

2017 Pre-COP Training Workshop



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ecbi

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INTRODUCTION

The 2017 ecbi Pre-COP Training workshop, which took place on 4 November 2017 at Derag Livinghotel Kanzler, Bonn, was attended by 39 participants. Sessions focused on priorities for the Least Developed Countries (LDC) Group at the 23rd Conference of Parties (COP23) to the UN Framework Convention on Climate Change (UNFCCC); an introduction to the conference agenda; gender; climate finance; negotiating effectively and mock negotiations; and the transparency framework.

Opening the workshop, Benito Müller, Director, European Capacity Building Initiative (ecbi), described the origins of ecbi, saying it was conceived in 2001 when the US announced its intention not to ratify the Kyoto Protocol. A key goal for the Initiative was to help Europe take leadership and work with developing countries. He noted that the world was back in a similar situation, with the US notifying its intention to withdraw from the Paris Agreement. He described the three key programmes of the Initiative: the Fellowship Programme (for trust-building among senior negotiators from Europe and developing countries); the Training and Support Programme (for training new negotiators and providing negotiation support); and the Publications and Policy Analysis Unit.

Ambassador Luke Daunivalu, Deputy Permanent Representative of Fiji to the UN, delivered an opening address. He said it was a significant year for Fiji, as the first small island developing State (SIDS) presiding over the UNFCCC COP. He expressed his hope that the negotiations in Bonn would be fruitful, and countries would show the understanding and flexibility needed for effective results. He highlighted the importance of an effective 2018 Facilitative (or “Talanoa”) Dialogue, in raising the ambition of individual countries without naming or shaming; and the importance of involving sub-national stakeholders to increase ambition. He called for an inclusive, participatory and transparent dialogue based on trust and wider ownership to deal with climate change effectively.

Gebu Jember Endalew, Chair of the LDC Group, lauded the foresight in creating ecbi, and recognised the role of the Initiative in continuously building the capacity of developing countries, particularly LDCs. He described his own journey from a junior negotiator from Ethiopia at an ecbi regional training workshop in Gaborone ten years ago. From then on, he said, ecbi had continuously supported him, leading to his eventual election as LDC chair. He also appreciated the leadership shown by Fiji, and the country’s role in engendering the “Bula” spirit.

Pa Ousman, Director of the Country Programming, Green Climate Fund (GCF), described his own journey starting as a junior negotiator from The Gambia in 2005, to Chair of the LDC Group, Climate Envoy for The Gambia, and then Minister for Environment for his country, saying ecbi had supported him throughout. He called on participants to focus, observe, read and participate actively in the negotiations.

Achala Abeysinghe, Head of the ecbi Training and Support Programme (TSP), said this was the twelfth pre-COP workshop organised by ecbi. Noting that building capacity resolves differences and irons out inequalities, she said ecbi aims for sustained capacity building and strengthening to level the playing field between negotiators from developed and developing countries in the UNFCCC negotiations. She said Endalew and Ousman, now global leaders, are outstanding examples of the effectiveness of ecbi’s approach to capacity building and provision. She described the regional workshops organised by TSP annually in Anglophone and Francophone Africa, and in the Asia Pacific; the bursaries provided by ecbi to select negotiators, as financial and logistic support to attend the COP; and the negotiation support provided to the LDC Group. She commended Fiji for its leadership, including on gender inclusion.

A round of introductions followed.

PRIORITIES FOR THE BONN CONFERENCE

In this session, Endalew described the priorities of the LDC Group at COP23. Noting the diversity of areas participants mentioned as their areas of interest in the negotiations during the round of introductions, he said he was pleased that the workshop participants were focused on so many thematic issues, and hoped that they would eventually fill in the LDC focal point positions particularly for issues where they were currently missing, such as REDD+.

Endalew said COP23 constitutes a vital step in the journey to setting out a clear “rulebook” that will fully implement the vision laid out in Paris. Noting that the Bonn conference was the last before the work programme of the Paris Agreement is to be finalised, he said Parties hope to leave Bonn with a draft text, and the conference must aim to facilitate urgent upwards spiralling of commitments to reduce emissions; and scaling up of climate finance by developed countries.

Addressing the broad geopolitics surrounding the conference, he noted the need for countries and sub-national actors to step up and fill in the leadership void left by the US decision to withdraw from the Paris Agreement; emerging leadership from the EU, China and others; and the role of the LDC Group as a moral voice for effective action.

Endalew said the LDC Group’s priorities were discussed by LDC Ministers and Head of Delegations at a strategy meeting held in Addis Ababa on 5 October 2017, resulting in the [Addis Ababa Communiqué](#). He described the Group’s priorities related to: the development of the rulebook for the implementation of the Paris Agreement; the 2018 Facilitative Dialogue (renamed the Talanoa Dialogue); loss and damage; finance; gender and indigenous peoples; and expectations from COP23.

On the Paris Agreement rulebook, he noted that the outcomes of COP23 will be crucial towards the adoption of rulebook by 2018, and the negotiations must soon move to text-based negotiations, to avoid a last-minute rush. He said the negotiations must be guided by principles of equity and ensure accelerating ambition across all thematic areas over time.

On the Talanoa Dialogue, Endalew said the process of developing the modalities was being led by the President of COP22 (Morocco) and the incoming President of COP23 (Fiji), who were mandated by the COP to undertake inclusive and transparent consultations with Parties on the organisation of the Dialogue. The LDC Group had communicated their priorities to the Presidencies, calling for the Dialogue to be transparent, inclusive and participatory, with clarity on process (including a roadmap), inputs, and outputs.

Endalew said the Dialogue would focus mainly on mitigation, and on the global temperature goal set by the Paris Agreement, though linkages between adaptation and the mitigation goal, and between mitigation and “means of implementation” (MOI – including finance, capacity building, and technology transfer and development) cannot be forgotten.

He said the inputs for the Dialogue could include the Intergovernmental Panel on Climate Change’s [Special Report on Global Warming of 1.5°C](#) due in early September 2018, and a synthesis and analysis of the Nationally Determined Communications (NDCs) submitted by countries. He highlighted the role of non-State actors, and called for a comprehensive Dialogue that not only identifies gaps in ambition, but also gaps in finance and support that are preventing developing countries from taking action.

The LDC Group had communicated to the Presidencies that the outputs of the Dialogue should include a COP decision and a political declaration, Endalew said. The political declaration should address the question of what will happen next, after the Dialogue is concluded. In the May 2017 session, the LDC Group had supported a request to the UN Secretary-General to organise a special summit in the start of 2019, to encourage countries to act on the outcomes of the Dialogue, and to submit revised NDCs, showing enhanced ambition, by 2020.

On loss and damage, Endalew noted that while the issue was gaining momentum and acceptance, the need for finance to address loss and damage was a priority issue, including a permanent source of finance and a delivery mechanism. He called for: the issue of loss and damage to be incorporated into all relevant processes under the Paris Agreement, including the enhanced transparency framework and the global stocktake; enabling the Warsaw International Mechanism on Loss and Damage to address broader loss and damage issues; and further work in elaborating the mechanism into a tool that delivers assistance on the ground to those suffering from climate impacts, including the establishment of a clearinghouse for risk transfer to act as a repository for information to assist with the development of comprehensive risk management strategies.

He said the LDC Group would like COP23 to focus on finance and support, addressing: the urgent need for scaled-up and predictable finance based on actual needs (significantly above and beyond the US\$100 billion pledged); rules for matching finance mobilised with finance received incorporated across the Paris rulebook, including in the transparency framework and global stocktake; simplified processes for accessing climate finance from the entities of the financial mechanism, including the GCF and Global Environment Facility (GEF); replenishment of finance particularly for the LDC Fund; the setting of a new global target, based on a floor of US\$100 billion; the need for additional funding, including from innovative sources; and arrangements for the Adaptation Fund to be incorporated into the Paris Agreement.

Endalew further called for mainstreaming of gender across all areas of climate change responses and actions, saying empowerment of women will significantly enhance the effectiveness of adaptation and mitigation efforts at all levels and advance broader development objectives. He said the LDC Group supports the adoption of a robust gender action plan at COP23.

Listing expectations beyond COP23, he said the Group hopes to see draft text by the end of COP23, along with clear milestones, or it will be difficult to finalise the Paris rulebook by 2018. Unless the rulebook is finalised in 2018, he said, countries will lack guidelines for submitting more ambitious NDCs by 2020. Additional sessions may be needed in 2018 to achieve this goal, with adequate support for developing country negotiators. He also called on participants to continue supporting and pushing for ambitious initiatives such as the LDC Renewable Energy and Energy Efficiency Initiatives.

Responding to questions from participants, Endalew and other resource people clarified on the following issues:

- The Paris Agreement “rulebook” is an elaboration of elements of the Paris Agreement, necessary for implementing the Agreement. He noted that the Agreement did not include the details of how elements will be implemented – for instance, guidelines for NDCs, what the adaptation goal will be, or how exactly the transparency framework will function. While attempts have been made to renegotiate the Paris Agreement while negotiating the rulebook, he said, this is not the purpose of the negotiations. The Agreement is a baseline that cannot be renegotiated, but needs further elaboration.
- On the Talanoa Dialogue, Endalew said it was not yet clear whether a decision related to the Dialogue would be taken at COP23, though this may be necessary if there are financial implications for the year ahead. He said the Group had a discussion scheduled with the Presidencies and will have more information following this meeting.

- In response to another question on the Talanoa Dialogue, on why adaptation will not also be included, Endalew said it will be difficult to assess aggregate progress on adaptation without further progress on the adaptation goal. This should, however, be addressed in time for adaptation to be a critical part of the Global Stocktake in 2023.
- On the US decision to withdraw from the Paris Agreement and its role in the discussions on the Paris Agreement rulebook, Endalew noted that if the politics within the US change, and the US decides to return to the Paris Agreement, it will be a problem if they have not been engaged in the negotiation of the rulebook. He said the LDC Group is also holding bilateral meetings with the US, encouraging a more constructive engagement.
- On technology, he said this should not be a standalone request, but, like capacity, should be embedded in planning, communications, Nationally Determined Contributions (NDCs), National Adaptation Plans (NAPs) etc.
- On loss and damage, it was noted that the issue of compensation for loss and damage should be progressively introduced, possibly through a fund, along with efforts to establish responsibility for weather-related disasters.
- On linkages with the Sustainable Development Goals (SDGs), Endalew said that by talking about the same issues in multiple fora, countries were making the process more complicated for themselves. For instance, he noted that there were so many processes on adaptation now that it was not clear what should happen under each. He encouraged countries to integrate action into national plans and strategies, rather than addressing each separately. This way, he said, an integrated approach will be possible, and different implementation arrangements, reporting etc. for each separately will not be necessary.
- On pre-2020 emissions and the second commitment period of the Kyoto Protocol, Endalew noted that many countries, including from the LDC constituency, had not yet ratified the second commitment period. This was therefore a lost opportunity. However, countries in Europe were implementing their commitments even without ratification. He noted the need to take on board the experiences with the second commitment period into the Talanoa Dialogue.

In conclusion, Ousman said the GCF was working on expedited and simplified procedures, and a pilot process with simplified approval process was being launched. He invited the LDCs to submit proposals, particularly for activities that are embedded in their national strategies.

PARTICIPANT ROUNDTABLE

During this session, participants introduced themselves. They were asked to mention the issue/s they are following (or would like to follow); and their past experience with the UNFCCC negotiations, if any.

INTRODUCTION TO THE COP23 AGENDAS

Mamadou Honadia, lead negotiator to Burkina Faso, introduced participants to the agendas of the Bonn Conference. He noted that approximately 25,000 people are expected to attend the Conference, and six meetings will take place simultaneously:

- The 23rd session of the Conference of Parties (COP23) to the UNFCCC.
- The 13th Meeting of the Parties to the Kyoto Protocol (MOP13).
- The second part of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA1.2).

- The Ad Hoc Working Group on the Paris Agreement (APA).
- The Subsidiary Body for Implementation (SBI).
- The Subsidiary Body for Scientific and Technological Advice (SBSTA).

Each of these meetings have an average of 15 agenda items, he said. In addition, other important side events and consultations will take place during the Conference.

Honadia listed three main areas of focus for the Conference: making progress on Paris rulebook; framing the 2018 Facilitative Dialogue; and advancing on the Paris work programme. He then took participants through the provisional agenda for COP23 ([FCCC/CP/2017/1](https://www.unfccc.int/documents/438222)).

He said during the opening of the Conference, Josaia Frank Voreqe Bainimarama, Prime Minister of Fiji will be elected as President of COP23, and will also act as President of the CMP and CMA. The opening will then address organisational matters and adopt the agenda for COP23; then CMP13; and then CMA1.2. A joint session of COP23, CMP13, CMA 2.1 will follow, giving space for Groups statements. The SBI, SBSTA and APA Chairs and Co-Chairs' will then open their respective sessions, and refer to their agendas. Negotiations must conclude on 15 November 2017 to enable documents translation into the six UN languages, and to prepare for the High-level Segment in the afternoon. The principle of "not more than 2 meetings at the same time" will be applied with some exception. In addition, principles of transparency, inclusiveness will guide the organisation of work.

Honadia noted that from Monday 13 November to Wednesday 15 November, Inia Seruiratu from Fiji and Hakima El Haite from Morocco, appointed as "Climate Champions" for 2017-2018, will organise a series of high-level roundtables on the interaction between ambitious mitigation and adaptation action; the second Sustainable Development Goal (SDG2) on Zero Hunger; and on SDG11, on Sustainable Cities and Communities.

During the High-level Segment, Honadia said, statements from Parties and negotiating Groups are scheduled, and will continue on 16 November. He noted that special badges will be needed for access to these sessions. On Friday, 17 November, a closing ceremony will take place, where decisions by COP23, CMP13 and CMA1.2 will be approved.

Honadia advised participants to have ready access to the text of the three treaties ([UNFCCC](https://www.unfccc.int/), [Kyoto Protocol](https://www.unfccc.int/kyoto_protocol/) and [Paris Agreement](https://www.unfccc.int/paris_agreement/)); decision taken, from at least COP7 in 2001; and the annotated agenda of the six meetings taking place during the Conference. He then took participants through the issues on the agendas based on thematic issues.

On mitigation, he said the focus would be on reporting, the Kyoto Protocol, market mechanisms, and the NDCs. The mitigation related items on the COP agenda include:

- Second review of the adequacy of Art 4, paragraph 2(a) & (b), of the Convention.
- Annex 1 reporting (also to be discussed at CMP and SBI).
- Non-Annex 1 reporting (also to be discussed at SBI).

Mitigation related items on the CMP agenda include:

- Matters relating to the Clean Development Mechanism (CDM), Joint Implementation and the Compliance Committee.
- Report on the ministerial round table on increased ambition of Kyoto Protocol commitments.

The SBI will address the following mitigation related agendas:

- Common time frames for NDCs.
- Public registry (Paris Agreement Article 4.12).
- Matters relating to the mechanisms under the Kyoto Protocol.
- Mitigation actions in the forest sector.
- Response measures (also to be discussed at SBSTA).

The SBSTA will address:

- Research and systematic observation.
- Methodological issues under the Convention (common metrics, international aviation and maritime transport).
- APA, meanwhile, will address further guidance in relation to the mitigation section of decision 1/CP.21 on features, information and accounting of NDCs.

On adaptation, Honadia said COP23 will discuss the report of the Adaptation Committee; and matters related to the LDCs (also to be discussed by SBI). The SBI will also address the public registry under Article 7.12 of the Paris Agreement; and NAPs. SBSTA will address the Nairobi Work Programme, and issues relating to agriculture. APA, meanwhile, will address further guidance for the Adaptation Communications.

On loss and damage, Honadia said, COP23 will discuss the Warsaw International Mechanism (WIM) for Loss and Damage associated with Climate Change Impacts. Meanwhile, SBSTA and SBI will discuss the report of the WIM Executive Committee.

On finance, COP will discuss:

- Long-term climate finance.
- Matters relating to the Standing Committee on Finance (SCF).
- Report of the GCF and guidance to the GCF.
- Report of the GEF and guidance to the GEF.
- Sixth review of the Financial Mechanism.
- Process to identify the information to be provided by Parties in accordance with Article 9.5 of the Paris Agreement.

CMP13 will discuss the report of the Adaptation Fund and its third review.

SBSTA will discuss the modalities for the accounting of financial resources provided and mobilised through public interventions in accordance with Article 9.7 of Paris Agreement.

SBI will address the review of the functions of the SCF. COP and SBI will also address administrative, financial and institutional matters, including the UNFCCC budget.

On technology, Honadia said COP, SBSTA and SBI will address the joint annual report of the Technology Executive Committee (TEC) and the Climate Technology Centre and Network (CTCN). COP will address the review of the effective implementation of the CTCN. SBSTA will consider the technology framework under Article 10, paragraph 4, of the Paris Agreement. SBI will discuss the Poznan strategic programme on technology transfer.

Capacity building under the UNFCCC, he said, will be addressed by COP and the SBI; while capacity building under the Kyoto Protocol will be addressed by CMP and SBI. In addition, SBI will also consider the annual technical progress report of the Paris Committee on Capacity Building (PCCB); ways of enhancing the implementation of training, public awareness, public participation and public access to information so as to enhance actions under the Paris Agreement; and a report on activities related to Action for Climate Empowerment.

Honadia then listed the elements of the Paris Work Programme that will be discussed:

- COP will consider preparations for the implementation of the Paris Agreement and CMA1.
- CMA will consider matters relating to the implementation of the Paris Agreement; and adoption of the report of the CMA.
- APA will consider the transparency framework; global stocktake; the committee to facilitate implementation and promote compliance; and further matters related to implementation of the Paris Agreement, including preparing for CMA1 and taking stock of progress made by the subsidiary and constituted bodies.

In addition, Honadia said, a number of process and crosscutting issues will be discussed, including:

- Gender and climate change, by COP and SBI.
- The local communities and indigenous peoples platform by SBSTA.
- Assessment of the technical examination processes on mitigation and adaptation, by COP.

Administrative, financial and institutional matters by COP, such as the audit report and financial statements for 2016; budget performance for the biennium 2016–2017; programme budget for the biennium 2018-2019; and decision-making in the UNFCCC process.

In response to APA1.3, the COP may wish to address the need for procedural clarity with regard to the draft decision for consideration and adoption at CMA 1 on the matter related to “*procedural steps for the modalities for the recognition of adaptation efforts of developing country*”.

Finally, the Presidencies will continue consultations on the 2018 Facilitative Dialogue. Honadia also provided participants with a list of the co-facilitators of APA items; and the details of a global stocktake roundtable to be held on 5 November 2017, and a compliance roundtable to be held on 6 November 2017.

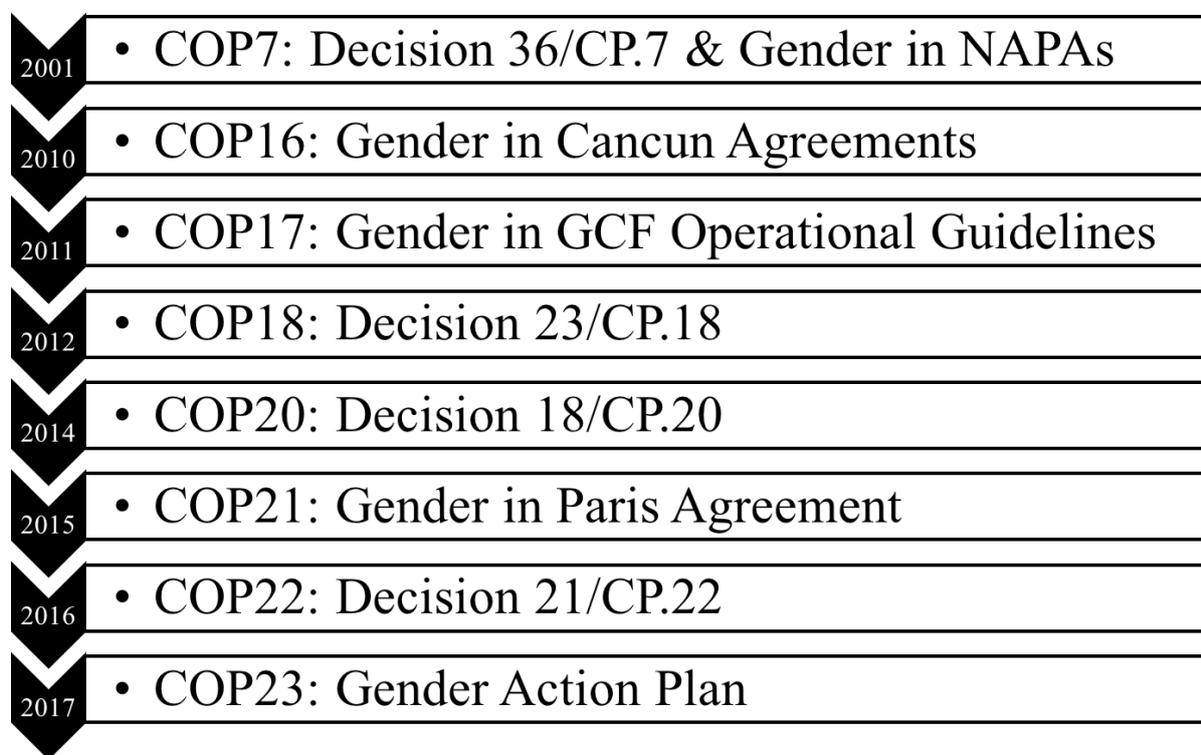
During the discussion that followed, a participant highlighted the usefulness of the [UNFCCC App](#) in accessing information.

WHAT TO EXPECT ON GENDER AT COP23

The session was led by Stella Gama, negotiator for Malawi. Gama started by asking participants how they define gender. Most of the responses associated gender with women; women and children; or with vulnerable communities. Gama noted that addressing gender inequality was about more than a focus on women – while it encompasses closing the gender inequality gap between men and women by empowering women, it should focus on educating both sexes on the importance of equality. A resource person noted the need to consider women not only as vulnerable to climate change, but also as agents of change with a critical contribution to addressing climate change and development challenges.

Gama then took participants through the key gender-related decisions taken under the UNFCCC, and the numbers related to women's participation in the different bodies under the Convention (see **Figure 1** and **Table 1**).

Figure 1: Gender-related decisions taken by COP



Further information on these decisions can be found in the ecbi [Pocket Guide to Gender Equality Under the UNFCCC](#).

Gama then described ongoing efforts to under the negotiations to develop a gender action plan. She noted that the action plan aims to translate existing gender-related mandates, decisions and efforts into concrete actions, and will include the following five clusters:

1. Capacity building, knowledge sharing and communication (systematic integration of gender perspectives; and enhanced knowledge, understanding and expertise).
2. Gender balance, participation and women's leadership (equal, meaningful participation of women is achieved and sustained; and climate decision making benefits all stakeholders).
3. Coherence within UNFCCC and other UN agencies.
4. Gender responsive implementation and means of implementation (improved social and gender assessments on adverse risks and barriers; improved integration of national gender-mechanisms; identify, finance, transfer, scale-up appropriate climate technologies, increase provision of sustained gender-responsive climate finance).
5. Monitoring and reporting

Listing issues for COP23 and beyond, she said governance, implementation and financing arrangements, and a time frame for the gender action plan will have to be agreed. She highlighted embedding the action plan in the Paris Work Programme, understanding the challenges; ensuring access to climate finance; and designing gender responsive projects with appropriate indicators.

Table 1: Participation of women in key UNFCCC bodies			
Body	June 2013	October 2014	September 2015
Clean Development Mechanism Board	20	20	10
Joint Implementation	40	40	40
Compliance Committee	11	40	40
LDC Expert Group	15	15	15
Consultative Group of Experts on National Communications	52	43	33
Adaptation Fund Board	31	31	28
Technology Executive Committee	11	15	25
Standing Committee on Finance	25	35	35
Climate Technology Centre and Network Board	13	13	6
Executive Committee of the Warsaw Mechanism on Loss and Damage		30	35
Conference of the Parties / Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP)	36	27	27
Subsidiary Bodies	33	33	33
Delegations	29% (at COP18)	36% (at COP19)	36% (at COP19)

In the discussion that followed, a participant asked how cultural and religious barriers to addressing gender issues could be overcome. Gama responded that sensitisation and capacity building of decision makers and men is a necessary first step.

In closing, Gama said the gender action plan should focus on building the capacity of both men and women. For women, the focus should be on empowering them to participate in leadership roles and become leaders. For men, the focus should be on awareness to understand the linkages between gender and climate change, and how gender can be integrated into different processes such as NAPs and NDCs.

WHAT TO EXPECT ON CLIMATE FINANCE AT COP23

Müller presented on finance. Noting that he did not expect much progress on the key issues of finance at COP23, he started his presentation by addressing on two issues on the agenda of COP (long-term climate finance, matters relating to the SCF); and one issue on the SBI agenda (review of the functions of the SCF).

Müller noted that when the SCF was established in Cancun, one of the functions that it was supposed to carry out was to assist the COP in the mobilisation of financial resources. However, there has been no progress on this issue, because it is seen as too sensitive by some countries.

Also, at the Paris Conference, a paragraph proposing a process for the consideration of new sources of finance beyond existing bilateral and multilateral sources had been dropped, not because of opposition, but because of a lack of champions. Subsequent efforts to get the SCF to adopt a work plan on alternative and innovative sources of finance had also not materialised. Despite this, Müller said, the issue of identifying complementary sources was urgent, as public sources were unlikely to provide the scale of finance needed to deal with climate change. He noted that the LDC Group had put forward a proposal for an International Air Passenger Adaptation Levy (IAPAL) in the past.

Müller said COP23 will also discuss the “*Process to identify the information to be provided by Parties in accordance with Article 9, paragraph 5, of the Paris Agreement*”. According to Article 9.5, developed country Parties “*shall*

biennially communicate indicative quantitative and qualitative information related to paragraphs 1 and 3 of this Article, as applicable, including, as available, projected levels of public financial resources to be provided to developing country Parties. Other Parties providing resources are encouraged to communicate biennially such information on a voluntary basis.”

CMP, meanwhile, will discuss the third review of the Adaptation Fund. In this regard, he pointed to a [technical paper by the Secretariat](#), reviewing the Adaptation Fund, and concluding that the Adaptation Fund has a number of comparative advantages, playing an important role in the evolving climate finance and adaptation landscape. Among other things, the Fund is credited for mobilising finance from innovative sources; pioneering the direct access modality; the speed of its approval process; its strategic engagement at the subnational level; and the efficiency of its institutional arrangements.

He said APA will discuss the modalities for biennially communicating finance information on the provision of public financial resources to developing countries in accordance with Article 9, paragraph 5, of the Paris Agreement; CMA guidance to GEF, GCF, LDCF, and SCCF; and setting a new collective quantified goal on finance in accordance with decision 1/CP.21, paragraph 53. Müller said he himself did not think long-term goals on finance were useful, as in the past they have been a recipe for “mutually assured unhappiness” in the absence of mutually agreed rules on how to count contributions towards the goals.

Müller noted a deep divide over whether the Adaptation Fund will serve the Paris Agreement. He said the Paris outcome recognised that the “*Adaptation Fund may serve the Agreement, subject to relevant decisions by the [CMP and CMA]*”; and “*Invites the [CMP] to consider the issue referred to in paragraph 60 above and make a recommendation to the [CMA.1]*”. The issue was confrontational in Marrakech, but it was decided that the Adaptation Fund should serve the Paris Agreement, following decisions by the CMA and CMP that address the governance and institutional arrangements, safeguards and operating modalities of the Fund.

In subsequent discussions, he said the co-facilitators of the discussion had compiled the following options identified by Parties in this regard:

- Adaptation Fund is under the authority and guidance of, and is accountable to the CMP and serves the Paris Agreement.
- Adaptation Fund is under the authority and guidance of, and is accountable to the CMA and serves the Paris Agreement.
- Adaptation Fund is under the authority and guidance of, and is accountable to both the CMP as well as the CMA ... and serves the Paris Agreement.
- Adaptation Fund is under the authority and guidance of, and is accountable to the COP and serves the Paris Agreement.

On the governance and institutional arrangements, the options include the following:

- Authority under which the Adaptation Fund operates.
- Reporting of the Adaptation Fund Board to which governing body/bodies.
- Guidance to the Adaptation Fund Board from CMA/CMP/COP.
- Role of SCF in providing guidance.

On the operating modalities, issues relate to:

- Role/niche of the Adaptation Fund.
- Sources of funding to the Adaptation Fund.
- Linkages with other bodies and institutions.

Müller noted that the Adaptation Fund Board has a majority developing country members, and some developed countries are not happy with that arrangement. Moreover, the source of funding (a share of proceeds from the Clean Development Mechanism) have dried up, and the Fund now relies on bilateral contributions – that too from mainly one contributor. Voluntary contributions are not a sustainable solution, Müller noted. The new market mechanisms established under the Paris Agreement are also unlikely to generate the funding necessary, as not a lot of trade was expected, even if the share of proceeds agreed for those mechanisms in the Paris Agreement are earmarked for the Adaptation Fund.

Müller said bringing the Adaptation Fund under the Paris Agreement is essential only in the unlikely event that the Kyoto Protocol is dissolved, and there is no longer a CMP to oversee the Fund. Having the Fund serve the Paris Agreement is, however, not enough to ensure that it gets funding, or its survival.

In this regard, Müller highlighted the “Trump gap” in climate finance, caused by the US decision to withdraw from the Paris Agreement. He said the US has only paid a third of its overall pledge of US\$ 3 billion to the GCF, and the rest is unlikely to materialise. This will mean that other donors will feel obliged to make up this gap – by diverting funds from other sources, particularly from LDCF and Adaptation Fund.

He noted that the calls to rationalise the financial architecture under the Convention could eventually endanger the future of the Adaptation Fund (and other smaller funds such as the LDCF and SCCF), as contributing countries seek to reduce administrative costs. There is, however, a different way to reduce these costs – by rationalising funding streams. He proposed that the GCF could serve as a “wholesale” fund, “outsourcing” to the Adaptation Fund, which could play an important role as a “retail” specialist window for smaller scale adaptation activities.

The Adaptation Fund could get accredited to the GCF, and seek programmatic funding, Müller said. The GCF will then approve a framework proposal from the Adaptation Fund under programmatic access, but the specific activities will be managed by the Adaptation Fund Board. The LDCF and SCCF, meanwhile, could be replenished as part of the overall GEF replenishment. Müller said this would be more cost-effective than having hundreds of people administering GCF from Songdo.

He noted progress towards this option at the latest Adaptation Fund Board meeting in October 2017, where the Board decided to initiate the process of accreditation with the GCF. He said this decision changes the dynamics of the discussion, making the issue of whether the Fund should or shall serve the Paris Agreement less relevant. However, he said, he had spoken to developed country negotiators to convince them that it will be better to resolve this issue of the relationship between the Adaptation Fund and the Paris Agreement, rather holding on to it as a bargaining chip, in the interests of fostering trust in the overall process. He expressed hope that the issue would be resolved at COP23.

Müller further elaborated on efforts to secure funds for the LDCF from sub-national entities. He informed participants about a bill being introduced in Massachusetts, to enable taxpayers to contribute their tax refunds to the LDCF. He concluded by saying that to increase the amount of funding available for climate change, innovative sources will be essential. Implementing the IAPAL proposal, which the LDCs had submitted in the past, for instance, could raise US\$ 8-10 billion annually – compared to the US\$ 600 million currently available.

In the discussion that followed, participants discussed the importance of having the discussion on the “share of proceeds” from the Article 6 mechanisms under finance, rather than market mechanisms; how countries with comparative disadvantages can access climate finance; getting National Implementing Entities (NIEs) that do not have a conflict of interest accredited to the GCF, to access the Enhanced Direct Access modality; and how

to access the funds allocated by the GCF to each developing country, to strengthen the capacities of National Designated Authorities and potential NIEs.

NEGOTIATING EFFECTIVELY AND MOCK NEGOTIATING SESSION

During this session, Ian Fry, Ambassador for Climate Change and Environment, Tuvalu, presented an overview of the negotiation process; engaged participants in word games and a negotiation exercise; and gave them tips on how to be a negotiator.

Presenting an overview of the negotiations, Fry said voting is extremely rare in negotiations on international environment agreements. Most decisions are taken by consensus – everything has to be agreed upon by everybody. It can therefore be a challenge to get everybody on board. However, consensus does not mean that everybody has to agree. If the Chair decides that most Parties are on board, s/he may decide to gavel a decision. There is an element of imbalance therefore, especially because the objections of larger countries are likely to get more attention than those of small countries. Also, there is the danger that decisions that are taken without everyone on board can fall apart later.

He said a treaty is interpreted and implemented by decisions of the COP – and this is what the negotiations on the rulebook of the Paris Agreement are about. While COP decisions do not have the same legal status as treaties, as they do not go through parliamentary process at the national level and are not strictly legally binding, they are generally treated as being legally binding.

Giving an example of what COP decisions looks like, Fry cited the decision on loss and damage in 1/CP.21. He said the US did not want loss and damage provisions under Article 8 of the Paris Agreement to provide a basis for liability or compensation, while developing countries fought hard to avoid such an exclusionary clause in the treaty. In the end, paragraph 52 under the Paris decisions was agreed, stating that Article 8 does not involve or provide a basis for liability or compensation. This downgraded the political significance of the sentence.

Fry then provided a step-wise explanation of how a COP decision was reached. He said the process starts with informal processes even before a COP begins. Informal meetings such as the Pre-COP held in Nadi, Fiji before COP23 take place, to help iron out issues. Then regional groups meet to work through group positions. Hence LDC, AOSIS Africa Group, G77 and China, EU and Umbrella Group took place before COP23.

Fry noted that the COP plenaries are the only time that simultaneous translation takes place in the six UN languages (English, French, Arabic, Spanish, Chinese and Russian). A plenary is the main meeting of the COP, where everyone sits in the room and agrees on formal procedures. Once a plenary takes place at the start of a COP, the workload is divided into working groups – such as the Ad-hoc Working Group on the Durban Platform for Enhanced Action, or the APA.

If working groups cannot resolve issues, they may be broken into contact groups, where real text negotiations begin. Contact groups are small circle rooms without spaces assigned for countries – negotiators have to find their country's name plate, and find a seat at the table. These are generally open to observers. Text may be projected onto a screen to facilitate the negotiations, but in English only. This is a disadvantage for countries where English is not a first language, Fry noted, saying playing with words is part of the game. He also noted that no more than two contact group meetings can take place at one time, to accommodate smaller delegations.

During negotiations in working groups or contact groups, Fry said, informal groups may be established. These are usually closed meetings and not open to observers. Moreover, notices of informal meetings do not appear on the Daily Programme – negotiators have to keep track of informal meetings on the subjects that they follow. Moreover, several informal meetings may take place at the same time, stretching the capacity of small delegations.

Fry also highlighted the importance of informal bilateral meetings between negotiators in the corridors, to exchange views, find out more about the positions of other countries and groups, and try to find a resolution.

If negotiations prove difficult, Fry said, the Chair/s could invite a few prominent negotiators to meet as “friends of the Chair”, to resolve differences. In recent years, Fry noted also that last minute “huddles” have taken place to come to agreement on sticky issues, as happened in Durban, when India noted dissent in the final plenary.

A COP decision could therefore evolve through a complicated process that involves an informal meeting, regional groups, COP plenary, working group, contact group, informal corridor discussions, friends of the Chair, and back again to informal groups, contact groups, working groups and COP plenary (with last minute huddles).

Describing the importance of words in the decisions, Fry said COP decisions create actions and obligations on Parties – while some Parties may support these actions and obligations, other may try to avoid them. The latter may then suggest textual changes that change the meaning or the level of obligation. Fry gave a number of examples of words that could dilute the level of an obligation – such as replacing the verbs at the start of a decision (replacing “agrees” with “invites”, for instance).

He listed a number of “slippery negotiating words” that change the meaning of a sentence – including: *as appropriate, if necessary; may, should, shall; amongst them; consider; extent feasible, including, in particular, inter alia, notwithstanding; promote; subject to; urges, invites; where sufficient information is available; based on sound science; with a view to; in accordance with international law, subject to national legislation etc.*

He pointed to the subtle differences in the meaning of words – for instance, “*may*” signifies an optional requirement at the discretion of a Party. “*Should*” is an obligation, but still not compulsory. “*Shall*” is a compulsory requirement, same as “*must*”. “*Consider*” suggests that Parties will think about the issue further and not necessarily make a decision. Parties may fall back on simply agreeing to organise a workshop when an agreement on an action cannot be made, often as a delay mechanism. “*Towards*” is another word for diluting an action, signifying that Parties will work towards something, without necessarily ever getting there.

Fry also gave a number of examples from the climate negotiations where words had been used to delay or dilute commitments. Participants then engaged in a short exercise in negotiating words within a COP decision.

Fry ended his presentation with 18 negotiating tips for the negotiators, advising them to:

- Invest time in the knowing the issues you are dealing with.
- Hear what others have to say, particular what they want.
- Know the views of your negotiating partners.
- Demonstrate respect for your negotiating partners.
- Show patience.
- Show polite assertiveness.
- Gain the support of others.

- Be inclusive.
- Use language sensitively.
- Understand negotiating language.
- Watch out for tricks.
- Find common ground.
- Accentuate the positive.
- Handle pressure.
- Know when to trade.
- Lock-in agreements.
- Don't give in early.
- Ensure continuity.

In the ensuing discussion, participants asked whether Parties can complain if a decision is reached without their participation. Fry replied that a Party always reserves the right to disagree. Participants also discussed how to deal with situations where a country may not agree with a Group position. On a question on whether the outcomes of a Pre-COP are binding, Fry said the Pre-COP is a place for brokering outcomes without taking any binding decisions – nothing can be formally agreed at these informal meetings.

TRANSPARENCY FRAMEWORK AT COP23

The final session on the transparency framework under the Paris Agreement was kicked off with a presentation by Abeysinghe.

Abeysinghe noted that the transparency framework is part of the bigger picture around the “rule set” of the Paris Agreement, which is about how to implement the Paris Agreement. There are a number of provisions that relate to this rule set, including for instance the NDC guidelines and features under Articles 4, 7 and 9; Article 13 which is about reporting actions taken at national level and reviewing those actions; Article 14, which is about the global stocktake; and Article 15 on facilitating compliance. These elements are all related – Parties are expected to first submit their NDCs; then report on their implementation; review the NDCs; ensure compliance on individual responsibilities and undertake a overall global stocktake which should once again lead to the submission of more ambitious NDCs.

The precise elements of the transparency framework are dealt with under Article 13, said Abeysinghe. Article 13.1 states: *“In order to build mutual trust and confidence and to promote effective implementation, an enhanced transparency framework for action and support, with built-in flexibility which takes into account Parties’ different capacities and builds upon collective experience is hereby established”*.

Article 13.5 sets out the purpose of the framework for transparency of action: *“...to provide clarity on support provided and received by relevant individual Parties in the context of climate change actions under Articles 4, 7, 9, 10 and 11, and, to the extent possible, to provide a full overview of aggregate financial support provided, to inform the global stocktake under Article 14”*.

The transparency framework includes two key elements, Abeysinghe said: reporting, and review of those reports.

She summarised the reports that could provide the transparency framework the information that it needs (see **Figure 2**), saying reports on National Inventories; NDC implementation; and support provided by developed

countries are mandatory, although LDCs have flexibility on when to report, and what information to include. Optional reports include reports from other Parties providing support; reports on support needed and received; and reports on climate change impacts and adaptation.

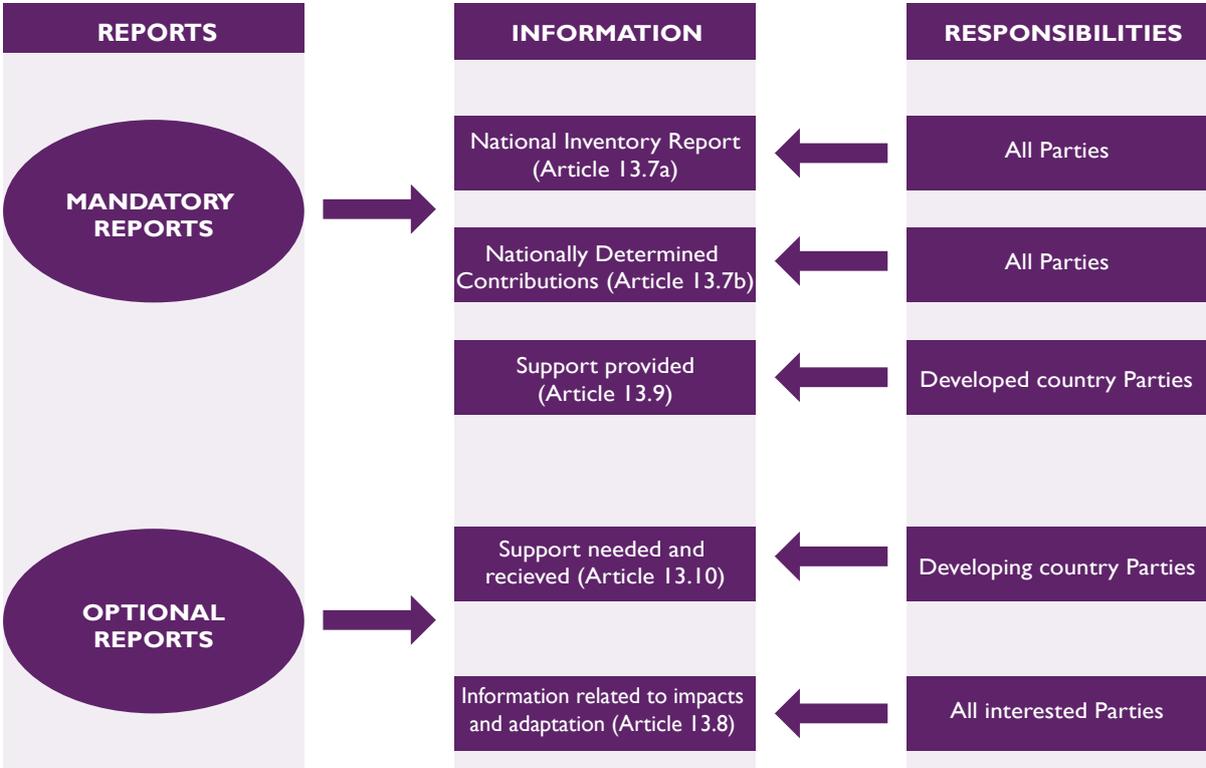
Abeysinghe said the review process has two key elements: technical expert reviews (TER) and facilitative multilateral consultation processes.

The Paris Agreement states that all Parties will undergo a TER of greenhouse gas inventories and information on progress towards NDCs. Developed countries shall also undergo a TER of information on support provided. While TERs have been held in the past and the process is not new, the current discussions revolve around whether they should be carried out for individual country or groups; whether they should be in-country or desk-based etc.

All Parties to the Paris Agreement must also undergo a multilateral, facilitative consideration of progress with respect to efforts under Article 9 and its respective implementation and achievement of NDCs. This process has also been done before under the UNFCCC.

Abeysinghe said the APA is currently developing recommendations for the modalities, procedures and guidelines (MPGs) for the transparency framework for action and support. While the Paris outcome indicates that these should be completed by 2018, she said, some countries are of the opinion that this is not a mandatory deadline.

Figure 2: Reporting requirements for the transparency framework



She then described the Capacity Building Initiative for Transparency (CBIT) that was established in Paris, saying CBIT aims to strengthen the institutional and technical capacities of developing countries to meet the enhanced transparency requirements of the Paris Agreement. The CBIT is being implemented by the GEF, with some funding already available, and all developing country Parties have access to funds from the CBIT upon request. Eligible activities are delineated in the CBIT Programming Directions document, which states that activities should aim to:

- strengthen national institutions for transparency-related activities in line with national priorities;
- provide relevant tools, training and assistance for meeting the provisions stipulated in Article 13 of the Paris Agreement; and
- assist in the improvement of transparency over time.

Additional elements are also eligible for support at the regional and global level.

Summarising the latest state of play in the negotiations for the transparency framework, Abeyasinghe said countries and groups had already submitted two rounds of submissions (the LDC Group has submitted two). Two technical workshops are scheduled to take place in advance of COP23. The APA is also continuing its deliberations.

She listed discussions on how to take the discussions on the transparency framework forward in 2018 as a priority for at COP23, along with further clarity on the MPGs, particularly on:

- The minimum level of information required.
- How to reflect national circumstances and capabilities of Parties.
- How to address issues related to measuring adaptation efforts and how to link discussions on adaptation communications and those on reporting and review.
- How to distinguish between support provided and support mobilised.
- How to ensure effective representation of developing countries in the review process.
- How to address capacity to access support from CBIT.

She noted that while flexibility has been provided for LDCs and small island developing States (SIDS), it will be important to include information from these countries as well, to get an accurate picture of progress.

Abeyasinghe noted that two roundtables will take place on transparency on 4 and 5 November, the first discussing transparency of support, the TERs and the facilitative, multilateral consideration of progress, including of support. The 5 November roundtable will focus on adaptation and mitigation, she said, and provided participants with a link with further information on these events.

Abeyasinghe then listed the following key messages from the LDCs for the transparency discussions in general:

- The transparency framework must provide an accurate and reliable picture of what each Party is doing to address climate change and its impacts. This information needs to allow Parties to reliably aggregate information to take stock of implementation of the Paris Agreement through the global stocktake process.
- The transparency framework should facilitate continuous improvement over time, with respect to the quality, coverage, scope and level of detail of information reported by Parties.
- The transparency framework must promote transparency, accuracy, completeness, consistency and comparability to build trust and confidence among Parties and ensure reliable information is provided.
- The transparency framework should avoid placing undue reporting burden on developing country Parties.

On the negotiations on transparency of actions, she highlighted the following key messages from the LDC Group:

- Information should provide clarity on whether Parties are on track in implementing and achieving their NDCs to achieve emission pathways consistent with a limit of temperature increase to below 1.5°C above pre-industrial levels.
- Information needs to be aggregable to get an accurate picture of global action on climate change in the light of the PA purpose.

On transparency of support, she presented the following messages:

- Information should include qualitative and quantitative information on support provided and mobilised through public interventions and on support needed and received.
- In order to enhance predictability of climate finance flows, developed countries should include in the report their plans and strategies on how to scale-up their climate finance support to developing countries
- Information should reflect the principle that support has been provided on the basis of developing country needs and priorities, and is in line with country-driven strategies and plans.
- Support for adaptation and support for mitigation should be clearly demarcated, recognising that some supported activities can be cross-cutting. Support should also be reported in terms of grant-equivalents.

On the flexibility provided to LDCs and SIDS, she listed the following key messages:

- Flexibility should enable the highest reliability of information and rigour in review relative to a Party's national capacity.
- Flexibility should be integrated into reporting guidelines, e.g. with options in scope, level of detail or frequency of reporting, and/or through the modalities and procedures of the technical expert review and facilitative multilateral consideration of progress processes.

Abeysinghe presented a summary of major group positions (see **Table 2**).

The presentation ended with a summary of the linkages of the transparency discussions with discussions on other elements of the Paris Agreement rule set, including:

- Clear linkages to Article 14 (global stocktake).
- Possible linkages to Article 15 (implementation and compliance mechanism).
- NDC guidelines on features of NDCs and NDC registry.
- Adaptation communications.
- Market-based mechanisms and accounting.
- Discussion on accounting for climate finance under SBSTA.
- Work of the CBIT.

In the discussion that followed, participants discussed the resources available for countries to identify their capacity needs; similarities and differences between the existing system for measurement, review and reporting under the Convention, and the new system; the challenges of reporting adaptation needs; and access to funds from the CBIT.

Table 2: Analysis of Party positions on the transparency framework

Issue	LDCs	Umbrella Group	Africa Group	AOSIS	LMDC	Arab	EU
MPGs for enhanced National Inventory Reports	General convergence, including that existing IPCC guidelines can be transposed; and IPCC guidelines address flexibility						
Operationalising flexibility	Further flexibility for LDCs and SIDS in terms of scope of reporting and review and frequency of review; Group reviews can be done for LDCs	Flexibility is already incorporated because Parties nationally determine their NDCs	Developing countries should have different, less stringent reporting requirements	Same as LDCs	Developing countries should have different, less stringent reporting requirements	Developing countries should have different, less stringent reporting requirements	Specific provisions of transparency framework should be developed before flexibility is built in
Information on climate change impacts and adaptation	Impacts and adaptation not subject to technical expert review. US: barriers to MOI should only come under support needed and received	Argentina, Brazil and Uruguay: information on impacts and adaptation not subject to review. China: barriers to MOI should be included under adaptation priorities, needs and costs					
Support provided and received	Need to ensure support is genuine, adequate and predictable, including information on progressing over time. Support provided and mobilised - different	Discussion on support provided belongs to SBSTA, no need to discuss it under APA under transparency of support	Support provided and mobilised - different	Support provided and mobilised - different	Support provided and mobilised - different	Support provided and mobilised - different	

FEEDBACK AND CLOSING SESSION

During this session, Brianna Craft, IIED, first invited resource people to offer advice to the new negotiators. The resource people encouraged participants to overcome some of the challenges faced by small delegations through teamwork and collective action; keep careful track of process; focus, and specialise in one or two issues (which may be split into different agenda items); work with their Groups, and to contact the LDC coordinators on issues they were following; attend coordination meetings; report back to their groups to pool knowledge and information; and network widely.

Participants then shared their own feedback on the workshop, highlighting what they had learned. They voiced their appreciation saying the workshop had inter alia: helped understand the process and issues; unpacked the COP; showed them how, and from where, to access information; boosted confidence and helped them overcome their fears; understand the reality on the ground, beyond documents and opinions; and broadened knowledge.

Participants said they had learnt how to be more efficient, and appreciated the negotiating tips shared with them by more seasoned negotiators. They also shared their resolve to share the information with others back home. A participant also underlined that negotiators must first understand the reality back home, to represent it properly in the international negotiations.