

COP 24 Presidency to produce new texts on Paris Agreement guidelines

Katowice, 12 Dec (Meena Raman)- With just three days left to the conclusion of the on-going climate talks under the UNFCCC, new textual proposals will be produced by the COP 24 Presidency for the further consideration of Parties on the guidelines for the implementation of the Paris Agreement Work Programme (PAWP).

These draft negotiating texts will be made available to Parties morning of 12 Dec. This message was conveyed to Parties by COP 24 President, Michal Kurtyka, at a stocktake session convened on 11 Dec. in Katowice, Poland.

During the stocktake, the COP 24 President, in giving his assessment on the progress of work, said that the “current approach of technical negotiations had been exhausted”. He added that on several matters, unresolved issues remained.

Kurtyka asserted that the negotiations would now move under the authority of the COP Presidency, and that new draft texts with a few options would be presented and considered by Parties in consultations to be carried out by selected pairs of ministers who have been identified, to work on “solving outstanding political issues” that could not be resolved at the technical level. The ministers were free to use all possible tools, including open-ended consultations, meetings with groups of Parties, and the “Vienna format”, to advance work, he added.

(The Vienna format refers to negotiations being conducted in a transparent setting with negotiating groups and Parties).

(On 8 Dec. at the end of the first week of the climate talks, Kurtyka had laid down plans for the negotiations this week, which included giving time to the technical negotiators to resolve issues until 11 Dec. See related [update](#).)

During the information consultations among technical negotiators, on some of the issues such as global stocktake (GST), and adaptation, talks went on till very late nights on Monday, 10 Dec while on the transparency framework, negotiators worked non-stop until the next morning of 11 Dec. On other issues too, informal-informal consultations happened alongside efforts to iron out the differences but several disagreements remained.

At the stock-take session, the “experts” (that comprised the Presiding Officers of the Subsidiary Bodies and the Co-Chairs of the Ad Hoc Working Group on the Paris Agreement and co-facilitators who had conducted the informal consultations last week) identified the unresolved issues that may require ministerial consultations. The following were some of the main sticky issues that were identified.

On the issue of transparency framework, the question of the end date of existing reporting procedures under the UNFCCC and the start date of reporting under the Paris Agreement (PA) could not be resolved. Another issue was that of flexibility for developing countries on the basis of their capacity (in relation to the transparency requirements).

On the issue of nationally determined contributions (NDCs), differentiation and the scope of NDCs remained the key contentious issues. Differentiation of the information for clarity, transparency and understanding and accounting guidance could not be resolved. How the guidance would apply, whether with mandatory provisions such as “shall” or voluntary provisions such as “may” could also not be agreed. The timing of the application of the guidance was also in issue, as to whether it applies to the existing

NDCs of Parties or the second and subsequent NDCs. Scope of the guidance, in terms of whether it should apply to mitigation, adaptation, finance, technology transfer and capacity building was also contentious.

For the GST, the key divergence was over ‘equity’, on how to refer to it and define specific provisions around it. Another issue as on the GST’s scope on whether to include loss and damage and response measures.

In relation to compliance, a key unresolved issue was the scope of the Compliance Committee’s initiation procedures and what measures the Committee can take (to trigger compliance). Linking compliance to the transparency framework also could not be resolved.

In relation to Article 6 of the PA (on cooperative approaches), unresolved issues included how the transition from the system under the Kyoto Protocol to the PA would happen and technical issues around “corresponding adjustments” to be made in relation to the NDCs, as well as how the Article 6 mechanisms are linked to other issues in the PAWP package.

On the forum on the impact of the implementation of response measure, differences remained in relation to the forum’s work and governance aspects.

In relation to technology transfer, divergences remained in relation to the periodic assessment of the effectiveness and adequacy of the support provided to the Technology Mechanism in supporting the implementation of the PA. On this, the relationship with the GST could not be resolved, besides disagreements on the scope of support to be provided. Also, the application of the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC) could not be agreed to in the technology negotiations. There remained differences in the areas of differentiation, scale of support and the need to address barriers to the implementation of technology development and transfer, and enabling environments.

On the adaptation communication (AC), the issue of CBDR-RC and whether this is to be reflected could not be agreed on. NDC-specific guidance in relation to the AC and issues around the provision of support and framing of the reporting elements for the AC could not be agreed upon. There were no consultations on 10-11 Dec on the adaptation registry and Parties could not agree on where to store and manage information on the AC.

On the issue of Article 9.5 of the PA on ex ante information on public financial resources to be provided by developed countries, ministerial consultations began on 10 Dec, with ministers from Egypt and Germany leading the consultations. The ministers met with groups of Parties on Monday and Tuesday (10-11 Dec), and came up with a draft text on 11 Dec, which they said is “owned by us”. The ministers also said that they had heard only brief reflections from Parties on the text that was presented and that they would communicate the reflections to the COP 24 Presidency. The ministers will consult with Parties next on the Adaptation Fund and long-term goal on finance.

The Polish Presidency also announced the ministers appointed to deal with the other outstanding issues. The transparency framework consultations will be dealt with by ministers from Spain and South Africa; NDCs by ministers from Norway and Singapore; GST from ministers of Marshall Islands and Luxembourg; adaptation by ministers of Finland and Gambia; Article 6 by ministers from New Zealand and Chile. Further pairs of ministers may be appointed if issues arise, said Kurtyka.

(For a backgrounder on the sticky issues, read our curtain raiser: [Key challenges at COP 24](#).)

With the clock ticking away and with so many unresolved issues and with diverging positions, whether and how consensus will be arrived at remains to be seen in the last few remaining days of the climate talks, scheduled to end 14 Dec.