paul Watkinson (France)**, convened the closing plenary, and announced that in order to “facilitate the timely implementation of the Paris Agreement Work Programme (PAWP)” at the 24th meeting of the Conference of Parties (COP 24), and that the SBSTA meeting in Bonn will be suspended to resume in Bangkok in September, to take up all items on the PAWP.

(Decisions on the modalities, procedures and guidelines for the implementation of the Paris Agreement [which is PAWP] are expected to be adopted at COP 24 and the first session of the Conference of Parties serving as the meeting of the Parties to the PA (CMA), scheduled to take place at the end of the year in Katowice, Poland).

During the adoption of conclusions of the various agenda items under SBSTA, several countries and groupings made interventions on three specific agenda items which are reflected below.

Emissions from fuel used for international aviation and maritime transport

On agenda item 10(c) in relation to ‘emissions from fuels used for international aviation and maritime transport’, the draft conclusions were prepared and proposed by the SBSTA Chair **Watkinson**. He recalled that a number of Parties expressed views on this item when the SBSTA opened on the first day of the talks on 30 April, including “one Party” (referring to the intervention by Saudi Arabia) which raised “specific concerns” on the report from the IMO on the matter.

Gabon for the **African Group** expressed disappointment that “no substantive” discussions took place on the reports submitted by the ICAO and the IMO. It added that while it “respects the mandates” of these bodies, “it is our right as Parties to comment on the reports provided by any external bodies”. It further said that although the reports included a very general section on cooperation and support provided to developing countries but they are still lacking several elements that it believed should be reflected. It stated that the Group could support the proposed draft conclusions and further suggested a “small addition” for consideration, emphasizing additional text in relation to paragraph 2, that “builds on the existing documents, does not go into substance, does not challenge the organizations or their mandates”.

(The additional text proposed by the African Group to paragraph 2 of the draft conclusions in italics was as follows: “The SBSTA invited the secretariats of ICAO and IMO to continue to report, at future sessions of the SBSTA, on their ongoing work on relevant issues, *including on support provided to developing countries to achieve the climate-related goals, for consideration at future sessions of the SBSTA*”.)

Gabon explained that it wanted to “enhance” the section that “highlights the support” that has been provided or is to be provided to developing countries through the two organizations and that it deals “only with climate-related goals,” noting that the two reports are reporting on issues that relates to the work of the UNFCCC, “mainly emission reductions”. “We believe that future reports coming from them should have more clarity and more information that we can consider in our deliberations,” said the African Group further.

The **European Union (EU)** referring to the IMO report said that although it “appreciates the efforts” to find language that allow Parties to “more properly note the submission,” it regretted that “the proposed language as presented in draft decision does not achieve this”. It did not support the African Group’s proposal on the additional text, saying at this stage at the plenary, discussions should not begin on “substantive suggestions as to how future reports could be improved”. It however looked forward to “more comprehensive and informative” reports at the next session of the SBSTA from ICAO and IMO and “reaching consensus” on those submissions.

India supported the views of the African Group saying that the issue of greenhouse gas emissions is covered under the scope of the UNFCCC and therefore, it is an “appropriate forum” to discuss these issues. It expressed serious concerns over “the lack of opportunity to examine and discuss many of the issues in these reports for which space was requested”. It added further that there were many overlapping issues such as those related to market mechanisms under Article 6 of the Paris Agreement (PA) and that the market mechanisms mentioned under the ICAO and in the IMO. It also said that there are issues related to technology development and transfer, finance, the application of the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC), adding that “therefore, the minimal proposal by the Africa Group should be accepted”.

India added further that the work of the ICAO and the IMO is “complementary” (to the UNFCCC) and since they have references to the PA as well as to the principles and provisions of the Convention, there should be “full applicability of these principles and provisions.”

Chile for the **Independent Alliance of the Latin America and the Caribbean (AILAC)** underlined the need to keep a “clear

independence” between the process under the ICAO and the process under the UNFCCC. “We cannot and must not, bring the discussion here”. From that perspective, it found the African Group’s proposal “interesting” but it could be discussed with more time in a different setting to know it’s “implications.”

Marshall Islands welcomed the “historic step” taken by IMO in adopting its initial strategy to reduce greenhouse gas emissions from the international shipping sector. “The decision to set an absolute cap on emissions keeps the hope of the global trajectory of staying within the 1.5 C degree limit, alive,” adding that the measures to implement the IMO outcome will be “a matter for the IMO” and that the outcome was “legitimate” receiving “overwhelming support” on its adoption.

Switzerland for the **Environmental Integrity Group (EIG)** emphasized the work of the ICAO and IMO as a “key contribution” to reducing global emissions. It said it was “committed to have an ambitious result in terms of global mitigation,” adding that “solutions for avoiding double counting are to be set in the guidance for Article 6 of the PA”. It did not support the text amendment by the African Group.

Australia welcomed the reports of the ICAO and IMO and said that it did not think that “we in the UNFCCC have the mandate to be determining the content of those reports”. It also did not agree to the suggestions made by the African Group and India.

Russia reiterated that the proposal by the African Group “was not” discussed in the negotiations. It said that parallel processes taken at the ICAO and IMO must be respected but “we must not substitute for their work or replace them”. It stressed that it is a “major serious issue that requires careful discussion between experts”.

New Zealand also welcomed the reports and as regards the African Group proposal, it made clear that it could not accept proposals from the floor at this time, adding that this was a “a conversation that has been had many times” and there was no consensus on the matter. **Japan** also reiterated that it was not appropriate to give instructions from UNFCCC to “these independent organisations,” and could not accept the proposal by the African Group.

Following the interventions, the SBSTA Chair stated that since there was “no consensus” on the

matter, Parties will have to continue to review this issue in Poland, adding that there was “broader interest among many countries” to continue discussions on this issue. He said that he would “make available a space during the next SBSTA session including organizing a special event” to facilitate exchange of views between Parties and “directly” with the ICAO and IMO.

Gabon for the **African Group** took the floor to seek clarification on the final conclusions and **Watkinson** reiterated that “to be very precise, we are not adopting the conclusions and we will continue to review this during the 49th session of the SBSTA in Katowice”.

Saudi Arabia for the **Arab Group** sought clarification on whether Rule 16 of the UNFCCC’s draft Rules of Procedure was being applied in this regard. It clearly emphasized that there was no need to do anything else beyond applying the rule and there was no need “to invite anybody to do any workshops in the absence of us agreeing on the additional activities.”

(Rule 16 of the Rules of Procedure states that “Any item of the agenda of an ordinary session, consideration of which has not been completed at the session, shall be included automatically in the agenda of the next ordinary session, unless otherwise decided by the COP.”)

In response to the clarification sought by **Saudi Arabia**, **Watkinson** stressed that “internal rules” are being applied since there was no consensus or agreement on either his proposed conclusions or the amendment text by the African Group. He said further that he made a “modest proposal” for “an informal event” “with no status whatsoever,” for a “place for exchange of views” between the Parties and the two international organisations.

Saudi Arabia took the floor again seeking clarification again on whether Rule 16 was being applied, and disagreed with the Chair’s proposal for an informal event, emphasizing that “it did not have any willingness at this point of time” to talk to “organisations who have their own different modalities of dealing with climate change in the absence of (applying) the principles of equity and CBDR.”

In response, the **SBSTA Chair** responded that it was clear that Rule 16 applied and noting the views of Saudi Arabia, he withdrew his proposal for an informal event with the ICAO and the IMO.

Work programme under the framework for non-market approaches

On agenda item 12(c) in relation to ‘work programme under the framework for non-market approaches referred to in Article 6. 8 of the PA,’ an informal document prepared by the SBSTA Chair **Watkinson** containing the draft elements of the draft decision, was adopted.

(Article 6.8 of the PA states: “Parties recognize the importance of integrated, holistic and balanced non-market approaches being available to Parties to assist in the implementation of their nationally determined contributions, in the context of sustainable development and poverty eradication, in a coordinated and effective manner, including through, inter alia, mitigation, adaptation, finance, technology transfer and capacity-building, as appropriate.”)

Switzerland on behalf of the **Environmental Integrity Group (EIG)** emphasized the importance of ensuring the operationalization of Article 6 as “part of the package we agree at COP 24”. It regretted that progress on this item was not at the “required pace”. “In addition, we would like to reemphasize that equal treatment of Parties is crucial in this process so that the voice, views and concerns of all Parties are considered and that Parties feel trust and inclusiveness along the way towards COP24”.

(Switzerland was not only referring to non-market approaches but was also referring to the other sub-articles of Article 6 which include other “cooperative approaches” such as “internationally transferred mitigation outcomes” [under Article 6.2] and a “sustainable development mechanism” to “contribute to the mitigation of greenhouse gas emissions” [under Article 6.4].)

Echoing Switzerland, **St. Lucia** on behalf of the **Alliance of Small Island States (AOSIS)** expressed concern at the “slow pace of progress” and stressed that “we will need detailed rules under this agenda time to ensure environmental integrity, to ensure robust accounting, to deliver the required transparency and to avoid the double counting of emission reductions”. It added that rules need to be in place “to deliver the required share of proceeds for adaptation and operationalise the delivery of an overall mitigation in global emissions”. It further expressed disappointment for not being able to secure a “roundtable” on technical papers on some “core issues” in this regard.

Local communities and indigenous peoples’ platform

On agenda item 7 as regards ‘local communities and indigenous peoples’ platform’, no outcome

was reached on the establishment of a facilitative working group, mandated by COP 23.

(At COP 21 (in Paris, 2015), Parties recognized the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, and established a platform for the exchange of experiences and sharing of best practice on mitigation and adaption in a holistic and integrated manner. COP 22 (Marrakech, 2016), agreed to adopt an incremental approach to developing the local communities and indigenous peoples' platform with a view to ensuring its effective operationalization.)

In Bonn, apart from the informal consultations, an in-session multi-stakeholder workshop was conducted on 1 May on how to implement the functions of the platform. The issue will be further considered in SBSTA 49, based on the draft decision text proposed by the co-facilitators of the informal consultations on this agenda item.

Speaking on behalf of the **G77 and China, Egypt** regretted that “consensus could not be reached on this crucial matter” despite “our strong political will and constructive engagement”. It however looked forward to finalising, at COP 24, the establishment and design of a “robust, effective and forward-looking” facilitative working group as a “key step” to further operationalise the platform. “A decision in Katowice will go a long way in enhancing the engagement and inclusion of the indigenous peoples and local communities in the UNFCCC process and facilitate the exchange of experiences and sharing of best practices and lessons learnt on mitigation and adaptation in a holistic and integrated manner”, it further added.

Australia said that it was “disappointed” for not getting an outcome and looked forward to “redouble our efforts” at the COP. The **European Union** said that it “looked forward to taking the next important step in Katowice”.

Canada said that it was “confident” that “we’ll get a decision in Katowice” building on the text that has been advanced in the current session, to create a new facilitative working group and the next set of activities at COP 24. It further said that it was “pleased with the ongoing acceptance by Parties to have a self-represented indigenous person directly provide their views on the negotiations”.

China said that although consensus hasn’t been reached on the draft decision, “Parties are gradually identifying the nature, principles and responsibility of the working group” which has laid a “good foundation” for the next session to “finalise the work”. It stated that it supports the Paris decision on the platform and further “urged the developed countries to provide sufficient financial support” for the participation of the constituency in their work. It also believed that any activities in promoting the work of the local communities and indigenous peoples’ platform should not influence the state’s sovereignty and territorial integrity.” China hoped to see the working group set up and to reach agreement on the key issues to jointly promote the establishment of the working group.”

New Zealand said that it had hoped “it will be possible to achieve more on the platform” and further stressed that, “in the spirit of incrementalism which was imagined for the platform, we do not linger on some of our divergences.”

Norway expressed disappointment and said that “we’ll do our best to finish the job in Katowice”. It emphasized that a “lesson learnt” was “to keep it simple, the more complicated the governance structure, the more politics get into setting it up”. It added that the “indigenous peoples are not a threat to security and territorial integrity of nation states” and in order to “complete the job in Katowice”, “simple but equitable” governance arrangements must be found.

Agreeing with the G77 and China, **Ecuador** who had led on this agenda item within the Group, regretted that there was “no final decision”. It emphasized that there was “still a long way to go in order to strengthen our positions and to ensure the exchange of best practices on mitigation and adaptation from a holistic and integrated point of view”. It hoped that all Parties will step up their efforts especially those who have “shown or demonstrated particular sensitivity”. “We must overcome some artificial complications that sometimes appear”.

The SBSTA adjourned its meeting and will resume meeting in Bangkok in September only to deal with matters related to the PAWP and for those items which are non-PAWP, these will be taken up in Poland in December.