

Key issues not resolved by Subsidiary Bodies to be handled by Ministers

Madrid, 10 Dec (TWN) – As the UNFCCC Subsidiary Bodies (SBs) concluded their work and held their final plenary meetings late night on 9 Dec that spilled over to early morning of 10th Dec, many key issues remain unresolved at the Madrid climate talks, which will now be handled by “pairs of ministers” and “senior members” of the Chilean COP 25 Presidency.

Ministers have arrived to take part in the second week of the talks which began last week on Dec 2. The official opening ceremony of the high-level segment will take place on 10 Dec at 9 am.

The Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA) commenced their work last week and despite intense negotiations on many key issues, no resolution could be found, with divergent positions between developed and developing countries.

With negotiations continuing throughout the day at the start of the second week, the SBI plenary finally commenced late evening of 9 Dec and closed at around 11 pm, while the SBSTA, which convened soon after closed around 2.20 am on 10th Dec, following intense wrangling on the issue of the ‘enhanced transparency framework’ of the Paris Agreement (PA). (See separate update on the closing plenaries).

In relation to some of the issues under the SBs, Rule 16 of the UNFCCC Rules of Procedure was applied, wherein the agenda item would be transmitted to the next session of the SBs with no conclusions reached at the current session.

On some other issues, the **COP 25 President, Carolina Schimdt**, convened a short informal consultation after the SBSTA closing, where she outlined the mode of work for the second week,

saying that these issues will be assigned to “pairs of ministers” and “some to senior members” of the Chilean delegation.

Issues assigned to ministers include ‘Article 6 of the PA’, the ‘review of the Warsaw International Mechanism (WIM) on Loss and Damage’, ‘response measures’ and the overarching decisions to be adopted of the COP, the Conference of Parties to the Kyoto Protocol (CMP) and the Conference of Parties to the PA (CMA). The senior members of the Presidency would be assigned the ‘periodic review’, ‘report and terms of reference of Consultative Group of Experts (CGE)’, and ‘gender and climate change’. (The CGE are experts drawn from the UNFCCC roster of experts to assist developing countries in their reporting requirements under the Convention and the PA).

Schimdt also said that the names of ministers and other logistical arrangements would be published on the UNFCCC website and that the Presidency would convene daily coordination meetings and stocktakes to maintain a transparent and inclusive process.

Given the lateness of the hour, no closing statements were delivered at the conclusion of the SB’s but Parties were asked to upload their statements onto the UNFCCC website.

Palestine, on behalf of the **G77 and China** in its written statement conveyed its views on some of the main issues

On the issue of the pre-2020 implementation and ambition under the Convention and the Kyoto Protocol (KP), the G77 reiterated that “pre-2020 progress lays the foundation for post-2020 climate actions” and added that “although efforts have been made by developed country Parties, there are

still significant gaps with respect to their actions on mitigation, adaptation and means of implementation, as well as reporting.” The Group welcomed the pre-2020 stocktake at COP25, but highlighted “the insufficiency of the panel discussions” and stressed the need “to clearly identify pre-2020 progress and gaps, to find a way to address the gaps, and to ensure no gaps are shifted to post-2020 to impose extra burden on developing countries.”

As regards the membership of the Adaptation Fund (AF) Board and the provision of financial and technical resources, the G77 said that “it is unfortunate that we have had conclusions to continue its consideration of this matter at SBI 52” (which is the next session of the SBI to be held next year). It said that a decision was taken in Poland last year “to allow Parties that are not Parties to the KP to be eligible to serve in the Board. As the AF at this point in time serves both the KP and PA and is under the authority of the CMP, we do not see the need for amending the Board membership structure,” it added further. (Developed countries want the AF Board membership to be changed, while developing countries are opposed to this).

As regards the issue of technology development and transfer, Palestine expressed deep concern “with the challenges faced by the CTCN (the Climate Technology Centre and Network) in securing stable and sustainable financial resources in fulfilling its mandates and the guidance of the Technology Framework under the PA” and reiterated its call on developed countries to enhance their support to the CTCN through the provision of financial and other resources, to enable enhanced actions on technology development and transfer.

On the 2019 ‘review of the WIM and the report of its Executive Committee (ExCom)’, it said that “the proposed decision text reflects as options the texts that the G77 and China had put forward” and noted that additional work was needed to finalize the decision text. Palestine said that there is need “to see a strong call for developed countries to provide scaled up, new and additional financing to developing countries to address loss and damage, the establishment of an expert group under the WIM ExCom to enhance action and support, and the establishment of the ‘Santiago Network to Address Loss and Damage’ as a technical network to enhance and broaden access to support and resources and assist developing countries in the

implementation of loss and damage actions on the ground.” The G77 stressed that in its view, the WIM is “under the authority of the COP and the CMA.”

The Group also expressed deep concern over the lack of progress on the agenda item relating to the ‘periodic review’, which it said “was established in 2010 to meet the requirements of Articles 7 and 10 of the Convention.” It said that it had “been engaging constructively and constantly providing bridging proposals,” but was “disappointed that some developed country Parties have failed to show constructiveness and refused to move forward on this item established by the Convention and mandated by COP decisions,” adding that “they deny the foundation and progress achieved by collective efforts of international community in past decades. This will damage the multilateral climate process.” The G77 urged Parties “to resolve this issue to enable the periodic review to be implemented expediently so as to ensure the credibility of the multilateral process.”

(Developing countries have been insisting on a review of the overall progress and implementation of actions of Parties in the pre-2020 period under the Convention and the KP, while developed countries have been opposing the need for a review, arguing that a mechanism is already in place under the global stocktake [GST] of the PA. The GST is a review of the collective progress of Parties in meeting the goals of the PA, which will take place in 2023. Developing countries have made clear that the GST will focus on the collective progress of Parties in implementing the PA in the post-2020 timeframe while a review of the pre-2020 implementation is necessary).

On the issue of ‘reporting and review of Annex I Parties,’ the G77 viewed with great concern that “some developed countries still have not submitted their 7th National Communication and their 3rd Biennial Report under the Convention. This situation negatively affects trust among Parties. It is worth mentioning that the Convention is our universal participation framework to deal with climate change. In addition, the lack of consolidated data of Annex I Parties creates great difficulties to understand the extent of Annex I Parties’ implementation of their pre-2020 commitments with respect to mitigation and the provision of means of implementation by 2020”. The G77 also expressed concerns that

informal consultations in this regard “concluded without any outcome on this agenda item”.

On response measures, the G77 expressed its strong concern “for not reaching an agreement on the 6-years work plan for the Forum on Response Measures and the Katowice Committee of Experts on the Impacts of the Implementation of Response Measures. The work plan was mandated from the Katowice decision but we have again at this SB session not concluded our work”. It stressed the importance of the 6-year work plan to be adopted at COP25.

(The impacts of implementation of response measures is understood as the effects arising from the implementation of mitigation policies and actions taken by Parties under the Convention, the KP and the PA, and how these mitigation policies/actions could have impacts on countries, particularly developing countries, including cross-

border impacts. COP 17 (in 2011) established a forum on the impact of the implementation of response measures. Decisions were adopted in Poland to relaunch the work of the forum on the impact of the implementation on response measures (forum). The decisions identified four areas for the work programme viz. (a) economic diversification and transformation; (b) just transition of the workforce and the creation of decent work and quality jobs; (c) assessing and analysing the impacts of the implementation of response measures and; (d) facilitating the development of tools and methodologies to assess the impacts of the implementation of response measures).

The talks are supposed to end on Dec 13, and whether and how the many remaining issues will be resolved will be closely watched.