



Regional Training Workshop

Francophone Africa



8 & 9 June 2017

Dakar, Senegal

ecbi

European Capacity Building Initiative

www.eurocapacity.org

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This project is part of the International Climate Initiative (IKI). The German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety (BMUB) supports this initiative on the basis of a decision adopted by the German Bundestag.

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TABLE OF CONTENTS

Introduction	2
Becoming a UNFCCC Delegate	2
Legal Language and Terminology	4
Thematic Areas of the Negotiations	6
Mitigation	6
Adaptation	7
Loss and Damage	7
Finance	8
Capacity Building	9
Technology Transfer	9
Gender and Climate	9
Mock Negotiations – Part 1	10
Group Position Scenario	10
Linking Global to National	10
Mock Negotiations – Part 2	12
Paris Agreement Rulebook	12
Thematic Group Work	15
Final Session	16

INTRODUCTION

The 2017 ecbi Regional Training Workshop for Francophone Africa took place on 8 & 9 June 2017 in Dakar, Senegal. The workshop, organised in collaboration with ecbi's regional partner Energie Environnement Développement (ENDA), was attended by 27 negotiators from the region.

Secou Sarr, Director of ENDA, opened this year's training workshop, welcoming all participants and thanking them for their attendance. In his opening remarks, Sarr called for commitment and open-mindedness in learning from the workshops, while highlighting the need to build synergies between the Sustainable Development Goals, national plans, green growth strategies etc.

Madeleine Diouf Sarr, Director of the Ministry of Environment and Sustainable Development, Senegal, said it is essential for African negotiators to be trained for the benefit of their respective countries. She called on participants to become more capable of working together as a group, improve their understanding of shared issues, and gain expertise on specific thematic issues such as finance, technology transfer etc. In this way, she said, the African position will gradually get more and more organised and offer a more sophisticated and nuanced perspective. Diouf Sarr remarked that the workshops are also an opportunity to build links with other countries.

Anju Sharma, head of the Publications and Policy Analysis unit of the ecbi, introduced participants to ecbi. She described the ecbi Fellowship programme, which is for trust building among senior negotiators from developing countries and their European counterparts; and the TSP, aimed at training new and junior negotiators from developing countries. She said ecbi aims to create a more level playing field in the UN negotiations. She pointed participants to the various ecbi publications that were available [online](#).

BECOMING A UNFCCC DELEGATE

This session started with a presentation by Janna Tenzing, from the International Institute for Environment and Development (IIED). Tenzing described the process under the UN Framework Convention on Climate Change (UNFCCC); explained its governance structure; informed participants of what to expect from different meetings; and offered them practical tips.

She noted that climate change was a global problem, where the greenhouse gas (GHG) emissions of one country do not stay only within its borders, and all countries are affected by the impacts of the resulting climate change. International cooperation and a coordinated approach was therefore necessary to respond, with all countries involved in decision-making.

Tenzing listed the following climate change treaties that have been adopted so far:

- 1992 **United Nations Framework Convention on Climate Change** (UNFCCC): 197 Parties to the Convention which make up the Conference of the Parties (COP); entered into force in 1994.
- 1997 **Kyoto Protocol**: 192 Parties to the Kyoto Protocol which make up the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP); entered into force in 2005.
- 2015 **Paris Agreement**: 147 Parties to the Paris Agreement (so far) which make up for Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement (CMA); entered into force in 2016.

She said the ultimate aim of the UNFCCC is to achieve stabilisation of GHG concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. She described the key principles of the UNFCCC including: common but differentiated responsibilities and respective capabilities (CBDR-RC); equity; precaution and prevention; and sustainable development.

The Kyoto Protocol, meanwhile, operationalises the UNFCCC by committing developed country Parties to reduce GHG emissions by an average of 5% below 1990 levels during the first commitment period (2008-2012), and further reductions in the second commitment period (2013-2020).

The Paris Agreement is a universal agreement, she said, unlike the Kyoto Protocol which was mainly for developed countries to reduce emissions. Here all Parties have a role to play. It is legally binding; comprehensive and balanced in that it is not just on mitigation but also on adaptation; introduces a system for bottom-up action; and includes a built-in ambition mechanism which means that countries must be able to demonstrate that their “Nationally Determined Contributions” (NDCs) are more and more progressive.

Tenzing then described the governance structure of the UNFCCC, explaining the role of the COP, CMP and CMA. These supreme decision-making bodies meet annually, to adopt decisions and further the implementation of each of these agreements. There are two permanent bodies supporting the COP, CMP and CMA, namely the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA). She also described the role of the Ad Hoc Working Group on the Paris Agreement (APA), a non-permanent body under the COP, taking up matters related to the Paris Agreement.

She listed the following key negotiation groups under the UNFCCC process:

- **Group of 77 and China** (G77 and China) with 134 members mainly from developing countries.
- **Africa Group of Negotiators** (AGN), with 54 countries, is a geographical grouping.
- **Least Developed Countries** (LDCs) with 48 countries categorised as ‘least developed’ according to UN criteria.
- **Small Island Developing States** (SIDS), with 39 members, negotiate as the Alliance of Small Island States (AOSIS).
- **Alliance of Latin America and the Caribbean** (AILAC), with Chile, Colombia, Costa Rica, Guatemala, Panama, Paraguay and Peru.
- **Like-Minded Developing Countries** (LMDCs), with about 25 members.
- **European Union** (EU), with 27 members.
- **Umbrella Group**, with Australia, Canada, Japan, New Zealand, Norway, and the US.
- **Environmental Integrity Group** (EIG), with Mexico, Liechtenstein, Monaco, Republic of Korea and Switzerland,

Tenzing said country groupings are based on countries with similar national positions and similar circumstance, such as being in the same region or facing the same vulnerabilities. They very often overlap with one another.

She said the UNFCCC Secretariat ensures that meetings run smoothly and provide technical support; the COP, CMP and CMA President, SBI chair, SBSTA chair and APA co-chair collectively facilitate the negotiating bodies, and ensure that the negotiations are progressing; while observer organisations who are non-governmental, provide support at the meetings and play the role of watchdog.

The UNFCCC process has a variety of formal and informal meetings, Tenzing said. Formal meetings include the plenary and contact groups; while informal meetings include informal consultations, drafting groups,

coordination meetings and bilateral meetings. Both formal and informal meetings are facilitated by co-chairs from both Annex 1 and non-Annex 1 Parties.

She then provided pointers in relation to taking the floor, saying reading out prepared statements is more common in plenary settings; interventions are better in negotiations; normally, groups will speak first, followed by individual Parties (if they wish to speak); and it is good to voice support with previous speakers if your position aligns with theirs. She noted that a point of order (for a procedural issue) may be raised by making a ‘T’ sign with your country placard.

Describing the drafting of text, Tenzing said preambular paragraphs (PPs) provide the context to a decision, in relation to decision texts; they usually start with adverbs ending in “-ing”; and are normally referred to as PP1, PP2 etc. Operative paragraphs are the heart of the decision text, and start with numbers. She explained common terminology, such as “agreed language”, “bracketing”, “*bis*”, “*ter*” etc.

To conclude, Tenzing provided practical tips and links to useful resources.

In the discussion that followed, participants asked why there was an imbalance initially between mitigation and adaptation in the UNFCCC. Tenzing said that in the early years of the negotiations, the scientific evidence for the impacts of climate change was limited, especially because they were expected to occur in the future. Adaptation was considered negative; talking about adaptation almost meant that you were accepting climate change and therefore would not take ambitious actions to reduce emissions. It not until the third report that the Intergovernmental Panel on Climate Change (IPCC) started talking about the importance of adaptation, in particular for developing countries; this is where there started to be evidence that the impacts of climate change were already being felt now (and were no longer just a problem for the future). In addition, Sharma provided a brief historical and political background of how the mitigation and adaptation elements have been dealt with in the negotiations.

LEGAL LANGUAGE AND TERMINOLOGY

This session started with a presentation by Subhi Barakat, IIED. He introduced international law; legal information on the governance of the international climate regime; essential legal aspects of the Paris agreement and its legal binding-ness; types of obligations; and legal language.

Barakat said public international law is a system of rules and principles that governs processes and agreements between states, and other intergovernmental organisations such as the UN. National laws, by-laws and regulations do not necessarily sit under international law, but they are a different kind of legal regime and in many ways international law informs national legal systems. States agree on obligations and rights, based on consent.

Briefly discussing international environmental principles, Barakat said the polluter pays principle is based on the notion that the country that pollutes should be responsible for covering the damages or paying for the aspects of the damages caused by its pollution or by the pollution of businesses or individuals under its jurisdiction. The principle of prevention recognises the sovereignty of states to exploit their own resources, but ensures that activities within their jurisdictions do not cause damage to the environment of other states or of areas beyond the limits of national jurisdiction.

He said generally treaties have no hierarchy – for example, the UNFCCC and the Kyoto Protocol have the same status and create related but autonomous legal regimes. Treaty interpretation comes into play when developing treaties – the selection of words and phrases are important in relation to interpreting what the obligations are, and what the words and operational aspects of the agreement mean. There is an accepted practice in how this is done, based on the Vienna Convention on the Law of Treaties.

Under the UNFCCC, he said, the three treaties (UNFCCC, Kyoto Protocol and Paris Agreement) are considered binding at the international level since they create legal obligations on States; the COP on the other hand takes decisions that are generally not considered binding, though they can be binding in some cases and can create internal processes and precedents; while the SBI and SBSTA provide conclusions and recommendations that are not legally binding.

Barakat said the Paris Agreement is a skeleton agreement that provides a blue print for the post-2020 global climate regime and establishes the form, content and character of Parties' commitments. It leaves many details for implementing it to be worked out – these are the modalities, procedures and guidelines (MPGs) for the various structures, processes and mechanisms under the Agreement.

An international agreement usually includes:

- title and definitions;
- a preamble, which provides context, but normally doesn't include obligations or operative provisions; and
- the operative part that includes the specifics of the obligations.

Barakat then provided examples of texts from COP decisions and international agreements, and engaged participants in a word game that provided interactive examples.

He went on to discuss different types of obligations under treaties and agreements, and how to word commitments. He said the legal bindingness of a treaty is not always a binary consideration and depends on the form, content and nature of obligations, which can be obligations of conduct or of results; individual or collective; mandatory or permissive; and stringent or general. Examples were provided.

He then described several criteria for legal bindingness, including legal form (an international agreement or policy declaration) and content (depending on what it is in, it will have higher or lower legal binding character). When looking at the content, he reminded participants to consider the specificity of the language. It could be mandatory language (such as '*shall*' or '*must*' as opposed to '*should*' or '*aim*'); specify who the subjects of the obligations are (each Party/all Parties/Parties); or use a passive voice with no subject – for instance, '*support shall be provided to developing country Parties for the implementation of this Article*'. The potential enforceability of obligations – whether the obligation can be measured or enforced, and whether the treaty contains compliance procedures, mechanisms, or even sanctions – is also important, he said.

Barakat noted that the UNFCCC rules of procedure, which are still in draft form, are the set of rules and procedures for how to conduct proceedings under the COP, the CMA the CMP and all the subsidiary bodies underneath them. These rules of procedure have never been officially adopted, because the rules around voting were not acceptable to all Parties. Technically, this means that the rules of procedure are only "applied", except for the rules on voting, and the current practice is that all decisions will be taken by consensus.

Barakat concluded the presentation by listing the following useful resources:

- [Climate negotiations terminology: The Pocket Guide](#)

- [Definitions of verbs used in COP decisions](#)

He also encouraged participants to visit the [LRI legal database](#) or contact LRI at enquiries@legalresponseinitiative.org for more information.

In the discussion that followed, participants queried the role of private international law. Barakat said while public international law focuses on international agreements and relations between states and the development and interpretation of agreements, private international law regulates private relationships across national borders.



THEMATIC AREAS OF THE NEGOTIATIONS

The thematic areas of negotiation under the UNFCCC were presented by Mamadou Honadia, Head of the Burkina Faso climate change delegation and GCF Board Member; Anju Sharma; and El Hadji Mbaye Diagne, Director General of Afrique - Energie - Environnement.

Mitigation

Diagne described mitigation as a human intervention to reduce the sources of GHGs, or enhance GHG sinks. The UNFCCC's ultimate objective is the stabilisation of GHG concentrations in the atmosphere. He described the roles of key institutions working towards this objective:

- **COP:** National Communications (NC); Biannual Report (BR), Biannual Update Report (BUR); International Consultation and Analysis (ICA); International Assessment and Review (IAR).
- **CMP:** Kyoto Protocol, ratification of the Doha Amendment.
- **APA:** Further guidance in relation to the mitigation on (a) features of NDCs, (b) information to facilitate clarity, transparency and understanding of NDCs, (c) accounting for Parties' NDCs.
- **SBI:** Reporting, GHG inventories, Public registry for NDCs.

- **SBSTA:** Science and review; methodological issues (GHG data interface, emissions from fuel used for international aviation and maritime transport); LULUCF, REDD+, market- and non-market approaches (Kyoto Protocol and Paris Agreement).
- **Joint SBI-SBSTA:** Technical Expert Meetings; pre-2020 ambition.

Listing the key elements that still need to be resolved, Diagne urged all countries to ratify the Doha Amendment. He said negotiations are still underway to implement Article 6 of the Paris Agreement, which deals with mitigation. He described the facilitative dialogue that is meant to take place in 2018 as part of a review mechanism, followed by the global stocktake negotiations to ensure progressively more ambition NDCs. Diagne also described ongoing discussions on ensuring the transparency of mitigation action, facilitating implementation, and promoting compliance.

Adaptation

Honadia said adaptation refers to adjustments in ecological, social, or economic systems in response to actual or expected climatic stimuli and their effects or impacts. It refers to changes in processes, practices, and structures to moderate potential damages or to benefit from opportunities associated with climate change.

He described the role of the following institutions that are involved in the negotiations on adaptation:

- **APA:** Further guidance in relation to adaptation communications
- **SBI:** Public registry, and matters related to LDCs and National Adaptation Plans (NAPs)
- **SBSTA:** Nairobi Work Programme, and issues relating to agriculture
- **Adaptation Committee:** Oversight on adaptation

Honadia said adaptation is also part of the LDC Expert Group (LEG) workplan (2018-2020), and the Nairobi Work Programme. He noted that funding is available through the GCF for countries to formulate and implement NAPs, and for adaptation planning. Parties' adaptation communications will be recorded in a public registry. He highlighted the importance of addressing smart agriculture under SBI and inside the adaptation window to approach it from the food security angle.

Among the issues that still need to be resolved, he listed: what to report on in adaptation communication; and linking adaptation planning and implementation with the Sustainable Development Goals and the Sendai Framework on Disaster Risk Reduction.

Loss and Damage

Honadia said there is no clear definition on loss and damage at present, but a simplified definition is “the adverse effects of climate change and climate variability against which no adjustment of natural and human systems or adaptation is possible”.

The following institutions are involved in the loss and damage negotiations:

- Executive Committee of the Warsaw International Mechanism (WIM)
- Paris Committee on Capacity Building (PCCB)
- SBI and SBSTA
- Adaptation Committee
- APA

Among future challenges, he listed: the inclusion of a strategic workstream, in the WIM's five-year rolling workplan, on enhancing action and support, including finance, technology and capacity-building, to address

loss and damage; the incorporation of the consideration of extreme events and slow onset events, non-economic losses, displacement, migration and human mobility, and comprehensive risk management into relevant planning and action; and the establishment of a loss and damage contact point in each country.

He said Parties had been called upon to submit their views on possible activities under each strategic workstream of the WIM by 28 February 2017. Another review of the WIM will be held in 2019.

Participants queried how countries could pay for loss and damage to climate change. The resource people responded that this was an issue that was not yet resolved in the negotiations, but insurance based mechanisms may provide a place to start addressing it.

Finance

Sharma said the issue of finance is at the very heart of climate change negotiations. She explained the significant difference between development finance and climate finance, but noted that there was currently no agreed definition of climate finance. This was posing a grave threat to trust between countries in the negotiations. Non-Annex I countries felt that Annex I countries were counting official development assistance as climate finance, but the latter should be “additional” to the former. It was also not clear which elements of private sector investments can/should be counted as climate finance.

Sharma listed the following three key issues with climate finance:

- Definition and accounting
- Governance and access
- Sources (public, private, innovative)

On the accounting of climate finance, Sharma noted that processes were underway, under the Standing Committee on Finance and also the Paris Agreement’s transparency framework, to agree on a definition and set up systems for reporting, counting and use of climate finance.

On the governance of climate finance, she described the Financial Mechanism of the UNFCCC, and the funds under it, including the Global Environment Facility (which also governs the LDC Fund and the Special Climate Change Fund), and the newer Green Climate Fund (GCF). She described the governance structure of each, explaining that the GCF was governed by a Board that had equal representation from developed and developing countries.

The Adaptation Fund, meanwhile, was created under the Kyoto Protocol, and was initially funded by a 2% levy on the Clean Development Mechanism, an emissions trading mechanism under the Kyoto Protocol. However, this source of funding had dried up as the CDM was not doing so well anymore, and the Fund was now heavily dependent on bilateral sources.

On sources, Sharma described the different targets agreed under the UNFCCC, including the US \$100 billion by 2020 target agreed in Copenhagen. She said this was expected to come from a variety of sources, including public and private.

Sharma said that big target figures have proved to have limited value in the negotiations, eroding rather than enhancing trust. She underlined the importance of identifying innovative sources of finance for climate change in the future.

Among future challenges, she listed the rationalisation of the structure of the financial mechanism; finding additional sources for climate finance; and ensuring ease of access to climate finance, particularly by LDCs and other vulnerable countries.

Capacity Building

Like climate finance, Sharma said there is currently no consensus on what capacity building/development means and entails. It was generally agreed, however, that it must include individuals, institutions and systems that collectively enable effective sustainable development.

Among the three key issues related to capacity building, Sharma listed its donor driven nature; fragmentation of efforts; and the lack of long-term sustainability, beyond the lifetime of a project or programme.

She called for a more systematic and sustainable approach to capacity building through the newly established Paris Committee on Capacity Building (PCCB) under the Paris Agreement, to ensure coherence and coordination, avoid duplication, and foster mutual accountability and transparency. Highlighting the need for national-level organisations and networks to coordinate capacity building efforts, she called for better metrics to measure and assess capacity building efforts.

She directed participants to an ecbi background paper on [capacity building under the Paris Agreement](#), and a recent [Guide](#) produced by ecbi.

Technology Transfer

Diagne said technology transfer includes a broad set of processes covering the flows of know-how, experience, and equipment for mitigating and adapting to climate change amongst different stakeholders. “Transfer” is the process of learning to understand, utilise, and replicate technology, including the capacity to choose it and adapt it to local conditions and to integrate it with indigenous technologies.

Under the UNFCCC, the COP is involved in overall governance of the issue; and a “Technology Mechanism” includes a Technology Executive Committee and a Climate Technology Centre and Network – the former is a policy of the Mechanism (CTCN), while the latter is the implementation arm.

Among key issues, he listed improving the Technology Mechanism; funding implementation of technology projects; and designing the new Technology Framework agreed under the Paris Agreement.

He said at the November 2017 COP23 meeting in Bonn, SBSTA was asked to elaborate the Technology Framework. The joint annual report of the TEC and the CTCN, and the Poznan strategic programme on technology transfer were discussed. The Technology Executive Committee meets independently of the UNFCCC sessions – the next meeting will be held 12-15 September 2017.

Gender and Climate

Honadia said women and men experience climate change in distinct ways. They face different risks and opportunities due to gender-based division of labour and sociocultural barriers; and different options and safety nets for coping with climate change due to gender-based differences in access to physical, social and financial resources. They have differences in knowledge and skills to prepare for, or cope with, climate change; and levels of representation, participation and leadership in decision-making processes on climate change, at all levels.

Yet, gender issues were absent for a long time under the UNFCCC. Only at COP18 in Doha in 2012 did gender start being considered more regularly as a cross-cutting issue, as well as a standalone item in the agenda of the COP.

Most UNFCCC mandates and decisions on gender have focused on promoting gender balance, capacity building for women delegates and raising awareness and capacity building on gender issues and gender-responsive climate policy for all.

At COP22 in November 2016, Parties agreed to develop a gender action plan (GAP) to ensure progress in the implementation of UNFCCC mandates and decisions on gender. They will negotiate and adopt the gender action plan at COP23.

He said this important agenda item and negotiations are normally quite smooth. Points of divergence usually arise only on terminology (i.e. gender equality, equity, human rights, gender-sensitive, gender-responsive, etc).

A list of references and useful websites for all the thematic issues was provided for participants at the end of the presentation.

MOCK NEGOTIATIONS – PART I

During this session of mock negotiations, participants were asked to select a nation state to represent, and negotiate a mock draft text. The exercise was aimed at allowing participants to understand the negotiating process, practice “negotiating etiquette”, follow the rules of procedure, and understand subtle differences. Mamadou Honadia chaired and facilitated the session.

GROUP POSITION SCENARIO

During the session, Brianna Craft, IIED, facilitated a game with the aim of getting the participants to form a group position on the following scenario:

Following diplomatic pushback for the withdrawal of the United States from the Paris Agreement, Donald Trump is making good on his promise to renegotiate. He has invited a handful of leaders to Washington D.C. to negotiate a new deal. He has also invited the countries who chair the negotiating groups including the President of Ethiopia, the current chair of the LDC.

Following discussions, the group concurred that it would accept Trump’s invitation, but in the hope of convincing him to remain within the Paris Agreement based on scientific evidence.

LINKING GLOBAL TO NATIONAL

During this session, participants provided a two-minute presentation to cover what they do at national level to translate international decisions (from the UNFCCC or other multilateral agreements) into national level policies and practices (e.g. NAPs, Technology Needs Assessments or TNAs, etc.), and how international decisions have influenced national strategies and policies (e.g. NDCs, low-carbon resilient development strategies, etc.).

A participant from Togo said a TNA had been carried out in his country, and sectoral consultation are underway.

A participant from Benin said a National Climate Change Committee monitored by the President has been established, with representatives from sectoral ministries. The INDC was done in a hurry, so may need some revisions, he said.

A participant from Madagascar said the country developed its NAP in 2006; and a TNA in 2010. It ratified the Paris Agreement in 2006. A REDD+ office has been established in the ministry of environment.

A participant from Comoros said the Union developed an accelerated growth strategy in 2009. It is committed to reducing emissions by 80% as a national target.

A participant from Burundi said the country is developing its third National Communication, and is working on a national climate change policy. It has submitted its NDC.

A participant from Mali described efforts to promote climate activities at the local and district level.

A participant from Chad said the country has signed and ratified all three Rio conventions. It has submitted two National Communications, and is developing its third. A national strategy to combat climate change has been developed but is yet to be ratified. There are capacity building projects underway, supported by the EU.

A participant from Burkina Faso said the country is in the process of developing its third National Communication. A National Adaptation Plan (NAP) was adopted in 2015, and a national mitigation plan in 2016. It has received readiness funding and submitted a project to the GCF.

A participant from Central African Republic said the country has put in place a facility for the appointment of staff to coordinate climate efforts; and is in the process of establishing a REDD+ programme. The Paris Agreement has been ratified, and an inter-ministerial committee is being planned to involve all ministries on climate change issues.

A participant from Niger said a national climate change policy was developed in 2011. Vulnerable sectors and population groups were identified during the NAPA process. Niger is currently working on its NAP, and awaiting funding from the GCF. The NDC was developed in 2015.

A participant from Senegal said a national climate change committee and a climate change division within the Department of Environment has been established. Three National Communications have been submitted. The NAPA was submitted in 2006, and has received some funding. Senegal has endorsed its NDC, which includes 10 sectors – seven for adaptation, and four for mitigation. It has recently developed a NAP. Several projects are underway, including with funding from the GCF.

A participant from Guinea said the country has ratified the Vienna Convention, UNFCCC and Kyoto Protocol. It is putting together its second national communication. It has submitted its INDC, and is currently developing its NDC. Regional capacity building projects are underway. Guinea has developed five adaptation projects, and is in the process of getting a National Implementing Entity endorsed by the GCF.

A participant from the Democratic Republic of the Congo (DRC) said the DRC put in place a REDD+ programme in 2009, and has submitted a NAPA and NAMA. An INDC has been developed, and efforts are underway to access GCF funds.

A participant from Djibouti said the country developed its second national communication in 2014, and in the process of developing its third. It aims to reduce GHG emissions by 14%, and is looking for support from the international community to develop adaptation strategies. There are plans to develop a national strategy on climate change, which will work with the NAP.

A participant from Equatorial Guinea said the country has pledged to reduce GHG emissions; developed a National Communication; and ratified the Paris Agreement.

MOCK NEGOTIATIONS – PART 2

A second round of mock negotiations took place during this session.

PARIS AGREEMENT RULEBOOK

In this session, Barakat described the process for developing the Paris Agreement's rulebook; the work programme for developing the rulebook across thematic areas; progress from COP22 and SB46; and key issues for COP23.

He said the Paris agreement is a treaty, it is comprehensive, it is legally binding and provides a blueprint for the post-2020 global climate regime, it provides the structures and operates on the basis of Parties' NDCs. However, it leaves out a lot of the details on how those processes and mechanisms will work; how different Parties will deliver their obligations; and how their commitments will feed into the system. The modalities, procedures and guidelines (MPGs), the various structures, processes and mechanisms under the Paris Agreement, are commonly referred to as the 'rulebook'.

He said it is important to bear in mind that though the Paris Agreement is new, Parties are not starting from scratch. The Agreement sits within the UNFCCC regime and many of the mechanisms and procedures under the UNFCCC and Kyoto Protocol will guide process. For example, the enhanced transparency framework for action and support will build on the existing arrangements under the UNFCCC. However, there are aspects that are brand new which need to be creatively designed – for example, the process and modalities for the global stocktake.

Barakat said the Paris Agreement was adopted as part of a decision (Decision 1/CP.21) in Paris. In this decision, Parties decided on a work programme of tasks and activities for the full implementation of the Paris agreement. The work started in 2016 and is due to be completed by COP24, in November 2018. The COP will oversee the implementation of the work programme, but a lot of the preparatory work will be carried out by the APA and other subsidiary bodies. Parties will adopt the rulebook as a set of formal decisions by the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement (CMA).

Barakat pointed participants to a [progress tracker](#) on the UNFCCC website, which lists the different elements of the work programme. It includes links on status, next steps and key documents.

Barakat said the work on the Paris Agreement rulebook by the APA is covered under APA agenda items 3-8:

- **Agenda item 3:** Guidance on mitigation (including features of NDCs, supporting information, and accounting of NDCs).
- **Agenda item 4:** Guidance on adaptation communications.
- **Agenda item 5:** MPGs for the transparency framework.
- **Agenda item 6:** On the global stocktake (including identifying sources of input and developing modalities).
- **Agenda item 7:** Modalities and procedures for the committee under Article 15 (facilitating implementation and promoting compliance).
- **Agenda item 8:** Further matters related to implementation of the PA (including preparing for CMA1 and taking stock of progress made by other bodies).

He then described areas of work on each of these thematic areas.

On **mitigation**, he said work is being done under agenda item 3 of the APA and the subsidiary bodies. The APA will elaborate accounting guidance for Parties' NDCs; develop further guidance on the features of the NDCs; and develop further guidance to improve clarity, transparency and understanding of information to be provided in NDCs. SBSTA will develop modalities and procedures for a public registry to record NDCs, while both SBSTA and SBI will recommend modalities for the forum on the impact of the implementation of response measures.

On **cooperative approaches**, SBSTA will develop and recommend robust accounting guidance to ensure double counting is avoided; undertake work programme under framework for non-market approaches to sustainable development; develop and recommend rules, modalities and procedures for a mechanism to contribute to the mitigation of GHG emissions and support sustainable development; and recommend a draft decision on the work programme under the framework for non-market approaches to sustainable development.

On **adaptation**, APA will develop further guidance on adaptation communications, including as a component of NDCs. The SBI will develop modalities and procedures for a public registry. The Adaptation Committee and Least Developed Countries Expert Group will develop modalities to recognise the adaptation efforts of developing countries. The Adaptation Committee, Least Developed Countries Expert Group and Standing Committee on Finance will develop methodologies and recommendations for mobilization of adaption support in developing countries. The Adaptation Committee will consider methodologies for assessing adaptation needs, and it will also review adaptation-related institutional arrangements. The GCF has been asked to expedite support for LDCs and developing countries to formulate and implement NAPs.

On **loss and damage**, it was decided WIM would continue following its review at COP 22. The focus is on a clearinghouse for risk transfer; and a task force for climate change induced displacement.

On **finance**, SBSTA will develop modalities for accounting of finance provided and mobilized. COP 22 was asked to initiate a process to identify information developed country Parties will provide on projected levels of public finance; and request the APA to undertake preparatory work on how the Adaptation Fund may serve the Agreement.

On **technology**, SBSTA will initiate work to elaborate the Technology Framework; SBI will elaborate the scope of and modalities for the periodic assessment of the Technology Mechanism; and COP25 will consider and adopt the modalities for the periodic assessment of the Technology Mechanism.

On **capacity building**, the SBI will develop and adopt the terms of reference for the PCCB. The PCCB will launch capacity building work plan through 2020; and prepare annual technical progress reports on its work. COP25 will review progress and consider extension of PCCB (COP 25).

On **transparency**, APA will develop recommendations for modalities procedures and guidelines on transparency of action and support, and report on the progress of work on the modalities, procedures and guidelines for transparency. A Capacity Building Initiative on Transparency (CBIT) will be established, supported by the GEF. COP24 will MPG for transparency of action and support.

On the **global stocktake**, APA will identify sources of input for the global stocktake and report to the COP; and develop modalities for the global stocktake. SBSTA will help the APA on how the next assessment of the Intergovernmental Panel on Climate Change (IPCC) can inform the global stocktake. The COP will convene a facilitative dialogue to take account of collective efforts towards achieving the long-term goal of the Agreement.

On **implementation and compliance**, APA will develop modalities and procedures for the operation of the committee.

Barakat then provided an overview of developments at COP22 and progress at the 46th meeting of the Subsidiary Bodies, earlier this year.

At COP22, Barakat said the Paris Agreement entered into force. 148 Parties had ratified the Agreement as of 6 June 2017. It was agreed that the work programme would be completed by 2018.

It was also agreed that the Adaptation Fund “should” serve the Paris Agreement at COP22. Nearly 30 submissions were made on various elements of the rulebook before SB46. Inter-sessional workshop on transparency and pre-sessional roundtables on mitigation and adaptation communications took place.

At SB46, Barakat informed participants of the following developments:

- On **mitigation**, a non-paper was prepared, capturing convergence, divergence and options, where appropriate, based on Parties’ views expressed in their submissions. This will be discussed at an in-session workshop on the first day of COP23.
- On **adaptation**, a technical paper synthesized adaptation-related information included in nationally determined contributions, national adaptation plans and recent national communications. A pre-sessional roundtable took into consideration the informal note.
- On **transparency**, two pre-sessional roundtables on consecutive days focused on issues covered in Parties’ submissions. A roundtable took place on transparency of support provided and received; technical expert review, and facilitative, multilateral consideration of progress, both including a focus on transparency of support. A roundtable on transparency of action in relation to mitigation and transparency of action in relation to adaptation took place.
- On the **global stocktake**, a pre-sessional roundtable took into consideration Parties’ submissions on the possible elements of textual outline for the identification of the sources of input to, and development of, the modalities for the global stocktake.
- On **facilitating implementation and promoting compliance**, an in-session workshop on the first day of COP23 will take into consideration Parties’ submissions.
- On **further matters related to implementation of the Paris Agreement**, the APA requested the Secretariat to prepare a list of all previous decisions that have been taken on the Adaptation Fund that touch on governance and institutional arrangements, safeguards and operating modalities. The APA

will continue consideration of remaining additional matters (e.g. initial guidance by the CMA to the LDCF and SCCF, guidance on adjustment of existing NDCs and setting a new collective quantified goal on finance). It was also decided that the procedural aspect of the forum on response measures will be considered in Subsidiary Bodies going forward; and the procedural aspect of modalities for recognising adaptation efforts will take place at COP23.

In the discussion that followed, participants asked who is on the task force on displacement; and whether there is a link between the GCF and Adaptation Fund.

Barakat responded that the mandate of the task force and membership was still to be decided, with guidance from the WIM. There is currently no link between the GCF and Adaptation Fund, he said. They are governed by two different bodies and sit under two different regimes. A link could be established, however. That would be for Parties to decide.

A participant asked if there is a mechanism to fund loss and damage. Barakat said there is currently no such mechanism, and there is no agreed definition of what loss and damage is. Over the years, loss and damage was considered just another aspect of adaptation. As there is already a mechanism and a stream of financial support for adaptation, developed country Parties have tended to argue that no dedicated financial support is needed rely on that to compensate for loss and damage. But as of a few years ago, loss and damage began to be considered a separate item, Barakat said, being conceptually different from adaptation. In terms of financing, developing countries has been pushing for dedicated support to address loss and damage while developed countries have been reluctant to admit that there is an issue of loss and damage that requires compensation.

On whether there will be tools to measure adaptation in the future, Barakat said several tools are described in academic journals and articles, but in the negotiations, there is no agreed standard for measuring or recognising adaptation efforts. One of the focus areas in the Paris work programme is finding and developing modalities to recognise adaptation efforts, but work is still ongoing on this.

On how the Adaptation Fund will it serve the Paris Agreement, Barakat said this is complicated by the governance structure of the Adaptation Fund – it was set up under the Kyoto Protocol, and the Board members are from countries that are Parties to the Kyoto Protocol. If the Fund serves the Paris Agreement, an arrangement will be necessary where countries who are Parties to the Paris Agreement have a role on the board. This is an issue yet to be reconciled, he said. Sharma said the Fund could get accreditation with the GCF to function as a specialist fund on adaptation, given that it already has experience in this regard.

On the difference between PCCB and CBIT, Barakat said the PCCB is focussed on capacity building issues. It is a broader mandate, looking at potentially longer-term capacity building challenges. The prime focus of the CBIT, meanwhile, is to build the capacity of Parties to be able to meet their obligations on transparency. This was a separate institution put in place, because without transparency the Paris Agreement system would not work.

THEMATIC GROUP WORK

Participants were divided into thematic groups based on the issues they intend to follow or are responsible for implementing at home. The discussion groups covered: capacity building; adaptation; mitigation; gender; and technology transfer. Groups were to feedback main points discussed and strategies for how they would support each other.

The capacity building group tried to identify the problems common to their respective countries. They discussed the idea of putting in place a platform that would allow the consolidation of information across countries. They also discussed the difficulty in accessing funds, and the need for developing common strategies to access them. The importance of the transferring information and capacity from one generation to another, and the importance of seasoned negotiators training younger negotiators was also discussed.

The adaptation group discussed four main issues: presentation, features of adaptation; national priorities; and how all the information collected will be useful.

The mitigation group discussed GHG reduction policies and strategies, especially development strategies, of their respective countries.

The gender group discussed mitigation programmes already in place in their respective countries, enabling women to use energy efficient cook stoves and get involved in the green belt. They said the ratio of women to men attending COP meetings is still low, but women are getting involved more and more in climate change programmes, particularly those focused on capacity building.

The technology transfer group agreed that the main concern was the energy sector and agriculture. It discussed communication tools to build awareness and share information, and the importance of quantitative information.

FINAL SESSION

During this session, participants were presented certificates to mark their participation in the training workshop, and final remarks, including a vote of thanks, were delivered by the organisers.