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GENEVA HIGHLIGHTS: TUESDAY, 10 FEBRUARY 2015

Throughout the day, the ADP contact group on item 3 convened. In parallel, the Technical Examination Process (TEP) under ADP workstream 2 (pre-2020 ambition) took place.

ADP CONTACT GROUP

TIME FRAMES AND PROCESS RELATED TO COMMITMENTS: On Section K, Saudi Arabia, for the ARAB GROUP, cautioned that it, along with sections on compliance and procedural and institutional provisions, prejudge the legal outcome, falling outside the ADP mandate.

The EU identified the need for parties to increase their mitigation commitments periodically. INDONESIA stressed that there should be no backsliding. SINGAPORE stressed the importance of taking into account national circumstances and national legal requirements. INDIA said parties should consider adjustments based, *inter alia*, on historic responsibilities and equitable sharing of the global carbon budget.

NEW ZEALAND emphasized the importance of sequencing of commitments and rules for their implementation. She suggested clarifying that COP decisions on the transparency framework shall not be applied retroactively.

BRAZIL suggested that each party submit a contribution for a five-year term and an indicative contribution for the subsequent term. The EU proposed reviewing ambition at five-year intervals.

COSTA RICA said the level of risk associated with the level of mitigation commitments, or lack thereof, should be assessed. SOUTH AFRICA proposed a backward-looking review as well as a forward-looking one covering existing and future commitments on mitigation, adaptation and MOI.

FACILITATING IMPLEMENTATION AND COMPLIANCE: On Section L, the Maldives, for AOSIS, proposed text on a robust compliance system to facilitate enforcement. Tuvalu, for the LDCs, and Trinidad and Tobago, for CARICOM, proposed a compliance committee with enforcement and facilitative branches. The EU proposed adopting details of the compliance mechanism at the first meeting of the new agreement's governing body.

Pakistan, for the LMDCs, suggested monitoring developed country compliance with emission reduction commitments and the provision of MOI. SOUTH AFRICA called for a differentiated approach to compliance, including a system that is "preventative and cooperative." BOLIVIA suggested the establishment of an international climate justice tribunal. The MARSHALL ISLANDS proposed that compliance committee membership reflect equitable geographic representation, including small island states.

PROCEDURAL AND INSTITUTIONAL PROVISIONS: On Section M, NORWAY proposed that all subsidiary bodies under the Convention also serve the 2015 agreement, unless otherwise decided. On amendments to the new agreement's annexes, the EU proposed that parties may adjust their mitigation commitments upward, to be accepted unless three-fourths of parties object, and that withdrawals from the agreement be possible only when a party has complied with its commitments.

ETHIOPIA suggested that the SBI and SBSTA review parties' *per capita* GHG emissions and GDP, and present draft decisions on revisions to Annex I and Annex II based on a formula determining the global average of these figures and taking into account the party's population size.

MEXICO proposed that if every effort toward consensus is exhausted, decisions can be made by a two-thirds majority vote of parties present and voting, except in the case of issues related to finance, which would require a consensus, and procedural issues, which would require a majority.

PREAMBLE AND DEFINITIONS: The Maldives, for AOSIS, and the EU proposed acknowledging that climate change requires the widest possible cooperation. The EU proposed adding reference to different national circumstances wherever CBDRRC appears. SWITZERLAND called for a separate paragraph on gender and human rights. AILAC called for a stand-alone paragraph on human rights. LICHTENSTEIN suggested that the agreement should significantly contribute to the achievement of the post-2015 development agenda.

Iran, for the LMDCs, proposed noting that the largest share of the current global GHG emissions originated from developed countries and that emissions in developing countries will grow

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to meet their social and development needs. AUSTRALIA suggested recognizing that the provision of finance and support should be treated holistically.

The US proposed a placeholder for a new annex x, to be agreed in Paris and updated regularly based on criteria relating to evolving emissions and economic trends, and for a new annex y, agreed based on capabilities and evolving economic circumstances. SAINT LUCIA proposed a placeholder for a new annex z for countries falling outside of the proposed new annexes.

STREAMLINING: Co-Chair Reifsnyder called for parties' views on streamlining the text, proposing that parties work section-by-section based on the elements text from Lima, with their views captured in a separate document for parties' reference.

Chile, for AILAC, expressed willingness to comment on the text. He emphasized the importance of retaining Section C (General/Objective), suggesting a way to merge two paragraphs. Several parties raised points of order, calling for clarity on the approach to streamlining.

CHINA and VENEZUELA expressed concern that returning to the elements text from Lima would be a step backward. Several parties, including VENEZUELA, SAUDI ARABIA, UGANDA, Malaysia, for the LMDCs, BELIZE and Sudan, for the AFRICAN GROUP, stressed the need to focus on the revised text. Several parties emphasized the need to avoid duplications in the text and their desire to verify that the revised text carefully reflects their views.

INDIA sought assurance that views on streamlining be captured in a separate, evolving document. BRAZIL supported the idea of preserving the integrity of the elements text. He proposed a non-paper with visualization or a table to illustrate parties' differences, as well as possible separations of treaty elements from COP decision elements. Sudan, for the AFRICAN GROUP, opposed separating treaty elements from decision elements at this stage.

Malaysia, for the LMDCs, said streamlining should focus on: aligning the text with the Convention and agreements reached in Lima; retaining the nuanced meaning of the proposals; and discussing each element in a balanced manner. ETHIOPIA and VENEZUELA stressed that parties have the right to suggest new text. BRAZIL encouraged parties to refrain from suggesting new text. MEXICO called for starting work immediately on text streamlining.

Co-Chair Reifsnyder announced that the entire revised text will be available on Wednesday morning. He explained that, on Wednesday morning, the ADP contact group will discuss the general structure of the 2015 agreement, moving to considering how to streamline the text in the afternoon.

ADP WORKSTREAM 2

Co-Chair Reifsnyder recalled that the ADP must recommend to COP 21 how to advance the technical examination process (TEP) and indicated that other aspects of workstream 2 will be considered on Thursday.

Jorge Voto-Bernales, COP 20 Presidency, Peru, highlighted the Lima-Paris Action Agenda and the role of non-state actors. Laurence Tubiana, COP 21 Presidency, France, emphasized efforts to move the Lima-Paris Action Agenda forward and identified a low-carbon economy as "inevitable." UNFCCC Executive Secretary Christiana Figueres stressed the "relatively new wisdom" of incentivizing action by all stakeholders, not just the central government. Facilitator Tosi Mpanu-Mpanu (Democratic Republic of the Congo) called for considering how to strengthen the TEP and its outcomes.

Mali, for the G-77/CHINA, stressed that the focus must shift to doing "more, faster, now" and the Maldives, for AOSIS, called for focus on urgent action, highlighting renewable energy in SIDS. BRAZIL suggested a TEM bringing together expertise from "the financial and investment worlds." INDIA called specific attention to the cost of technology, finance available, and countries' capacity to absorb them. CHINA suggested that the TEP use information from the multilateral assessment process and the Standing Committee on Finance. SOUTH AFRICA, supported by COLOMBIA, called for TEMs focusing on experiences from implementation.

The US, supported by the EU and COLOMBIA, suggested a summary for policymakers. The EU suggested focusing on areas with high mitigation potential and good practice examples. COLOMBIA called for attention to "missing policy options," such as transport. SAUDI ARABIA called for attention to: water; marine protection and blue carbon; economic diversification; land use; urban planning; and food security.

Discussions continued with a focus on ways to engage the UNFCCC institutions and relevant leading international organizations in the TEP. In the afternoon, participants addressed the role of leading international organizations.

IN THE CORRIDORS

On Tuesday morning, the ADP completed its first consideration of the text. Instead of the anticipated eight meetings, this was accomplished in only five contact group meetings. Many remarked, however, that the text had also "ballooned" by over 200%.

The afternoon session was characterized by a procedural focus as parties discussed how to approach the "challenging task" of streamlining the text. "After such good progress during the first days, it was only inevitable that we needed to have a procedural discussion before moving to the next stage," commented one delegate. Emerging from the room, many were speculating on how the process would move forward – whether the revised text would be forwarded to the Bonn session as it stands with streamlining reflected in a separate document, whether new proposals would be included and whether negotiations would move to smaller settings and non-papers would be produced.

Meanwhile, many attending the TEP appreciated the cooperative spirit and its reach beyond national governments to non-state actors. "For once, it's nice to focus in good atmosphere on those many exciting things happening around the world on climate change."