

COP 28 President outlines work mode to accelerate outcomes in Dubai

Dubai, 9 Dec. (Hilary Kung and Meena Raman) - At the opening of the plenary of the COP, CMP and CMA on 8 Dec, COP 28 President Dr Sultan Ahmed Al Jaber of the UAE, outlined a mode of work to accelerate the pace of negotiations to have outcomes for the COP and for it “to be remembered as the COP that brought the world together; a COP that changed the game” and appealed to Parties to “get the job done.”

When the Subsidiary Bodies (SBs) ended their work on Dec 6 after intense work in the first week of the climate talks that began on 30 Nov, Parties agreed to transmit draft texts to the CMA, for its consideration, which were in ‘brackets’ or contained many options indicating a lack of consensus and for further work to be done to arrive at compromises.

These included texts relating to the Global Stocktake (GST), the Mitigation Work Programme and Just Transition Pathways. There was no draft text in the case of the Global Goal on Adaptation (GGA).

Negotiations on finance are on-going under the COP and CMA (which were not under the SBs) and developed and developing countries are deeply finance which includes long term finance (on the delivery of the annual USD100 billion), doubling of

adaptation finance, climate finance definitions, how to deal with Article 2.1(c) of the Paris Agreement (PA), the new collective quantified goal and Article 4.5 of the PA on scaling up the means of implementation of nationally determined contributions (NDCs) including domestic mitigation actions.

On the way forward to find consensus, the COP 28 President convened a plenary meeting to provide more guidance on how the work will be organised in the coming days, in order to close the climate talks on “Tuesday, 12 Dec by 11 am at the latest.” (Some veteran observers commented that Jaber was being rather optimistic, given the tremendous amount of work to be done to find consensus on many agenda items, and judging from previous COPs that usually spill over for at least a day.)

In the organisation of work, the COP President proposed pairs of ministers (one from developed and one from developing countries) to convene consultations with Parties at the political level, to consider the options on the key political signals and advance areas of convergences on the GST and ensure coherences on other issues of mitigation, adaptation and means of implementation. He then announced the ministers who will be engaged as follows:

- a) Crosscutting issues under the GST by **Barbara Creecy (South Africa)** and **Dan Jørgensen (Denmark)**;
- b) Adaptation under the GST and on Global Goal on Adaptation (GGA) by **Maisa Rojas (Chile)** and **Jennifer McAllister (Australia)**;
- c) Mitigation by **Grace Fu (Singapore)** and **Espen Barth-Eide (Norway)**; and
- d) Means of implementation (MOI) by **Yasmine Fouad (Egypt)** and **Steven Guilbeault (Canada)**.

The ministerial consultations already began afternoon of 8 Dec and the ministers are to report the outcome to the Presidency by 9 Dec (Saturday) evening.

Further technical work will also take place on the Mitigation Work Programme, Work Programme on Just Transition Pathways, GGA, Article 6, Response Measures and Reporting and Review pursuant to Article 13 of the PA, in parallel to progress on areas that do not require political guidance. (Further details on the way forward are captured below.)

The Presidency expected all the technical work to conclude by 3pm on Dec 9 (Saturday) and there will be a stocktaking plenary to provide an overview of progress on all consultations in the evening of Dec 9 (Saturday).

Further, the Presidency also proposed an open-ended single setting called "*Majlis*", which he explained, is an Arabic term used to refer to a council or a special gathering. Al Jaber informed that the *Majlis* will be comprised of ministers and heads of delegations (HODs) "to bring together the different outcomes to strike the right balance" which will be led by the COP President. The *Majlis* will begin on Dec 10 (Sunday), and more information will be provided in due course, said Al Jaber further.

This mode of work proposed by the President was agreed to by Parties.

Later during the day, consultations with ministers began on the GGA, as well as consultations with the COP Presidency and HODs on a new iteration of draft text on the GST.

Below is a brief background on some of the key issues.

Global Goal on Adaptation (GGA)

At the closing plenaries of the SBs, it was made clear that the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA) had not concluded their work on the GGA and no text was forwarded to the CMA5 due to major divergences in the draft text prepared by the co-facilitators. (see [TWN Update 13](#)).

The way forward outlined by the Presidency will see the convening of ministerial consultations on adaptation under GST and GGA by the ministers, while specific issues that do not require political guidance will take place concurrently which will be led by **SBSTA Chair (Harry Vreuls)** and the **SBI Chair (Nabeel Munir)**.

Global Stocktake

The SBSTA and the SBI were unable to conclude their work on GST but the updated textual building blocks was forwarded to the CMA5, with a caveat that the textual building blocks together with Parties' views and submissions not yet fully reflected by the co-chairs of the joint contact group and a third iteration of the text was to be produced. (Please see [TWN Update 11](#) for further details on the GST negotiation during the first week).

On the way forward, the COP Presidency said it is important to shift gears for further work to be convened at the political level and expects all the ministerial consultations (listed in the previous section) to advance areas of convergence on the GST and also ensure coherence with other issues.

Joseph Teo (Singapore) and **Alison Campbell (UK)**, who were co-chairs of the GST Joint Contact Group, are to assist the Presidency in preparing the third iteration of building blocks, taking into account views and submissions provided by Parties on the second iteration of the text. The third iteration of the text was then made available to Parties and a HOD consultation was convened by the COP Presidency at 8 pm following the release of the text to hear views on Dec 8 (Friday).

Mitigation Work Programme (MWP)

The SBSTA and the SBI were unable to conclude their work on the MWP with bracketed draft text being forwarded to the CMA.

On the way forward, the COP President suggested **Kay Harrison (New Zealand)** and **Carlos Fuller (Belize)** to continue the technical work to find convergences while ministerial consultations are to provide the political guidance.

The key divergence is the question of whether MWP decision text should include any high-level political messages. (See [TWN Update 12](#) for further details on the divisions over MWP negotiation during the first week).

Work programme on just transition pathways

The SBSTA and the SBI were unable to conclude their work on the work programme on Just Transition Pathways but agreed to forward the bracketed draft text to the CMA for further work.

On the way forward, the COP Presidency proposed to continue work to find consensus among Parties under the new co-facilitators - **Marianne Karlsen (Norway)** and **Simon Cardy (South Africa)**.

The draft text saw placeholders without any text on two areas: the 'Preamble' and 'Scope' of the work programme, indicating Parties that could not reach a consensus on having any text in these areas. The whole text is also bracketed.

The informal consultations on 6 Dec saw Parties engaged in discussions on streamlining of the draft text where **G77 and China** offered a bridging proposal in an attempt to bridge the divide. Parties have been engaging in several informal-informals to find consensus during the past few days.

The breaking point appeared to be a proposal from the **United States (US)** on 6 Dec stating that the current draft text does not reflect its views and still included elements which it did not agree on. The US then proposed a further option on the scope of the work programme to include "unabated fossil fuel power", which garnered support from other developed countries like **Canada, UK and Norway**. The proposal by US reads as, "Just transitions for all

countries that aim to enhance and accelerate climate action, do not imply a delay in action by anyone, and do not impose consequences of new unabated fossil fuel power, especially on the most vulnerable."

The informal consultations then moved into a huddle which saw Parties coordinating within their respective groups until late evening on 6 Dec. Parties finally agreed to put a "placeholder" without any texts on the 'Preamble' and 'Scope' section and transmitted the work to the CMA at 7pm on 6 Dec, right before the start of the closing plenary of the SBs.

Response Measures

The SBSTA and the SBI did not conclude their consideration of the matters relating to the forum on the impact of the implementation of response measures and agreed to forward the matter to the COP, CMP and CMA for further guidance, taking into account the draft text for this agenda item available on the UNFCCC website.

Going forward, the COP Presidency proposed to have **Andrei Marcu (Honduras)** and **Georg Børsting (Norway)** to conclude the outstanding technical work on this issue.

The draft text focussed on the review of the functions, work programme and modalities of the forum on the impact of the implementation of response measures and is bracketed in its entirety. One of the activities proposed by developing countries seen in the text is "3. Enhance capacity and understanding of Parties, on the assessment and analysis of the impacts of implementation of climate-related unilateral measures, (in particular those that are inconsistent with a global trajectory to net zero emissions,) and cross-border impacts, to address the negative impacts to Parties especially developing countries, to be implemented by the Katowice Committee of Experts at SB 60, by receiving input from experts, practitioners and relevant organizations, and technical paper, and by the forum at SB 62 through exchange and sharing of experience and best practices and conclusions/draft decisions."

Article 6

On Article 6, the SBSTA agreed to transmit the draft

text to the CMA for further work, while noting that the draft text being forwarded does not represent a consensus among Parties.

On the way forward on outstanding technical work on matters related to Article 6, the Presidency outlined the organization of work below:

- **Maria Jishi (Saudi Arabia)** and **Peer Stiansen (Norway)** to conclude work on cooperative approaches referred to in Article 6.2,
- **Sonam Tashi (Bhutan)** and **Kate Hancock (Australia)** to conclude work on rules, modalities and procedures for the mechanism established by Article 6.4, and
- **Kristin Qui (Trinidad and Tobago)** and **Jacqui Ruesga (New Zealand)** to conclude work on the work programme under the framework for non-market approaches referred to in Article 6.8.

Loss and Damage

On the Warsaw International Mechanism for Loss and Damage, the SBs agreed to forward a draft decision on the Report of the Executive Committee of the Warsaw International Mechanism for Loss and Damage for adoption in Dubai. The draft decision text also saw a placeholder pending an outcome of the COP President's consultations on the governance of the Warsaw International

Mechanism.

For the Santiago Network under the Warsaw International Mechanism for Loss and Damage, the SBs recommended a draft decision text on the selection of the joint proposal submitted by the United Nations Office for Disaster Risk Reduction and the United Nations Office for Project Services for the hosting of the Santiago network secretariat for an initial term of five years, with five-year renewal periods for consideration and adoption of the decision.

Rule 16

Parties could not agree to conclude on 6 agenda items under the SBs, and hence "Rule 16" was applied. Some of the 6 agenda items with the "Rule 16" are related to the 'Review of the progress, effectiveness and performance of the Adaptation Committee', 'Matters relating to Action for Climate Empowerment', 'Emissions from fuel used for international aviation and maritime transport', etc. (Rule 16 refers to the UNFCCC Rules of Procedure, where if an item on the agenda of a session's consideration has not been completed at the session, it shall be included automatically in the agenda of the next session).

While for the Second review of the functions of the Standing Committee on Finance, the SB conclusion was to defer the consideration of this matter to SBI 61 (Nov 2024).