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Divergences surface over the mitigation work programme

November 13, Antalya (Radhika Chatterjee) - Wide divergences surfaced in the discussions on the continuation of the 'Sharm-el-Sheikh mitigation ambition and implementation work programme [referred to as the 'Mitigation Work Programme' (MWP)] at the ongoing 65th session of the UNFCCC Subsidiary Bodies (SB65). Informal consultations on this work stream are being presided over by co-facilitators, **Ursula Fuentes (Germany)** and **Maesela John Kekana (South Africa)**.

They requested Parties to share views and concrete ideas on how to improve the MWP if it is continued, and what key messages from the annual report they would like to see in the decision text that would be adopted at COP31 on MWP. They also said the work programme will continue to be guided by the principles that provide safeguards to countries regarding the nationally determined nature of mitigation actions.

While most Parties agree on the need for continuation of MWP and a multi-year work plan for advancing its work, areas of stark divergence that have surfaced are: the manner in which it is continued, its duration, whether the enhancement of the Work Programme should lead to a translation of outputs of the MWP into policy guidance; whether there should be any linkage between the MWP and the global stocktake (GST) and other work streams of UNFCCC; whether there should be a permanent agenda item on mitigation and if there is a need to establish a standing committee on mitigation. The importance of means of implementation [MOI] as a crucial element of raising mitigation ambition and implementation was also highlighted.

Many developing countries like the **Like-minded Developing Countries (LMDC), Arab Group, Africa Group, Land Locked Developing Countries (LLDC), Grupo Sur, India, Egypt, South Africa, Kuwait, Iraq,** and **Qatar** said that an essential starting point for any kind of discussion on the continuation of the MWP should be that the "safeguards" under its mandate on respecting national sovereignty and national circumstances are retained in its new form, and should not be used to impose national mitigation targets, or undermine the nationally determined nature of Nationally Determined Contributions (NDCs), highlighting also the importance of MOI in raising their ambition. They rejected the idea of establishing a mitigation committee. They stressed that the MWP's work should be enhanced by a focus on strengthening its linkages with the financial and technological mechanisms to ensure that developing countries receive the much needed MOI from developed countries for implementing their mitigation actions.

On the other hand, developed countries like the

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European Union (EU), United Kingdom (UK), Canada, New Zealand, Japan and some developing countries like the **Alliance of Small Island Developing States (AOSIS),** the **Independent Alliance of Latin American and Caribbean Nations (AILAC) and Least Developed Countries (LDCs),** and **South Korea**, expressed a strong desire for enhancing the complementarity of the MWP with the GST. They stressed the need for using the MWP as a vehicle for implementing the outcomes of GST1, particularly the mitigation efforts related to the energy transition, including tripling of renewable energy and doubling energy efficiency, and halting deforestation. Some also suggested the need for setting up a "mitigation expert committee" that could help translate outputs of the dialogues held under MWP into policy guidance.

China for the **LMDC** said the current MWP is valuable and the continued MWP needs to focus on how to eliminate barriers of implementation, including the long-standing issues related to lack of mitigation action and financial support by developed countries and emerging issues like unilateral measures. It said while there is value in recognizing the enablers and best practices required for scaling up mitigation ambition, and that it is also very important to recognize the dis-enablers and barriers and to come up with pragmatic solutions to address them. It also highlighted that developed countries are not taking the lead in mitigation ambition, stressing that they must scale up their mitigation ambition in this critical decade. In order to achieve significant progress, it said it is crucial to see much more mitigation ambition and implementation from developed countries. It also stressed the need for developed countries to deliver on their obligations of providing finance to developing countries to support their mitigation actions.

Adding further, it said the crucial principles of the MWP cannot be re-negotiated and emphasized that the mandate for it is para 16 of decision 13/CMA.7 (relating to the safeguards) elaborating that we need to ensure it is "facilitative, non-punitive and non-prescriptive, without imposing any new targets or goals". Our mandate is having dialogue for exchanging views, and not for discussions on mitigation targets, stressed China. On the governance arrangements, it said "continuation is not reformation. We do not support establishing the mitigation committee."

[The relevant part of para 16 of decision 13/CMA.7 states: "…ensuring that the work programme's objective is to urgently scale up mitigation ambition and implementation in this critical decade, that its continuation shall be operationalized through focused exchanges of views, information and ideas, and that the outcomes of the work programme will be non-prescriptive, non-punitive, facilitative, respectful of national sovereignty and national circumstances, take into account the nationally determined nature of nationally determined contributions and not impose new targets or goals;"]

It stressed the need for ensuring its global nature and suggested continuing the global dialogues instead of regional dialogues. It said the frequency of dialogues could be streamlined to one per year, and that these dialogues could be held during the Bonn session or COPs to enlarge participation. Topics for these dialogues should be chosen in a party-driven manner instead of adopting a "cherry-picking" approach and that there is enough time for developing countries to prepare and identify relevant experts.

On the timeframe, it said its continuation should focus on this critical decade till 2030, not 2040. On the question of linkage with the GST, it said the MWP outcome will be the input to the next round of GST, but the MWP is not the place to implement the current GST outcomes, stressing that decision 13/CMA.7 has no mandate for the continued MWP to be complementary to the GST. It expressed support for making full use of the linkages that Parties had already agreed to in 13/CMA.7 for strengthening links between the MWP and the Climate Technology Centre and Network (CTCN), the Green Climate Fund (GCF) and the Global Environment Facility (GEF). It also sees value in strengthening exchanges with the Response Measures Forum and its Katowice Committee of Experts, particularly on the socioeconomic and cross-border impacts of mitigation measures, including unilateral measures. It also asked for the strengthening of the Investment Focused Events (IFEs) so that more projects could be matched with sufficient support and that it is important to unlock finance for developing countries, especially the Article 9.1 of the Paris Agreement (PA) obligations,

which could be fully operationalized to support enhanced mitigation ambition and implementation.

Saudi Arabia for the **Arab Group** said the mandate from para 5 of decision 4/CMA.4 provides for considering the continuation of the existing work programme, and not to undertake a comprehensive review or renegotiation of its agreed scope, objective and functions. "There is an important distinction between improving how the programme operates and changing what the programme is intended to do." It said while it was open to considering practical improvements to the MWP, the discussions "must remain within the existing scope, objective and role of the programme. We recognize that para 16 of the Belém decision invited Parties to submit views on the continuation, functioning and effectiveness of the programme,...but this should not be interpreted as an open-ended mandate to reopen the foundational elements of the MWP. In fact, the same paragraph explicitly reaffirmed the principles and objective that should govern its continuation."

It also said that there is considerable value in what has been achieved through MWP and pointed out there have been improvements in its organization and dialogues, providing more opportunities for interactive exchanges, and greater engagement with practitioners and relevant stakeholders. It said the assessment of MWP's effectiveness should be guided by what the programme was meant to do, i.e. serve as a facilitative platform for exchanging views, information and ideas, and not as a mechanism for prescribing mitigation actions or directing national policies. And stressed that MWP's success should not be measured "against functions it was never intended to perform."

On the scope of the work of the MWP, it said that various challenges and barriers to implementing mitigation have been identified, but there exists "considerable room to explore how they can be overcome, particularly those relating to access to finance, technology development and transfer, capacity-building, and the adverse socioeconomic and cross-border impacts of mitigation measures, including unilateral measures. These are the issues that often determine whether mitigation solutions can actually be implemented, particularly in developing countries. And importantly, this does not require a change in scope."

It did not support any linkage between the GST and MWP while selecting topics for MWP or providing inputs to MWP as that would change the nature of the programme. "The GST has its own process for how its outcomes are taken forward, including through successive NDCs and subsequent rounds of the GST." It said organizing MWP's activities around the GST cycle "would effectively make the programme serve the needs of another process, rather than its own agreed objective. Our priority should be to ensure that the MWP's activities respond to the implementation challenges identified by Parties, rather than restructuring its work to serve another process."

It proposed that while considering linkages of MWP with other work streams, the focus should be on identifying those areas that would support the practical work of MWP.

Regarding the pre-2030 high level ministerial round table, it said, the existing mandate provides for the MWP co-chairs to present the annual report at the round table and that it did not support extending the arrangement to give the round table a role in setting the programme's priorities or directing its work.

It expressed a preference for having one global dialogue per year and said it did not support "introducing multi-year topics or designating the NDC and BTR synthesis reports, the IPCC Working Group III report, the UNEP Emissions Gap Report or the GST as formal inputs to guide the dialogues."

It said the IFEs "should give explicit attention to the implementation of developed country Parties' obligations under Article 9.1 of the PA… If we are serious about scaling up mitigation implementation, we cannot limit these discussions to identifying investment opportunities without also addressing the availability, accessibility and provision of the financial support needed to realize them." It also said it did not support "an indefinite extension or a mandate beyond 2030" for MWP.

Zimbabwe for the **African Group** said that the MWP's current mandate must be retained and stressed the safeguards from the Belem decision that ensures the non-prescriptive, non-punitive, facilitative nature of MWP and prevent the

imposition of any sectoral targets in a top-down manner. It encouraged the need for enhancing support for finance, technology transfer and capacity building, adding that there is no need for any governance structure or committee. It pointed out that the mitigation action in Africa is in the context of sustainable development, support for green industrialization, critical minerals investments, access to energy, and support for communities that ensure they develop in a low carbon sustainable manner. It said the IFEs should be held in the background of COPs to bring more investors and finance partners. It said the digital platform for the MWP under the Non-Markets Approaches platform (under Article 6.8 of the PA) should be improved in a way that enables matchmaking, leading to funding of proposals. It said regional dialogues, if they were held, should be done so in a manner that facilitates global participation so that everyone understands what has been discussed. It also supported a multi-year work plan.

Paraguay for the **LLDCs** asked for enhancing access to MOI for accelerating implementation and that the MWP is an important platform for identifying opportunities, barriers and challenges to scaling up mitigation ambition and implementation. It emphasized the need for working in accordance with the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC) and the need for ensuring that the development priorities of developing countries are addressed. It also said that the nationally determined nature of NDCs must be preserved and that the linkages of MWP with other workstreams would be accepted when the MWP is connected with MOI. In this vein, it said IFEs must work on implementation outcomes and establish a direct link between CTCN and Belem Technology Implementation Programme, and provide support related to technology development and transfer according to the priorities identified by developing countries in their technology needs assessment plans.

Grupo Sur said principles of the PA must guide how MWP's work is carried out. The nationally determined nature of NDCs give practical effect to the principle of CBDR-RC and different national circumstances. It said "this approach has helped make near universal participation in the PA possible." It called for a similar approach in the MWP which must respect national sovereignty and circumstances, and refrain from imposing new mitigation targets. It supported continuation of the MWP beyond 2030 as a practical tool to scale up mitigation ambition, keep 1.5 C within reach, and limit the period of overshoot. It also said that MWP should inform the GST, which in turn would inform Parties' NDCs. It added that the selection of topics for global dialogues under the MWP should remain science based and informed by Intergovernmental Panel on Climate Change (IPCC), Party submissions, and the GST outcomes. It said a multiyear work plan for MWP will provide greater predictability and continuity between discussions, with a focus on both sectoral and crosscutting issues. It said the global dialogues need to be useful for all and its findings should inform future work.

Bangladesh for the **LDCs** said the MWP must continue to function beyond 2026, starting from 2027 to 2030. "The objectives, mandates and scope of the 2nd cycle of the work programme should remain firmly grounded in decision 4/CMA.4". It also said that the "the MWP must be better situated within the PA ambition cycle while retaining its original scope as (being) non-prescriptive, non-punitive, facilitative and producing no new burdens. Its mission must be to scale up ambition by supporting the implementation of country-driven NDCs." It stressed the need for stronger linkages with the GST and said that the MWP should be responsive to the GST outcome. It said further that the MWP is an "important forum for discussing the challenges and practical solutions to delivering the ambition LDCs have presented in their NDCs."

On the governance arrangements, it proposed the establishment of a constituted body to manage the MWP. Such a body "would elaborate the work programme, establish stronger linkages between mitigation and the finance mechanism, and provide governance over the programme in a holistic manner." This would: establish mitigation as a permanent agenda item governed by a constituted body and not prejudice the original scope of the MWP to be non-prescriptive, non-punitive, facilitative and produce no new burdens. It also said that topics for global dialogues of MWP should be selected from all IPCC sectors under a "multi-year work plan."

Cook Islands for **AOSIS** supported the

continuation of the MWP on the basis of the existing mandate "but with significant improvements in modalities". It stressed the need for a strengthened MWP in the era of overshoot of 1.5 C and supported its continuation till 2030 and a multi-year work plan. Adding further, it said, the topics for the global dialogues should take into account the annual synthesis report of NDCs and other reports. The topics it said should draw on IPCC and support implementation of key mitigation aspects related to the first GST outcome, particularly the mitigation targets outlined in para 28 of the outcome. It stressed the need for enhancing regional dialogues to make the process more inclusive. It highlighted that projects related to Small Island Developing States have not been adequately reflected in IFEs and said better access to finance is required for these projects in AOSIS. Finally, it asked for a stronger linkage with pre 2030 mitigation ambition.

Panama for **AILAC** said the MWP should continue without a fixed end date and be subjected to regular reviews. It asked for the MWP to be aligned with GST and NDC cycles and emphasized for the need to have complementarity of MWP with GST. It also said that the MWP should focus on identifying barriers, actionable solutions, and MOI. It said the activities of the MWP should be inform GST2 and that its outcomes should be informed by practical information and pathways related to mitigation. It said principles of MWP should be in line with those provided in para 2 of decision 4/CMA.4 and stressed that the nationally determined nature of NDCs is preserved. It asked for an explicit mandate for regional dialogues. Adding further, it said it is important to have a multiyear work plan for MWP, which should respond to GST outcomes by addressing barriers to implementation taking into account national implementation. It said a permanent body on mitigation could provide added value to enhance efforts to increase mitigation.

India said "as we shift our focus to implementation, we should ask ourselves a simple question on the need for MOI." Referring to recent Nepal disaster, it said, "the human tragedy is a painful reminder of the historical cumulative emissions, which have been primarily from developed countries… What is preventing Parties from fully implementing their mitigation actions and raising ambition? It is useful to identify the enablers and share good practices. It is equally important to identify what we might call the "dis-enablers" and discuss practical ways to address them. These include longstanding barriers, such as insufficient mitigation action and financial support from developed countries, as well as emerging barriers, including unilateral measures. India does not support establishing a mitigation committee as a superfluous redundancy as governance over governance makes no sense till MOI remain absent…Additionally, the idea of a committee is a reformation agenda totally different from (the MWP's) continuation," it said further.

Egypt expressed disagreement "with the views that the MWP has not been delivering. We see that this view is based on the expectations that this work programme would be a place to provide prescriptive messages or propose new sectoral targets, which is not under the mandate". It proposed "to include in the decision acknowledgement of the usefulness of the MWP and another reference to the potential of the MWP to provide a useful facilitative role in helping parties implement and achieve their NDCs." Responding to calls for including NDC synthesis reports into the discussions, it said, "the MWP is not the forum of discussing NDCs or providing any type of prescriptive messages or trying to infringe on the national sovereignty of Parties."

On the calls for discussing carbon pricing, it highlighted "that very narrow policy options should not be considered a thematic area under the MWP… If the intention is to try to impose such policy instrument on all Parties, the answer is no thank you."

On the emphasis on linking with the GST, it said the MWP does not include the mandate of implementing the GST outcomes, adding further that another key point of divergence would be "the issue of linkage with the action agenda. It said that "it has to be clear that the action agenda provides voluntary initiatives among coalitions of the willing and there is no universal participation in any of these initiatives. Therefore, coalitions of the willing cannot be imposed on all parties." It emphasized instead the need for strengthening linkages of MWP with the financial and technology mechanisms, something that has already been established in previous decisions.

Brazil said there is agreement amongst Parties on continuation of the work programme and agreed on maintaining dialogue and IFEs. It said outputs from the dialogues can be used for domestic policy making on a voluntary basis. At the same time, the MWP should also focus on historical emissions. It said there is a need for follow up action for strengthening the IFEs. It also did not support calls for a mitigation committee. On the duration of the MWP, it did not want to restrict extension to 2030 as other decades are equally critical.

South Korea said the MWP should continue to at least till 2030 and its end date should be determined on the basis of a review of effectiveness, content and modalities rather than through a contest over its sunset. It expressed a preference for a multi-year work plan as it felt the annual cycle of MWP constrained the preparation of its activities and the engagement of experts. Elaborating on its assessments of the IFEs, it said, the events "have remained at the level of information sharing and advice, and have not carried projects toward implementation." It proposed each IFE "should be organized around the opportunities, barriers, best practices and support needs identified."

It supported a two way linkage between MWP and the GST and that the GST's mitigation related outcomes should inform topic selection under MWP, and outputs of MWP should serve as an input to the next GST. On new institutional arrangements, it stressed the need for addressing questions related to the design of MWP first before talking about new institutions as that could risk the entire discussion.

The **European Union** said there is a need to enhance predictability of MWP to allow for more effective engagement. This it said could be done through a multi-year approach. It supported the extension of the MWP beyond 2030, until 2040 to make it better aligned with the PA ambition cycle. In 2027 and 2028, it said the MWP could focus on sectors that have not been focused on yet, and mentioned agriculture as an example for this. It said the MWP should inform GST2, while GST itself could be a source of inputs and outputs of MWP. Continuation of the MWP should consider how the linkage of MWP to GST could be strengthened. Adding further, it said MWP should address new and emerging topics identified in various reports like the synthesis reports of NDCs, topics like transition away from fossil fuels, the UNEP's limiting overshoot report and so on. In terms of governance, it said there is a need for a mitigation committee which has experts. It said further that the IFEs could be useful for peer learning, capacity building and exchanging practical experience.

The **United Kingdom** supported continuity of MWP's mandate as contained in decision 4/CMA.4 and said that the next phase should allow for focused exchanges, allow for development of investment project plans, and expressed support for discussing all sectors of IPCC. It too supported the idea of having a multi-year work plan as that would allow continuity, predictability in the mitigation discussions and allow for building on prior work. It said decision 4/CMA.4 should be operationalized in a manner that complements the GST, and supported synthesized annual reports of MWP for sending signals to policy makers.

Japan said the MWP decision at COP31 should be structured around four elements: performance of MWP till date; key findings, barriers, actionable solutions identified in the global dialogues; continuation of MWP; and the objective for the next phase. It said the continued MWP should come with concrete improvements to its modalities with five to six cycles. Topics of future global dialogues should be identified according to the best available science. The IFEs should not become standalone events focused on finance. It said the forum should be made into a systematic forum so that areas in which limited progress has been made can be identified.

Switzerland said the urgency of the task related to MWP has grown in the context of UNEP's recent limiting overshoot report which "shows how narrow the window of opportunity" has become in keeping the goal of limiting global warming to 1.5 C within reach. Continuation of the MWP in its current state would not be sufficient. It said discussions need to focus on timeline, objective, topic selection for the global dialogues, and how decisions are made more impactful in order to have a more effective continued form of MWP. Speaking about new governance arrangements, it said there is a need to see how UNFCCC supports mitigation and that there is "value" in having a permanent body for mitigation.

It also said that the continued MWP's timeline should run to 2031 or 2033 with to assess its effectiveness. This timeline would allow MWP to feed into GST3. Regarding the objectives and functions of MWP it said while the mandate already exists, there is also a need to reaffirm the MWP should focus on identifying barriers and solutions. It said MWP "must respond to actual needs and interests of countries, not only help with designing mitigation policies but also their implementation."

It agreed with the idea of having a multi-year work plan for MWP and dedicating one year to discussing that work plan. It said the link between MWP and GST should work both ways with MPW providing inputs to GST and vice versa.

Canada, Norway and **New Zealand** shared positions similar to that of EU and the United Kingdom.