

Arrangements for Intergovernmental Meetings

Submission by the Republic of Nauru on behalf of the Alliance of Small Island States (AOSIS) pursuant to decision FCCC/SBI/2012/15, paragraph 238,

6 May 2013

Introduction

1. The Republic of Nauru, on behalf of the Alliance of Small Island States (AOSIS) is pleased to submit its views on ways to improve the efficiency and effectiveness, planning, as well as the structure of the United Nations Framework for Climate Change process to streamline it, including budgetary implications as per UNFCCC/SBI/2012/15, paragraph 238.
2. Last year, at the United Nations Convention on Sustainable Development in Rio de Janeiro, Brazil, world leaders reaffirmed that climate change is one of the greatest challenges of our time and that it threatens the very viability and survival of nations. World leaders underscored that combating climate change requires urgent and ambitious action, in accordance with the principles and provisions of the United Nations Framework Convention on Climate Change (UNFCCC). Moreover, in advancing the Durban Platform for Enhanced Action, it was agreed that fulfilling the ultimate objective of the Convention will require strengthening the multilateral, rules-based regime under the Convention.
3. While it is clear that Parties have committed to finding solutions to the challenge of climate change under the UNFCCC, major hurdles remain, given the significant gap between the aggregate effect of Parties' 2020 mitigation pledges and aggregate emission pathways consistent with having a likely chance of holding temperature rise to below 2°C or well below 1.5°C relative to pre-industrial levels. Without scaled-up short-term action by Parties, the chance to hold temperature increases to below 2°C or 1.5°C may be lost, as the steady increase in carbon-emitting infrastructure locks Parties onto a high emission pathway.
4. The current working methods and practices of the negotiations are not sufficient to meet the scale and scope of the challenge. Some of the difficulties include inadequate time to discuss complex and highly technical and political issues, inadequate time for group coordination, significant overruns of meetings leading to exhausted outcomes, rather than consensus outcomes, underrepresentation of developing country Parties, particularly small island developing States (SIDS) in critical technical workshops and negotiating sessions, owing to insufficient resources and ad hoc planning processes and limited engagement by high level political decision makers.

5. Meaningful improvements should be considered to ensure the process is capable of responding to the scale and nature of the challenge and meeting the ultimate objective of the Convention. AOSIS calls on all Parties to reinvigorate and reinvest in our multilateral process, through dedicated and positive enhancements consistent with the principles and provisions of the Convention, transparency and the active participation of all Parties, no matter how small, that will communicate to the world that countries can find solutions to the greatest challenge of our time through cooperation. This submission sets out a number of proposals for consideration.

Active High Level Engagement

6. One of the essential areas for improving both the efficiency and effectiveness of the UNFCCC process is to more actively engage political decision-makers in the negotiations. Climate change negotiators are only able to negotiate within the bounds of their mandates. It is clear that negotiators do not have a mandate from high-level political decision makers to agree to ambitious decisions that will move the world toward a low-carbon development pathway that is equitable and will be consistent with efforts to eradicate poverty and protect the climate system for present and future generations.
7. AOSIS proposes that the Parties discuss how to actively engage high-level political decision makers in the UNFCCC process. The following proposals are put forward for consideration:
 - A. The joint high-level segment of the COP/CMP could include focused round table discussions among Ministers, in addition to general statements by Ministers and Heads of Delegations. For example, AOSIS is calling for a Ministerial meeting on pre-2020 mitigation ambition at the COP/CMP in Warsaw, November 2013. Parties could negotiate the themes of the COP/CMP Ministerial round tables in advance and the COP President could determine the modalities. Ministers from developing countries should be funded to attend these meetings.
 - B. Parties could consider having additional Ministerial round tables on focused topics at the June meeting of the subsidiary bodies. This will enable high-level decision makers to set the agenda for the COP/CMP and increase the prospect of ambitious progress at the COP/CMP at the end of the year, owing to shared understanding among political decision-makers.
 - C. Depending on the topics of the Ministerial round tables, (to be agreed by Parties), Ministers from Ministries or Departments other than climate change could participate, e.g., finance, energy, transport or agriculture. This would facilitate active problem solving and bring a wider array of expertise to the discussion.

- D. Consideration should be given how to involve Heads of State and Government early in the ADP process to close the pre-2020 mitigation ambition gap and to negotiate a new Protocol.

Planning and Timing of Meetings of Subsidiary Bodies

8. The current practice of the subsidiary bodies meeting in June and at the end of the year in conjunction with the COP/CMP, as well as on an ad hoc basis throughout the year should be carefully considered. The first key issue is that Parties are dealing with a large number of complex technical and political issues that require more time to work through to reach consensus solutions than is currently provided. For example, it is clear from the history of COPs/CMPs that insufficient time was available to Parties to appropriately lay the ground work for decisions. This leads to meetings regularly being scheduled after 6pm (which limits coordination time for groups), negotiations going throughout the night and in some cases into the next morning, not all issues being addressed equally, as well as smaller groups of Parties working on texts, or Chairs, rather than texts negotiated by all Parties. This practice has led to significant difficulties at subsequent meetings where Parties do not have a shared understanding of the outcome, and has contributed to further delays in the process. While more time does not always mean better outcomes, the current practice of work under the UNFCCC is unmanageable and unsustainable, given the scale and complexity of the issues before the Parties and the consequences of not finding solutions. It is as if the world is burning, yet we can only find the time to meet twice a year to discuss where we should direct the fire hoses.
9. While the number of subsidiary bodies has reduced with the closing of the AWG-LCA and AWG-KP, considerable work remains to be completed in the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI), as well as in the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP). For example, a number of work programmes have been established, including under the SBSTA to continue the process of clarifying the quantified economy-wide emission reduction targets of developed country Parties, and a separate work programme to elaborate a framework for various approaches, and under the SBI a work programme has been established to further the understanding of the diversity of the nationally appropriate mitigation actions. Both the SBSTA and SBI have been tasked to assist the COP in conducting the first review of the long-term temperature goal.
10. Additionally, major work lies ahead under the ADP, in closing the gap between Party pledges and emission pathways consistent with having a likely chance of holding temperature rise to below 2°C or well below 1.5°C relative to pre-industrial levels. The new Protocol is also a major challenge with the recent submissions revealing fundamental differences between Parties. The issues

before the Parties affect the future of humanity and will require investing and supporting the process to deliver meaningful outcomes.

11. The second key issue is that holding additional meetings of ad hoc working groups has become common practice. Yet, confirmation of these meetings is often last minute owing to insufficient funding arrangements. Workshops are also often not confirmed until immediately prior to commencement. This creates difficulties in attendance, preparation and coordination for groups in advance of these important meetings, particularly for developing countries and undermines their efficiency and effectiveness. Last year, developing countries were vastly under-represented at some important technical workshops.
12. Additionally, the short time of most ad hoc meetings of one week limits their effectiveness, as the first few days are often spent restating known national and group positions, rather than progressing the negotiations forward towards solutions.
13. To address these issues AOSIS proposes that the Parties consider a permanent two-week additional negotiating session before the June session for all subsidiary bodies in Bonn. All technical workshops and work programmes (e.g. work programme on Long Term Finance) could be held during the three formal negotiating sessions to ensure the widest participation of all Parties, particularly by developing countries for whom funding should be available. This would allow additional negotiating time for Parties to work together towards solutions, without unreasonable and unsustainable schedules as has been previous practice. It would also allow the Secretariat and Parties to plan for the year ahead. Consistent attendance at all UNFCCC negotiating sessions is often a major challenge for many SIDS that have multiple domestic responsibilities.

Arrangements for COPs/CMPs

Host Country and President

14. COPs/CMPs are a critical component of the UNFCCC process as many important agreements made by Parties must be enacted by COP/CMP decisions. Additionally, annual COPs/CMPs provide an important focal point for the entire international community, businesses, NGOs, cities and educational institutes to know that the community of nations is making measurable and meaningful progress towards reducing greenhouse gas emissions. Given that immediate mitigation actions and policies are needed before 2017 to prevent dangerous lock-in of global fossil fuel infrastructure that will make achieving the 2°C goal exceedingly difficult, let alone 1.5°C, annual COPs/CMPs are important for high level progress reporting.
15. The rotation of the COP Presidency among the regional groupings is an important part of the process, as it enables all regions an opportunity to preside

over a COP. However, given the custom of electing the President of the COP from the host country, many small countries are precluded from acting as COP President, due to lack of capacity to host such a large meeting. As no AOSIS country has ever hosted a COP/CMP, no AOSIS country has ever assumed the responsibilities of COP President.

16. In order to provide an opportunity for all countries to serve as COP President in a more equitable manner, AOSIS proposes Parties consider a permanent host country for the COP after 2015. For example, the COP/CMP could be hosted in Bonn, and the role of COP President would continue to rotate among the regional groups in accordance with existing practice under the draft rules of procedure. This would give small countries, including SIDS, which would not otherwise be in a position to host a COP an opportunity to serve as COP President.

Decision Making Processes at COPs/CMPs

17. It is a concern to AOSIS that it has become common practice for COPs/CMPs to not finish on time, and in some cases extend over two days past the deadline and involve several days of negotiations that continue well into the night. This practice severely disadvantages small delegations, such as SIDS, that are unable to apportion responsibilities amongst a large number of delegates to ensure they are not exhausted. Additionally, it is often cost prohibitive for delegates to change their travel arrangements at the last minute.
18. Moreover, recent decision-making practices, contrary to consensus decision-making are of concern, including decisions taken notwithstanding the objections of a Party, decisions presented by Chairs of a subsidiary body and not the Parties, and insufficient time for negotiating groups, such as AOSIS to consult during plenaries and other meetings. These practices undermine the legitimacy of the process, entrench distrust and risk the durability of outcomes. This is a fundamental concern that requires careful consideration by Parties and positive and constructive solutions.
19. AOSIS proposes that the practice of COPs/CMP not finishing on time is ended. A stock taking session across all bodies could be held towards the end of the last week, where the prospect of unresolved issues can be considered. Where consensus is not reached on any issue, it can be forwarded to the additional session proposed above to be scheduled for early the next year in Bonn.

Group Coordination

20. Allowing sufficient time for negotiating groups to coordinate is a critical aspect of the efficiency and effectiveness of the process, as it allows all 195 Parties to participate in a meaningful way, without the significant time that would be required if all Parties intervened on every issue. To enable coordination for

groups, the agreement that meetings should be scheduled after 6pm should be strictly enforced.

21. Additionally, it would be helpful to consider having an additional preparation day for all groups that desire it at the first session of the year. It is particularly difficult for AOSIS to coordinate throughout the year, given the vast distance between islands. Embedding this into the formal process would increase its effectiveness.

Engagement of Observers

22. AOSIS welcomes recent consideration of how to engage observers in the process. It is also noted that under the ADP, many countries, including AOSIS have made submissions seeking more active involvement of experts, the private sector and NGOs.
23. This issue requires further consideration to ensure active participation so that Parties can benefit from a wide range of views, as well as ensuring appropriate practices for observers. Other multilateral fora could hold positive lessons on how to engage a more diverse set of stakeholders, such as CITES or the FAO Committee on World Food Security.

Adequate Resources for Secretariat and Participation of Developing Countries

24. The Secretariat suffers from chronic underfunding to enable it to adequately discharge its obligations. Additionally, developing countries, particularly SIDS, are often unable to consistently participate in workshops, meetings and in the high level segment owing to insufficient funds.
25. The climate change crisis will simply not be solved without adequately investing in the UNFCCC process, ensuring transparency, sufficient meeting time, high-level engagement of all countries and quality technical support. Now is the time to resource the UNFCCC, to provide a constructive and problem-solving atmosphere where all countries, large and small work together towards a global system to protect the climate so that we can eradicate poverty, enable sustainable development and ensure the survival of all SIDS.