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Are "mega-COPs" the best way to drive global climate ambition in future?

WEBINAR LAUNCH OF ecbi POLICY BRIEF

Quo Vadis COP? Future Arrangements for Intergovernmental Meetings under the UNFCCC – Settled and Fit for Purpose

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On 26 March 2021, leading climate change negotiators discussed the negotiation processes and other activities that happen at annual global climate change meetings, during a webinar launch of a new ecbi policy brief *Quo Vadis COP? Future Arrangements for Intergovernmental Meetings under the UNFCCC*. The policy brief is authored by Benito Müller, Jen Allan, Matthias Roesti, and Luis Gomez-Echeverri, and includes a Foreword by Marianne Karlsen, Chair of the Subsidiary Body for Implementation (SBI). There were 38 participants at the webinar, including negotiators from developed and developing countries, with nearly all continents represented, as well as academics, UN Framework Convention on Climate Change (UNFCCC) Secretariat staff, and representatives from non-government organizations.

The purpose of the meeting was to discuss ways to make the future climate negotiation process "fit-for-purpose" for the post-Paris implementation phase. Over the last 25 years, the UNFCCC meetings have become the largest gatherings under the auspices of the UN system. The question is if such "mega-COPs" are now the most appropriate way to drive climate ambition and implementation considering this type of meeting arose during the negotiation phase leading to the Paris Agreement.

The discussion was based on the ecbi *Quo Vadis COP?* policy brief that proposes a new way to organize the various events that convene at the Conference of the Parties (COP) to the UNFCCC. The policy brief proposes to separate negotiation-related meetings from meetings that convene non-party stakeholder and high-level delegates. This would mean two annual meetings: a smaller, implementation-focused COP held in Bonn; and a dynamic, large Global Climate Action Week to catalyze action by all stakeholders and to bring these stakeholders together with ministers. Potentially, the latter event could be held in Geneva.

Kishan Kumarsingh, Co-Chair of the ecbi Advisory Committee, chaired the meeting, noting the added need to reflect on the process of convening negotiations given the COVID-19 pandemic and the maturity of the climate regime, now with three legal instruments. He characterized the policy brief as "very thought provoking" and welcomed participants' views on how we can move forward to a more effective regime.

Marianne Karlsen, Chair of the SBI, said the policy brief contributes to an important and necessary debate on how to design a functioning, effective intergovernmental

process that will promote the achievement of the Paris Agreement’s goals. Acknowledging there will be different views on procedural changes, she observed a shared interest in ensuring the legitimacy of decisions and a shared notion that it can be done better. She highlighted the usefulness of the tangible numbers contained in the policy brief, and how the policy brief concretely demonstrates how participation in meetings increased, then stabilized at new numbers, unrelated to mandates and negotiation workload.

SLIMMED DOWN AND FIT-FOR-PURPOSE COP

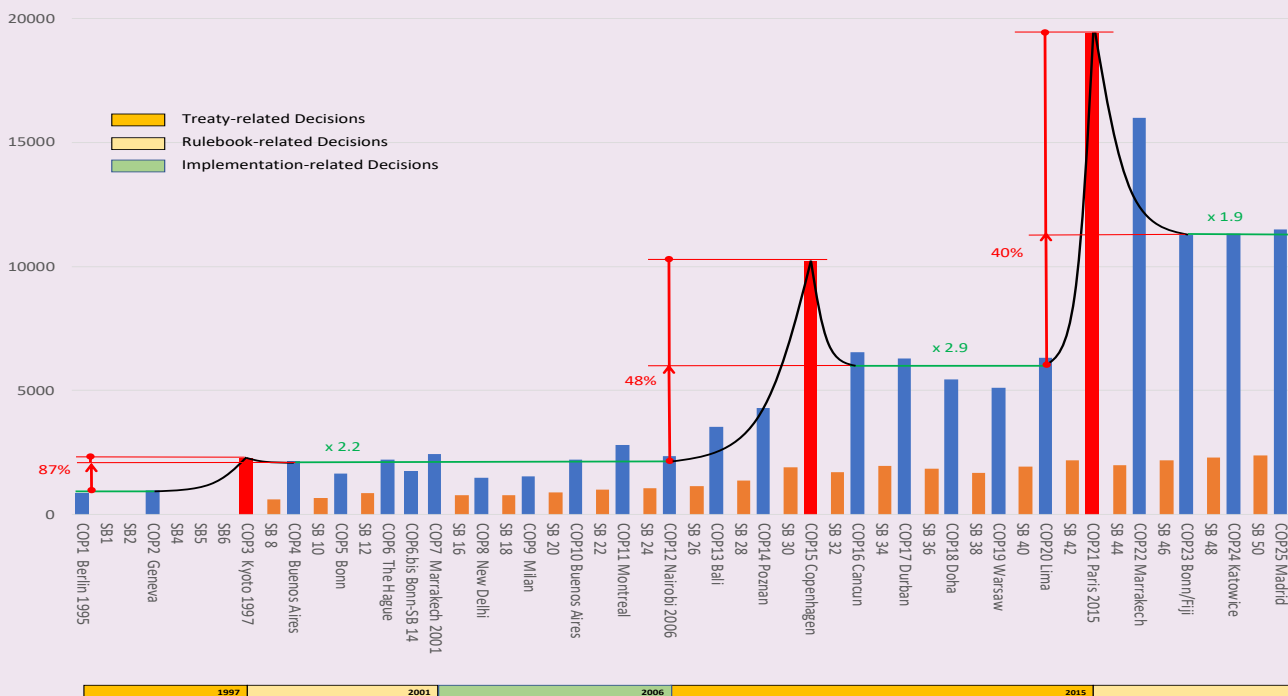
Benito Müller, ecbi, outlined the proposal put forward in the policy brief, which he said started with the question of whether it is possible to “settle down” the COP and make it fit-for-purpose in the implementation stage of the regime. By locating the COP every year in Bonn, negotiations could focus on implementation and technical issues. The challenge is numbers: Bonn cannot accommodate the modern, huge COPs. In 2017, 23,000 people attended the Fiji-Bonn meeting, which would be impossible on an annual basis in Bonn, financially and otherwise.

The policy brief analyses past, present, and future participation patterns and functions of COPs. On participation, it identifies a plateau pattern: after each major COP that adopts (or was intended to adopt) a new treaty, participation increases and stays at that level (see

Figure below). The analysis shows that this increase is not correlated with an increased workload. Rather, increased political attention and the mobilization of non-state actors seem to be important factors. While these have been important aspects of negotiating the Paris Agreement, the policy brief outlines how the regime’s needs and functions in the future will differ from those in the past.

The decision making, implementation, and negotiation functions of the COP – that is the functions undertaken by Parties and negotiators – could be held separately from the political and other initiatives such as the Marrakech Partnership. A meeting focused on decision making, implementation and negotiations would take place annually, in a stable location such as Bonn, the headquarters of the Secretariat, and would continue to feature substantial opportunities for observers to participate.

The additional events to spur climate action by non-party stakeholders and the high-level segment could be relocated, to allow greater focus that would enhance their value. This proposal would also bring down the number of COP participants, perhaps nearer to the post-Kyoto (and pre-Copenhagen) normal of less than 5,000 participants. The policy brief shows that the workload and functions of the regime in the future will be more like those after the Protocol’s adoption. The Marrakech Partnership and high-level segment could relocate to Geneva, as a suggested preference Müller noted, given its infrastructure as one of



the UN Headquarters, and coordinated with the Regional Climate Weeks.

FEEDBACK AND DISCUSSION

Yvo de Boer, former UNFCCC Executive Secretary, welcomed the policy brief as “incredibly important at a very important moment in time” as the regime moves into implementation mode. He highlighted three platforms for the future of the process on which the policy brief’s proposal contributes important points. First, the technical platform to allow negotiators to craft rules, procedures, and mechanisms to support implementation. Second, a platform for leaders from politics, business, and civil society to ensure that we deliver on the Paris Agreement’s ambitions. Third, a platform that allows civil society, business leaders, and others to be fully engaged in the process, given the importance of public opinion in driving ambition.

Kishan Kumarsingh said the paper provides clearly articulated suggestions for maximizing efficiency and productivity for multilateral discussions under the climate regime, which were worthy of consideration by Parties as we move to a new phase of climate diplomacy.

The COVID-19 pandemic continues to have repercussions for global governance. There are continuing travel restrictions and physical distancing may require smaller meetings in the future, even in large venues. For example, the UN General Assembly has combined its three conference rooms to allow for physical distancing among delegates. The proposal for the future of the COP process put forward by ecbi was not prepared with the repercussions of COVID-19 in mind. It might be necessary to slim down the COP in order to maintain physical distancing rules or to reduce the numbers of participants.

The policy brief was not written with COVID-19 repercussions in mind. It is more forward looking to the needs of the regime as it implements the Paris Agreement. But there may be lessons learned from over a year of online negotiations that could help in that effort.

Through the discussion and views put forward by negotiators and other key observers, several questions were raised on the implications of the proposal. Each is summarized below.

WHY CHANGE?

The large annual meetings that include negotiations and non-negotiation activities have in the past produced significant outcomes. The adoption of the Paris Agreement in 2015 was the result of four years of negotiations. This period also featured a rapid mobilization of non-state actors including, through the Lima-Paris Action Agenda, an initiative of the Chilean and French COP Presidencies that later became more formalized as the Marrakech Partnership for Global Climate Action. The mobilization of cities, businesses, and other non-state actors may have contributed to the successful adoption of the Paris Agreement by showcasing increasingly widespread acceptance of and commitment to climate action.

Given this success, a webinar participant asked why the process should be changed, and why the policy brief does not address this. Benito Müller responded that the principal aim of the policy brief was to analyse whether a number of the options discussed under the ongoing COP agenda item “Arrangements for Intergovernmental Meetings,” namely holding ‘small COPs’ and holding them in Bonn, are actually still viable. The policy brief assumes that there are good reasons for these options to be discussed, and simply shows how they could be implemented. In the course of the analysis, however, it became clear that the most important reason for a change had to be the fact that the future regime and its functions will differ significantly from the past, with a major focus on implementation.

PARTIES’ REFLECTIONS AND PROPOSALS FOR CHANGE

Countries are themselves debating the timing and location of the COPs. Since 2012, Parties have debated whether to hold COPs biennially, with annual meetings of the governing bodies for the Kyoto Protocol and (later) the Paris Agreement. In 2015, there was a “Big COP, Small COP” proposal to host a larger COP one year with a high-level segment and a smaller, more technical COP the year after. Parties have also debated whether the COPs should be held permanently in Bonn, or continue to rotate among the five UN regions.

There are implications of these decisions on location and frequency. Current mandates may need to be adjusted if the COP could only meet, and therefore, take decisions, every two

years. There are significant budgetary implications of the larger, mega-COPs as currently practised. It is beyond many countries to host these COPs, particularly developing countries.

The policy brief offers a new option: a “settled down” location for the COPs, which are held annually. An annual meeting would allow current mandates to proceed as planned, especially since a two-year decision making cycle would not align well with the five-yearly cycles of the Paris Agreement.

Settling the COP into a consistent venue and city has several benefits, financial and otherwise. It allows for planning by Parties. It avoids the need to set up temporary structures in host cities around the world to accommodate for such a large, multi-faceted meeting. Secretariat staff would not have to travel several times to the host country.

FUTURE NEEDS OF THE REGIME

The future of the process will not be like the past. Many of the participants at the webinar noted that the regime is shifting from negotiations toward implementation. The ecbi policy brief reflects this and outlines other changes in the functions that the COPs will play moving ahead. As a corollary to fewer negotiations, there will be less need for high-level input to guide discussions and make political decisions. Many of the remaining negotiations will be technical, such as reviewing guidances, modalities, and procedures related to the Paris Agreement rule book. These will not require the physical presence of ministers at a COP to resolve.

There may well be a periodic need for high-level political input. Every five years, the political phase of the Global Stocktake will take place. During this phase, political leaders are to take the information gathered in the technical phase on countries’ collective efforts to reduce emissions, improve adaptation, and provide means of implementation. A key aim of this political phase of the Global Stocktake is to inform the subsequent submission of new or updated Nationally Determined Contributions (NDCs).

NDCs are due nine months before a COP, reducing the need for ministers or high-level political figures to attend COPs in the years when new NDCs are submitted. Instead, the policy brief’s proposal suggests, these announcements could be made during the relevant Global Climate Action Weeks. By separating the COP into two events, there is a high-level platform for global leaders, from countries to businesses and beyond, to put forward more ambitious climate pledges.

Currently, no such platform exists to coordinate the submissions from countries and raise collective ambition.

The proposed solution of separating COPs into two distinct events, each with their respective roles, tailors meeting arrangements to best serve the future regime. The proposal is less a matter of making COPs more or less successful, and more about making the process fit-for-purpose moving forward.

WHY SEPARATE THE CLIMATE ACTION AND HIGH-LEVEL EVENTS FROM THE COP?

There has been heightened interest in recent years in the Marrakech Partnership and other initiatives to bring non-Party stakeholders on board. COP Presidencies increasingly seem to want to bring high-level delegates to COPs, including heads of state and government. During the webinar, some wondered if something would be lost by separating the Climate Action events and the high-level events from the negotiation-focused proceedings.

We see several benefits to the separation that will be increasingly salient during the implementation of the Paris Agreement. First, attendance at COPs has grown tremendously. Most countries cannot host a COP given the current size, the high cost, and the complex arrangements required for the many different types of events that convene. Bonn can comfortably host a meeting with 3,000-5,000 delegates. Even if Bonn is not the default location, there are benefits to reducing the size of the COP. A smaller COP, more like those hosted after the Kyoto Protocol’s adoption would be within reach for a wider range of hosts. In the past, smaller cities such as Accra or The Hague could host COPs.

Second, there will be fewer agenda items to negotiate and expectations of the intergovernmental process may need to be tempered. There will be no “big bang” outcome every year. The policy brief analyzes what agenda items are likely given current mandates. It finds that, in the future, agendas will be roughly similar in size to the agendas adopted in the years between the adoption of the Kyoto Protocol and the Copenhagen Accord.

Third, as noted above, the NDCs are due before COPs. Holding high-level events before the COP, around the time of NDC submission, could provide a platform for greater climate ambitions. As we’ve seen in the first round of NDC

updates in 2020 and 2021, leaders seem to prefer to make announcements in groups, with a platform that gathers them together in front of the world. The Global Climate Action Week could be timed to provide such an opportunity.

Fourth, there would be dedicated space for each type of activity to thrive. High-level delegates could network with cities, businesses, and other key climate actors. A dynamic environment could bring finance and investment communities with regional leaders. Meanwhile, the negotiations could continue on technical issues that will largely dominate the agenda. Separation reduces the competition for attention between the various functions of the regime.

WHY HOLD THE EVENTS IN DIFFERENT EUROPEAN LOCATIONS?

With COPs in Bonn and the Global Climate Action Week in Geneva as proposed, some of the participants at the event worried that the arrangement would be construed as too Eurocentric. Geneva was not identified by virtue of it being in Europe, but as arguably the second most important UN Headquarters location. The Global Climate Action Week could be as large as 10,000 participants. Geneva has the infrastructure to host such an event. Countries that could not send a high-level representative could ask their UN Ambassadors and/or staff members to attend on their behalf.

The main point of the proposal is to separate the Climate Action and High-level events from the intergovernmental negotiations so as to provide a tailor-made, fit-for-purpose format for both of these important events. The location of these events is secondary. As noted above, a smaller COP is more nimble and could be hosted elsewhere. The location of the Global Climate Week could rotate among regional UN Headquarters. There are more options possible with two smaller events.

WILL THIS SEPARATION BE DETRIMENTAL TO:

(i) The ability of Parties to raise public attention for climate action at home?

Hosting a COP provides countries the opportunity to move climate change up the domestic agenda. National media focuses on the issue far more, grassroots organizations

mobilize various initiatives in advance of COP, and countries often plan and implement new projects to announce at the meeting. Hosting a COP can be an opportunity to educate and raise public awareness. Some at the webinar wondered if that benefit could be lost if COPs were held in Bonn. At present this opportunity is limited to a small number of countries, owing to the size of the global climate conferences.

There will be other opportunities to host major climate meetings which would be less costly and provide greater benefits. Countries can host the regional climate weeks. If the Global Climate Action week were to rotate among regions, it should be seen as on par with the regional weeks, not as a higher-order event.

There is also the reality that hosting future COPs may not bring the glamour of finalizing a global treaty. Future COPs may be less easily communicated to the public and their outcomes seemingly less impactful. Large global meetings may bring heightened expectations of “big bang” outcomes that the multilateral agenda may not be able to facilitate.

(ii) Political guidance to the COP?

In the past, discussions under Arrangements for Intergovernmental Meetings acknowledged that high-level delegates can provide important political guidance to the negotiations. The roles of high-level attendance identified by the Secretariat in 2015 included delivering national statements, advancing agreement on political issues, networking and information sharing, and increasing public awareness. Some of these functions have been valuable to COPs in the past. Bilateral engagement among ministers was a key part of the last stages of the Paris Agreement negotiations.

For the most part, the policy brief finds that these functions will be less necessary in the future to the negotiations. Many of the issues on the agenda will be technical, such as reviewing current guidances and reporting on implementation. Moving forward, high-level segments may be more of a distraction. As the policy brief notes, each high-level delegate adds on average three people to each delegation. Delegates often remark on how the arrival of ministers requires briefing, added planning, and extra time. High-level segments often feature statements given to a largely empty room, with messages intended for national

audiences back home. Such statements could be online. Or, delivered at the Global Climate Action Week.

The ability of ministers to raise awareness and momentum, liaise with other ministers and leaders from civil society and the business sector, and to deliver statements that shape expectations is still important. These functions would be better suited to the Global Climate Action Week, the policy brief suggests. There, ministers can more freely interact with others working on climate action. Traditional roundtables and formal statements could be replaced with more interactive sessions allowing for forging networks learned among different types of stakeholders.

The policy brief does note that political input to the COP may be needed in Global Stocktake years. During these years, the COPs may be bigger events that feature high-level delegates in the political phase of the Stocktake. It could mean that every five years there is a larger COP, to take stock of past action and commit to moving forward with greater ambition.

There are ample ways other than through the COP for delegates to contact leaders. The COVID pandemic has driven a significant increase in the use of virtual meetings and other means of remote connection and communication to help convene timely discussions.

(iii) Civil society engagement?

Separating the Global Action Agenda from the COP raised questions related to how civil society could be included in the COP. One participant asked about side events, given the historic role these events have played in bringing in new ideas and setting the agenda in the UNFCCC.

A smaller COP would still hold this important role for civil society. Side events would be encouraged at the COP. NGOs and other civil society organizations can continue to participate as they have traditionally and constructively done. Many may migrate to the Global Climate Action Week, particularly those that are less focused on the inter-state negotiations. This may allow those NGOs focused on

negotiations to have greater access to delegates, perhaps in a similar way to the mid-year subsidiary bodies meetings.

CONCLUSIONS

The policy brief's proposal to "settle down" the COP and make the process more fit-for-purpose looks ahead to the future of the regime. How meetings convene can influence the outcomes. Currently, there is an amalgamation of activities and functions served by various events. The COPs are enormous, beyond the ability of many to host. The size also complicates the ability of all actors to navigate the complex environment and get their messages across.

Creating two events, the COP for negotiations and decisions, and the Global Climate Action Week for non-state actor and ministerial engagement, allows each the space to thrive and contribute to climate ambition and implementation of the Paris Agreement. At the COP, negotiators can focus on ironing out technical implementation issues. They can review progress made and continue to engage with scientific communities to strengthen implementation. Every five years, during the political phase of the Global Stocktake, a larger COP can gather leaders and negotiators to recommit to still greater ambition.

At the Global Climate Action Weeks, ministers and leaders of civil society and business can work together to showcase climate ambition in practice. They can share lessons of what works and build new alliances. There will be space to interact and send signals of the direction of travel.

As Parties continue to debate the future of the process in the context of Arrangements for Intergovernmental Meetings, this option helps capture the benefits of change while avoiding many of the drawbacks associated with current proposals. The COP would meet annually, to fulfil its mandates and advance work programmes. The meeting would be smaller and focused on the tasks at hand. But the dynamism of the Marrakech Partnership would not be lost. Instead, it would be given new lease of life as a stand alone event with high-level delegates.

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