



YOTA

Youth Opportunity
& Transformation
in Africa

NAVIGATING
**INTERNATIONAL
CLIMATE CHANGE
NEGOTIATIONS**

A Guide for African Youth Activists

2024

NAVIGATING

**INTERNATIONAL
CLIMATE CHANGE
NEGOTIATIONS**

A Guide for African Youth Activists

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INTRODUCTION

Globally, civil society actors are faced with the endless struggle of navigating the global system of climate change negotiations with all its legal, structural, and procedural requirements. In Africa, many youth activists have registered their frustrations when seeking to understand the workings of the global negotiations, particularly how the United Nations Framework Convention on Climate Change (UNFCCC) engages with stakeholders through various platforms, protocols, and governing bodies, to devise pragmatic and sustainable pathways towards climate change mitigation.

This Guide offers valuable knowledge and insights for youth activists and anyone wanting to enhance their understanding of the UNFCCC process, negotiations and meetings. It does so by first looking at the negotiation environment provided by the UNFCCC, including its governing bodies, subsidiary bodies, negotiating groups and the financial mechanisms available. It continues by zooming into the climate change adaptation pillar while discussing the most prominent adaptation milestones under the UNFCCC. Finally, the Guide offers an entire module on the fundamentals of negotiation, strategies and tactics applied in international conferences.

Overall Learning Objectives

- Explain how the UNFCCC provides a framework for international cooperation to address climate change.
- Discuss the roles of the different governance bodies and negotiating groups under the UNFCCC.
- Explore the financial mechanisms set up under the UNFCCC.
- Examine the key adaptation milestones set up under the UNFCCC including the Paris Agreement and its non-market mechanisms for climate change adaptation
- Review negotiation skills and techniques to foster collective objectives for negotiating groups under the UNFCCC.

The Guide at a glance

The Guide is presented in five modules:

Module

"Overview of The United Nations Framework Convention on Climate Change Process"

This module introduces the participant to the UNFCCC, the three key international instruments (Conference of the Parties, Kyoto Protocol, and the Paris Agreement), and related governing and subsidiary bodies of the climate change regime.

Module

"The Negotiations and Rules of Procedure of the Intergovernmental Climate Change Process"

This module focuses on the functioning of the negotiations and applicable rules from the UNFCCC rules of procedure to further introduce the participant to the actual mechanism for convening the Parties through various forums and working groups, including the presidency and bureau, observers and elections, and the decision making and reporting processes.

Module

"Financial Mechanisms Under the UNFCCC"

This module explores the financial mechanisms set up under the UNFCCC and provides a case study example.

3

Module

"Adaptation under the UNFCCC"

This module describes adaptation milestones and highlights under the UNFCCC.

4

Module

"International Conferences: fundamentals of negotiation, strategies and tactics"

This module offers an understanding of the fundamentals of negotiation, strategies and tactics at international climate conferences.

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OVERVIEW OF THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE PROCESS

1 Module

Introduction

Module 1 covers the United National Convention for Climate Change (UNFCCC), the Kyoto Protocol, the Paris Agreement, and the institutional arrangements for the climate change intergovernmental process. **It includes the following organizational elements:**

- **Supreme governing bodies:** the Conference of the Parties (COP) for the Convention, the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP), and the Conference of the Parties serving as the meeting of the Parties to the Agreement (CMA).
- **A process management body:** the Bureau of the COP, the CMP, and the CMA.
- **Subsidiary bodies:** two permanent subsidiary bodies – the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI) – as well as other ad hoc subsidiary bodies established by the COP, the CMP, or the CMA as deemed necessary to address specific issues.
- **Constituted bodies:** specific technical, expert and/or advisory subsidiary bodies with limited membership created by the COP, the CMA and the CMP to advance work in specific thematic areas.
- A **secretariat:** the United Nations entity tasked with supporting the global response to the threat of climate change. The secretariat facilitates the intergovernmental climate change negotiations and supports a complex architecture of bodies that serve to advance the implementation of the Convention, the Kyoto Protocol and the Paris Agreement; and
- **Entities entrusted with the operations of the Financial Mechanism**, i.e., the Global Environment Facility (GEF) and the Green Climate Fund (GCF).

Collectively, these institutions participate in the process of developing policies and guidance to support Parties in the implementation of the Convention, the Kyoto Protocol, and the Paris Agreement.

The United Nations Framework Convention on Climate Change (UNFCCC)

The United Nations Framework Convention on Climate Change (UNFCCC) is the **overarching international convention on climate change**. It was adopted in 1992 at the United Nations Conference on Environment and Development (UNCED), also known as the "Earth Summit", held in Rio de Janeiro, Brazil. It entered into force on 21 March 1994. The agreement document has 26 Articles and two Annexes.

Articles of the UNFCCC

1. Definitions
2. Objective
3. Principles
4. Commitments
5. Research and Systematic Observation
6. Education Training and Public Awareness
7. Conference of the Parties
8. Secretariat
9. Subsidiary Body for Scientific and Technology Advice
10. Subsidiary Body for Implementation
11. Financial Mechanism
12. Communication of Information Related to Implementation
13. Resolution of Questions Regarding Implementation
14. Settlement of Disputes
15. Amendment to the Conventions
16. Adoption and Amendment of Annexes to the Convention
17. Protocols
18. Right to Vote
19. Depositary
20. Signature
21. Interim Arrangements
22. Ratification, Acceptance, Approval or Accession
23. Entry Into Force
24. Reservations
25. Withdrawal
26. Authentic Texts

Annex I Countries

List of industrialized countries and economies in transition (a/)

- Australia
- Austria
- Belarus a/
- Belgium
- Bulgaria a/
- Canada
- Czechoslovakia a/
- Denmark
- European Economic Community
- Estonia a/
- Finland
- France
- Germany
- Greece
- Hungary a/
- Iceland
- Ireland
- Italy
- Japan
- Latvia a/
- Lithuania a/
- Luxembourg
- Netherlands
- New Zealand
- Norway
- Poland a/
- Portugal
- Romania a/
- Russian Federation a/
- Spain
- Sweden
- Switzerland
- Turkey
- Ukraine a/
- United Kingdom of Great Britain and Northern Ireland
- United States of America

Annex II Countries

List of developed nations and the European community which pay for the costs of developing nations.

- Australia
- Austria
- Belgium
- Canada
- Denmark
- European Economic Community
- Finland
- France
- Germany
- Greece
- Iceland
- Ireland
- Italy
- Japan
- Luxembourg
- Netherlands
- New Zealand
- Norway
- Portugal
- Spain
- Sweden
- Switzerland
- Turkey
- United Kingdom of Great Britain and Northern Ireland
- United States of America

It was created based on the science developed by the [Intergovernmental Panel on Climate Change \(IPCC\)](#). The IPCC was created by the United Nations Environment Programme (UNEP) to provide policymakers with regular scientific assessments of climate change, its implications, and potential future risks, as well as to put forward adaptation and mitigation options. It was created in 1988 and first reported evidence on anthropogenic climate change and the importance of climate action in 1990.

Today, there are 198 Parties to the Convention. This includes 197 States and one regional economic integration organization, the European Union (EU). (Updates can be seen on the Treaty Inventory of the UN). The UNFCCC secretariat (UN Climate Change) is the United Nations entity tasked with supporting the global response to the threat of climate change. Around 450 staff are employed at UN Climate Change. Secretariat staff come from over 100 countries and represent a blend of diverse cultures, gender, and professional backgrounds.

Parties must respect the Convention's objectives, commitments, and principles to "prevent dangerous anthropogenic [i.e., human induced] interference with the climate system." Article 2 of the Convention further states that "such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner."

The Convention adopted a model similar to other Multilateral Environmental Agreements (MEAs) and is thus considered a framework convention that allows for other subsequent instruments to be adopted to reflect the developing science.

Examples of other MEAs with this structure are the Vienna Convention on the Ozone Layer, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Convention on Biodiversity and the Cartagena Protocol on Biosafety, Convention on International Trade in Endangered Species of Wild Fauna and Flora, Minamata Convention on Mercury. Also, the Montreal Protocol.

To this end, the Convention serves as the umbrella under which the Kyoto Protocol and the Paris Agreement were adopted.

The UNFCCC is governed by the Conference of the Parties (COP) in which every Party to the Convention participates, similar to other MEAs. The COP is responsible for taking any decisions concerning the implementation of the Convention and adopting further instruments, as will be detailed later in this Guide.

The first COP was held in 1995 in Berlin.

Key Resources:

- [Text of the United Nations Framework Convention on Climate Change](#)
- [Text of the Kyoto Protocol](#)
- [Text of the Paris Agreement](#)
- [Treaty Inventory of the UN](#)
- [UNFCCC secretariat](#)

The Kyoto Protocol

- The [Kyoto Protocol](#) (KP) was adopted in 1997 under the UNFCCC and entered into force in 2005. It was the first agreement to further operationalize the UNFCCC and was considered innovative as it set emission reduction obligations for the developed country Parties and other Parties included in Annex I of the Convention (and in Annex B Parties of the KP).

- The KP established binding emission reduction targets for developed country Parties and other Parties included in Annex I of the Convention in accordance with agreed individual targets.
- Currently, there are 192 Parties to the Kyoto Protocol (updates can be seen on the [Treaty Inventory of the UN](#)).
- The Kyoto Protocol established a rigorous monitoring, review and verification system, as well as a compliance system to ensure transparency and accountability. Under the Protocol, countries' actual emissions have to be monitored and precise records have to be kept of the trades carried out.
- One important element of the Kyoto Protocol was the establishment of flexible market mechanisms, which are based on the trade of emissions permits. Under the Protocol, countries must meet their targets primarily through national measures. However, the Protocol also offers them an additional means to meet their targets by way of three [market-based mechanisms](#):
 - [International Emissions Trading](#)
 - [Clean Development Mechanism \(CDM\)](#)
 - [Joint implementation \(JI\)](#)
- The Protocol was amended in 2012 through the Doha Amendment to add new emission reduction targets for the second commitment period from 1 January 2013 to 31 December 2020.
- The KP also provides in its Article 13 that the COP shall serve as the meeting of the Parties to the Kyoto Protocol (CMP).

The Paris Agreement

- The [Paris Agreement](#) was the second agreement adopted under the UNFCCC.
- Currently, 194 of the 198 Parties to the Convention have signed the Paris Agreement (updates can be seen on the [Treaty Inventory of the UN](#)).
- The Paris Agreement is the first universal legally binding international treaty on climate change to place obligations on all ratifying parties.
- It brings in further objectives and directives in order to keep the rise in global temperature “well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels” (Article 2, Paris Agreement), in line with the objective of the Convention.
- Starting in 2020 and revised every 5 years, each country must submit increasingly ambitious plans

for reducing their emissions and adapting to climate change challenges – known as Nationally Determined Contributions (NDCs).

- The Paris Agreement lays out a framework around financial, technical, and capacity building support and introduces a robust transparency and accounting system to provide clarity on action and support by Parties. In addition to reporting information on mitigation, adaptation and support, the Agreement requires that the information submitted by each Party undergoes international technical expert review.

Governing Bodies: COP, CMP and CMA

COP

The Conference of the Parties (COP) of the UNFCCC is the governing body of the UNFCCC.

Established by the UNFCCC, the COP is the supreme decision-making body of the Convention. All States that are Parties to the Convention are represented at the COP, at which they review the implementation of the Convention and any other legal instruments that the COP adopts and take decisions necessary to promote the effective implementation of the Convention, including institutional and administrative arrangements.

Now let's see and learn about its 11 functions:

1. Periodically examine the obligations of the Parties and the institutional arrangements under the Convention.
2. Promote and facilitate the exchange of information on measures adopted by the Parties to address climate change and its effects.
3. Facilitate, at the request of two or more Parties, the coordination of measures adopted by them to address climate change and its effects, taking into account the differing circumstances, responsibilities and capabilities of the Parties and their respective commitments under the Convention.
4. Promote and guide, in accordance with the objective and provisions of the Convention, the development and periodic refinement of comparable methodologies, to be agreed on by the COP, including greenhouse gas (GHG) inventories.
5. Assess the overall effects of the measures taken per the Convention based on all information

made available and the implementation of the Convention by the Parties.

6. Regional groups may agree, through consultations, on swapping the annual rotation of office of President, and in this regard the hosting of the COP. For example, the COP accepted the offer of Denmark to host COP 15 (2009) and subsequently elected as COP 15 President a representative of Denmark nominated by WEOG; and accepted the offer of Mexico to host COP 16 (2010) and elected as COP 16 President a representative of Mexico nominated by GRULAC.
7. Seek to mobilize financial resources in accordance with the Convention.
8. Establish such subsidiary bodies as are deemed necessary for the implementation of the Convention.
9. Agree upon and adopt, by consensus, rules of procedure and financial rules for itself and for any subsidiary bodies.
10. Seek and utilize, where appropriate, the services, cooperation of, and information provided by competent international organizations, intergovernmental and non-governmental bodies.
11. Among other functions listed in Article 7 and those necessary for the achievement of the objectives of the convention.

The first COP was held in Berlin, Germany, in March 1995, where all the signatories' countries agreed to begin a process to strengthen the commitments of Annex I Parties through the adoption of a protocol or other legal instrument. A total of 27 COPs have been held through 2022.

The COP meets annually (per Article 7.4 of the Convention and rule 4 of the draft rules of procedure of the COP being applied) and has met every year since 1995, with the exception of 2020 due to the pandemic. The practice is for each COP to be **held in rotating regions** – African States, Asia-Pacific States, Latin American and Caribbean States, Eastern European States, and Western European and other States. There have been exceptions in which the COP was held in more than one country, in a different region than originally planned, and has been held at the secretariat headquarters in Bonn (e.g., in the case of COPs 5, 6, and 23).

Annual COPs include meetings of other bodies which will be referenced below (Sections 1.4-1.7).

Now let's see informations on the COPs through time:

1995 – COP 1, Berlin, Germany: Parties adopted the Berlin Mandate to review the adequacy of commitments and established an openended Ad Hoc Group to begin a process to strengthen the commitments of Annex I Parties through the adoption of a protocol or other legal instrument.

- 1996 – COP 2, Geneva, Switzerland:** The COP noted the Geneva Declaration, a ministerial declaration which endorses the IPCC's conclusions in its second assessment (1995), including the finding that the continued rise in GHG concentrations will interfere with the climate system, and calls for legally binding objectives and significant reductions in emissions.
- 1997 – COP 3, Kyoto, Japan:** Parties adopted the Kyoto Protocol, which would legally bind developed country Parties to emission reduction targets.
- 1998 – COP 4, Buenos Aires, Argentina:** Parties adopted the Buenos Aires Plan of Action which set COP-6 as the deadline for reaching agreement on the operational details of the Kyoto Protocol and on strengthening implementation of the UNFCCC.
- 1999 – COP 5, Bonn, Germany:** It was a technical meeting and did not reach any major conclusion.
- 2000 – COP 6, Part I: The Hague, Netherlands, Part II: Bonn, Germany:** COP 6 Part II produced the Bonn Agreement, a political commitment on a package of issues (LULUCF, flexible mechanisms, compliance, and funding) that facilitated the ratification of the Kyoto Protocol.
- 2001 – COP 7, Marrakesh, Morocco:** Adopted the Marrakesh Accords, which provided detailed rules for the implementation of the Kyoto Protocol including details for establishing a greenhouse-gas emissions trading system, set up new funding and planning instruments for adaptation, and established a technology transfer framework.
- New funds were also established:** Special Climate Change Fund, the Least Developed Countries Fund, and the Adaptation Fund.
- 2002 – COP 8, New Delhi, India:** Adopted the Delhi Ministerial Declaration which agreed on the operating rules for the Kyoto Protocol's Clean Development Mechanism (CDM) and concluded work on the procedures for reporting and reviewing emissions data from developed countries.
- 2003 – COP 9, Milan, Italy:** Parties agreed to use the Adaptation Fund established at COP 7 primarily in supporting developing country Parties to better adapt to climate change. The fund would also be used for capacity building through technology transfer.
- 2004 – COP 10, Buenos Aires, Argentina:** Parties adopted the Buenos Aires programme of work on adaptation and response measures that requested implementation of actions addressing adverse effects of climate change through, among others, information and methodologies collection, sharing and dissemination, modelling, reporting in Parties' National Communications their special needs and circumstances, assessing vulnerability and adaptation options. **2005– COP 11, Montreal, Canada:** The 1st Conference of the Parties serving the meeting of the Parties to the Kyoto Protocol

(CMP1) was convened in conjunction with the COP. CMP 1 adopted the guidelines, modalities and rules for the operation of the Kyoto Protocol. Dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention established for Parties to exchange experiences and analyse strategic approaches for longterm cooperative action to address climate change in support of enhanced implementation of the Convention. The Ad hoc working group on the Kyoto Protocol (AWG-KP) established to negotiate the 2nd commitment period of the Kyoto Protocol.

- 2006 – COP 12, CMP 2, Nairobi, Kenya:** First review of the Kyoto Protocol successfully conducted.
- 2007 – COP 13, CMP 3, Bali, Indonesia:** Adopted the Bali Road Map that contained the agreement on the deadline (COP 15) for agreeing on a framework for action after 2012 (the end of the first commitment period of the Kyoto Protocol). The Ad Hoc Working Group on Longterm Cooperative Action under the Convention (AWG-LCA) was established as a new subsidiary body to conduct the negotiations aimed at urgently enhancing the implementation of the Convention up to and beyond 2012. Adoption of the decision to operationalize the Adaptation Fund.
- 2008 – COP 14, CMP 4, Poznań, Poland:** Parties requested the Global Environmental Facility (GEF) to initiate and facilitate the preparation of projects for approval and implementation under the Poznan strategic programme on technology transfer.
- 2009 – COP 15, CMP 5, Copenhagen, Denmark:** The COP took note of the Copenhagen Accords, a non-binding agreement with which developed countries committed collectively to providing 30 billion US dollars in new, additional funding for developing countries for the 2010–2012 period.
- 2010 – COP 16, CMP 6, Cancun, Mexico:** The COP adopted the Cancun Agreements, a set of decisions that established:
- the Green Climate Fund,
 - the Cancun Adaptation Framework,
 - the Technology Mechanism,
 - the Standing Committee on Finance,
 - the Nationally Appropriate Mitigation Actions (NAMA) registry.

The COP also recognized the IPCC Fourth Assessment report goal of a maximum 2°C global warming and all Parties should take urgent action to meet this goal.

- 2011 – COP 17, CMP 7, Durban, South Africa:** Establishment of the Durban platform to negotiate a legally binding treaty applicable to all countries, to be adopted in 2015, governing the period post 2020 (which resulted in the adoption of the Paris Agreement). Approval of the Governing Instrument of the Green Climate Fund.

- 2012 – COP 18, CMP 8, Doha, Qatar:** The adoption of the Doha Amendment to the Kyoto Protocol to establish its second commitment period, and the package of the decisions of the 'Doha Climate Gateway'. Conclusion of the negotiations under the AWG-KP and AWG-LCA.
- 2013 – COP 19, CMP 9, Warsaw, Poland:** Parties agreed to initiate or intensify domestic preparations for their intended nationally determined contributions. Established the Warsaw international mechanism on loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change.
- 2014 – COP 20, CMP 10, Lima, Peru:** Adopted the Lima Call for Action that included a decision on intended nationally determined contributions (INDCs), including their scope and possible content. Established the Lima work programme on gender. Adopted the Lima Declaration on Education and Awareness Raising.
- 2015 – COP 21, CMP 11, Paris, France:** Adoption of the Paris Agreement.
- 2016 – COP 22, CMP 12, CMA 1-1, Marrakesh, Morocco:** first session of Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1) held in conjunction with COP 22 and CMP 12. CMA 1 adopted guidance on the completion of the Paris Agreement rule book, setting 2018 as the deadline for concluding work.
- 2017 – COP 23, CMP 13, CMA 1-2, Fiji/Bonn, Germany:** Adopted the Fiji Momentum for Implementation that outlines the design of the 2018 Facilitative Dialogue (Talanoa Dialogue).
- 2018 – COP 24, CMP 14, CMA 1-3, Katowice, Poland:** Adoption of the 'Katowice Climate Package', the decisions on the Paris Agreement rule book.
- 2019 – COP 25, CMP 15, CMA 2, Santiago, Chile/ Madrid, Spain:** Parties adopted the Chile Madrid Time for action and established the Santiago Network on loss and damage.
- 2021 – COP 26, CMP 16, CMA 3, Glasgow, United Kingdom:** Parties adopted the 'Glasgow Climate Pact'. Parties finalized the Paris Agreement Rulebook with key decisions on the Enhanced Transparency Framework and Article 6 (market and non-market mechanisms).
- 2022 – COP 27, CMP 17, CMA 4, Sharm El-Sheikh, Egypt:** Parties adopted the Sharm El-Sheikh Implementation Plan that reaffirmed the commitment to a 1.5°C temperature rise limit. Established a loss and damage finance facility. Initiated the development of a framework to achieve the global goal on adaptation. Launched the 'Sharm El-Sheikh dialogue' on Article 2.1c of the Paris Agreement, which says 'financial flows' should be aligned with global temperature targets.
- 2023 – COP 28, Dubai, United Arab Emirates**

The COP decides, at each session (under the agenda item on the dates and venues of future sessions), on the date and venue of the next and future sessions of the COP. While the Presidency normally rotates among the five regional groups, the COP may decide by consensus to change the order of the regional group rotation for the election of the President. For example, in 2009 and 2010, the regional rotation was reversed whereby COP 15 was hosted by Denmark (WEOG) and COP 16 was hosted by Mexico (GRULAC).

CMP

Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol.

The CMP is the governing body of the Kyoto Protocol, and it meets in conjunction with the COP. The first meeting (CMP 1) was held in Montreal in conjunction with COP 11. The Kyoto Protocol is an international treaty that commits industrialized countries and economies in transition to limit and reduce greenhouse gas (GHG) emissions in accordance with agreed individual targets.

All Parties to the KP are represented at the CMP while those States that are not Parties, may participate as observers. The CMP oversees the implementation of the Kyoto Protocol and makes decisions to promote its effective implementation.

In line with the functions of the COP, the functions of the CMP are (Article 13, paragraph 4 of the Kyoto Protocol).

Now let's see and learn about the 11 functions of the CMP:

1. Assess the implementation of the Protocol by the Parties and overall effects of the measures taken pursuant to the Protocol.
2. Periodically examine the obligations of the Parties under the Protocol.
3. Promote and facilitate the exchange of information on measures adopted by the Parties to address climate change and its effects.
4. Facilitate, at the request of two or more Parties, the coordination of measures adopted by them to address climate change and its effects.
5. Promote and guide, in accordance with the objective of the Convention and provisions of the Protocol, the development and periodic refinement of comparable methodologies, to be agreed on by the CMP, including greenhouse gas (GHG) inventories.
6. Assess, based on all information made available, the implementation of the Convention by the Parties, the overall effects of the measures taken per the Convention.
7. Make recommendations on any matters necessary for the implementation of the Protocol.
8. Seek to mobilize financial resources in accordance with the Protocol.
9. Establish such subsidiary bodies as are deemed necessary for the implementation of the Protocol.
10. Seek and utilize, where appropriate, the services, cooperation of, and information provided by competent international organizations, intergovernmental and non-governmental bodies.
11. Other functions as may be required for the implementation of the Protocol.

CM

Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.

The CMA is the governing body of the Paris Agreement and meets in conjunction with the COP. Its first meeting (CMA.1) was in 2016 in conjunction with COP 22 in Marrakesh.

All Parties to the Paris Agreement are represented at the CMA, while those that are not Parties may participate as observers. The CMA oversees the implementation of the Paris Agreement and takes decisions to promote its effective implementation.

The functions of the CMA are (Article 16 paragraph 4 of the Paris Agreement):

- Establish such subsidiary bodies as deemed necessary for the implementation of the Agreement; and
- Exercise such other functions as may be required for the implementation of the Agreement.

Subsidiary Bodies: SBI and SBSTA

The COP established two subsidiary bodies: the **Subsidiary Body for Scientific and Technological Advice (SBSTA)** and the **Subsidiary Body for Implementation (SBI)**. The SBSTA and the SBI also serve and thus perform the same functions for the CMP and the CMA. Accordingly, each session of the subsidiary bodies provides all three governing bodies with information and advice to support the implementation of the Convention, the Kyoto Protocol, and the Paris Agreement, respectively.

SBSTA

The [SBSTA](#) assists the governing bodies (COP, CMP, and CMA) by providing timely information and advice on scientific and technological matters related to the Convention, the Kyoto Protocol, and the Paris Agreement.

In addition, the SBSTA cooperates with relevant international organizations on scientific, technological, and methodological questions, such as the IPCC. It provides recommendations to the CMA, CMP, and COP on technical matters and collaborates with the SBI on certain matters.

The SBSTA meets twice a year, in May/June, and in conjunction with the COP.

SBI

The [SBI](#) assists the governing bodies in assessing and reviewing the implementation of the Convention, the Kyoto Protocol, and the Paris Agreement.

In addition, the SBI provides the strategic direction on how the secretariat can best serve the Parties and the UNFCCC process towards the greater ambition of climate change action and support that is fully commensurate with the objectives of the Convention, the Kyoto Protocol, and the Paris Agreement.

It provides recommendations to the CMA, CMP, and COP on implementation matters and collaborates with the SBSTA on certain matters. The SBI meets twice a year, in May/June, and in conjunction with the COP. The COP may also temporarily establish **Ad Hoc Subsidiary Bodies** for specific matters such as, for example, the subsidiary body to negotiate the PA, called the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP).

Constituted Bodies

Constituted bodies are specific technical, expert and/or advisory subsidiary bodies, with limited membership. The COP, the CMA and the CMP may create constituted bodies to advance work in specific thematic areas (per Article 7(2)(i) of the Convention, Article 13(2)(h) of the Kyoto Protocol, and Article 4(b) of the Paris Agreement).

Fifteen constituted bodies serve the Convention, the Kyoto Protocol, and/or the Paris Agreement, as shown below. Some may also serve more than one climate change agreement.

The [constituted bodies](#) meet several times a year per their own mandates and work plans, and most of them have their own Rules of Procedure.



*This body also serves the Paris Agreement.

¶This body also serves the Kyoto Protocol.

Adaptation Committee (AC)

The Parties established the Adaptation Committee (AC) at COP 16 in Cancun to promote the implementation of enhanced action on adaptation in a coherent manner. Among other functions, it:

- Provides technical support and guidance to the Parties.
- Shares relevant information, knowledge, experience, and good practices.
- Promotes synergy and strengthening engagement with national, regional, and international organizations, centres, and networks.
- Provides information and recommendations, drawing on adaptation good practices, for consideration by the COP.
- Considers information communicated by Parties on their monitoring and review of adaptation actions and support provided and received.

Article 6.4 Supervisory Body (A6.2 SB)

Parties established the rules, modalities, and procedures for the mechanism at CMA 3 in Glasgow to supervise the market mechanisms under Article 6.4 of the Paris Agreement. This body met for the first time in 2022.

Adaptation Fund Board (AFB)

Parties established the AFB at CMP 3 in Bali, Indonesia, to supervise and manage the Adaptation Fund. The Adaptation Fund was established in 2001 by COP 7 in Marrakesh, Morocco to finance concrete adaptation projects and programmes in developing country Parties that were Parties to the Kyoto Protocol. Since 2019, it also serves the Paris Agreement.

Climate Technology Centre & Network (CTCN)

The CTCN was established by Parties at COP 17 in Durban after an agreement to establish a “Technology Mechanism” in COP 15 in Copenhagen. It promotes the accelerated transfer of environmentally sound technologies for low-carbon and climate-resilient development at the request of developing countries.

Compliance Committee (CC) of the Kyoto Protocol

The Compliance Committee of the Kyoto Protocol is made up of two branches: a facilitative branch and an enforcement branch. The facilitative branch aims to provide advice and assistance to Parties in order to promote compliance under the Kyoto Protocol, whereas the enforcement branch has the responsibility to determine consequences for Parties not meeting their commitments under the Kyoto Protocol.

Consultative Group of Experts (CGE)

The CGE was established by Parties in COP 5 to support developing countries in fulfilling their reporting requirements under the convention. After several extensions, at COP 24 in Katowice, Poland, the mandate was extended and included supporting the implementation of the enhanced transparency framework for reporting the progress of the Paris Agreement.

Executive Board of the Clean Development Mechanism (CDM EB)

The CDM Executive Board (CDM EB) supervises the Kyoto Protocol's clean development mechanism to implement an emission reduction commitment in another country under the authority and guidance of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP). It was established at CMP 1 in Montréal, Canada.

Executive Committee of the Warsaw International Mechanism for Loss and Damage (WIM ExCom)

The Warsaw International Mechanism for Loss and Damage (WIM) was established at COP19 in 2013, and the Paris Agreement later addressed the Mechanism in its Article 8. The Executive Committee of the Warsaw International Mechanism for Loss and Damage guides the implementation of the functions of the Mechanism. Five thematic expert groups play a major role in carrying out the activities of the Executive Committee's work plan:

- Expert group on slow onset events.
- Expert group on non-economic losses.
- Technical Expert Group on Comprehensive Risk Management.
- Task Force on Displacement.
- Expert group on action and support.

Katowice Committee of Experts on the Impact of Implementation of Response Measures (KCI)

The Katowice Committee of Experts on the Impacts of the Implementation of Response Measures (KCI) was established by COP 24 in Katowice in 2018 to support the work programme of the forum on the impact of the implementation of response measures.

Least Developed Countries Expert Group (LEG)

The Least Developed Countries Expert Group (LEG) was established in COP 7 in 2001 and is currently mandated to provide technical guidance and support to the Least Developed Countries (LDCs) on the

process to formulate and implement national adaptation plans (NAPs), the preparation and implementation of the national adaptation programmes of action (NAPAs) and the implementation of the LDC work programme. It also provides technical guidance and advice for LDCs to access funds from the Green Climate Fund (GCF).

Local Communities and Indigenous Peoples Platform (LCIPP)

The LCIPPP promotes exchanges of experience and good practices for addressing climate change holistically, builds capacity for engagement, and brings together diverse ways of knowing for designing and implementing climate policies and actions. The LCIPP Facilitative Working Group (FWG) was established at COP 24 in Katowice in December 2018 to further operationalize the LCIPP and facilitate implementation.

Paris Agreement Implementation and Compliance Committee (PAICC)

The PAICC was established by the Paris Agreement to facilitate the implementation and compliance of the Paris Agreement in a manner that is transparent, non-adversarial, and non-punitive, paying attention to the respective national capabilities and circumstances of Parties. It was established under Article 15 of the Paris Agreement. Further detail was included in decision 1/CP.21, and its modalities and procedures were adopted by the CMA in decision 20/CMA.1 at Katowice.

Paris Committee on Capacity-building (PCCB)

Established at COP 21 in 2015 (1/CP.21, para. 71), the Paris Committee on Capacity-building (PCCB) addresses current and emerging gaps and needs in implementing and further enhancing capacity-building in developing countries. In 2019, the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA) decided that the PCCB shall also serve the Paris Agreement.

Standing Committee on Finance (SCF)

At the sixteenth session of the Conference of Parties (COP), Parties decided to establish a Standing Committee on Finance to assist the COP in exercising its functions in relation to the Financial Mechanism of the Convention, to provide funds to developing country Parties.

This involves:

- improving coherence and coordination in the delivery of climate change financing,
- rationalization of the Financial Mechanism,
- mobilization of financial resources, and
- measurement, reporting, and verification of support provided to developing country Parties.

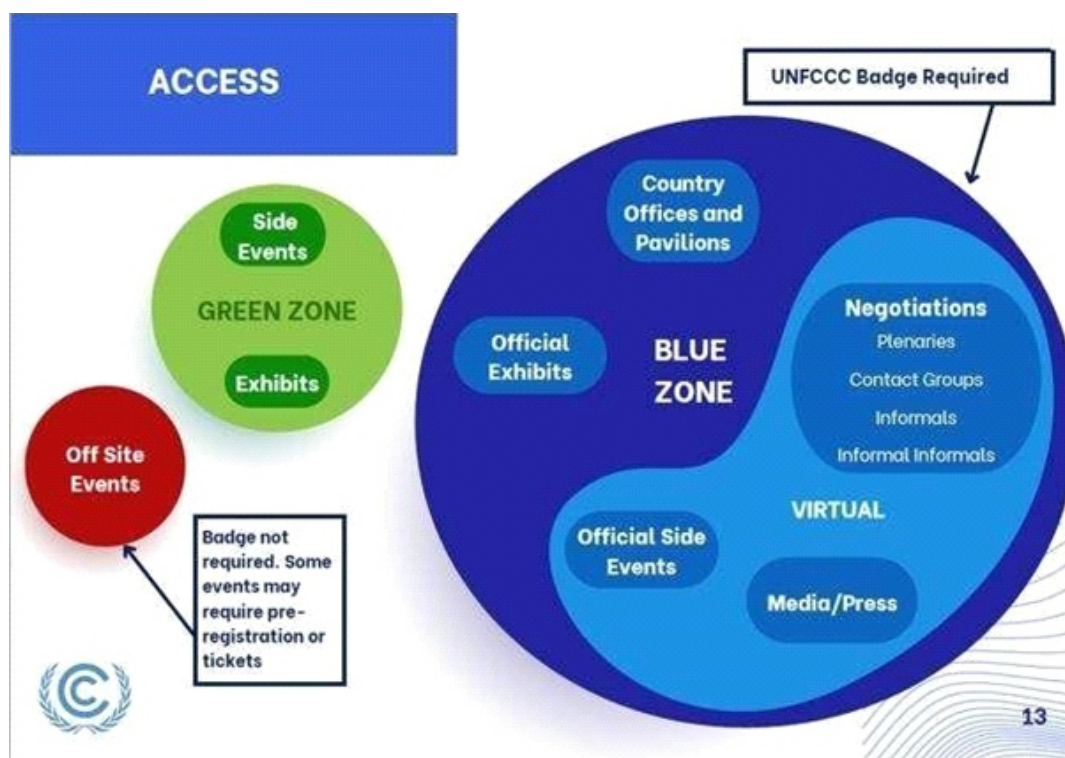
Technology Executive Committee (TEC)

The Technology Executive Committee (TEC) was established by COP 16 in 2010. It is the policy arm of the Technology Mechanism. It focuses on identifying policies that can accelerate the development and transfer of low-emission and climate-resilient technologies.

The COP in Action: Blue Zone and Green Zone

The COP has grown much larger than the negotiations themselves and now includes the sessions of each body, official meetings for negotiations, as well as mandated events, non-official side events, and Party and non-Party stakeholder pavilions.

The venue of each COP is usually separated into two zones: the Blue Zone and the Green Zone. The Green Zone is open to the public, while the Blue Zone is open only to registered participants.



Blue Zone

The negotiations take place in the Blue Zone.

Meetings of the various bodies and negotiations take place in the Blue Zone.

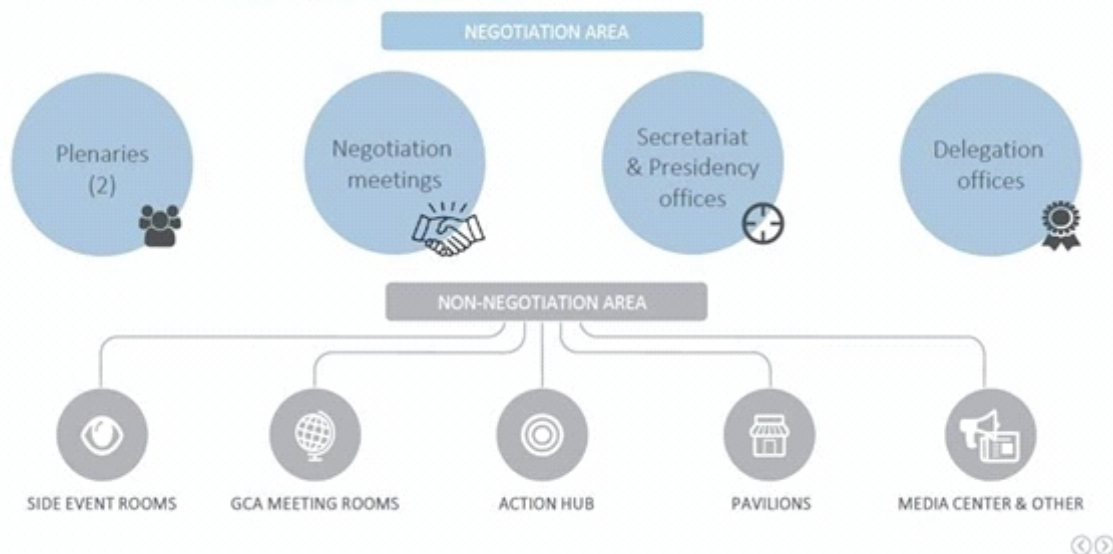
Within the Blue Zone, Parties also have pavilions where they showcase what they are doing on climate change and organize events and discussions.

Non-Party stakeholders (observers) may also have pavilions where they organize events and discussions.

There are also official side-events and mandated events:

- Mandated events are those which governing bodies or subsidiary bodies have determined are to be held.
- Side-events are those which the secretariat organizes or that Parties or observers may hold, following an application and approval process (This website provides more information).

WHAT IS IN THE BLUE ZONE?



The Green Zone is delivered by the COP's Presidency, which changes every session.

It is open to the public and its role is to drive climate action. It features other exhibits and events in addition to those being held within the Blue Zone.

There are also other events organized by third-parties that usually occur outside of these zones, in parallel to the negotiations.

Representation at sessions of Convention bodies

Each Party to the Convention, the Kyoto Protocol and the Paris Agreement may be represented at sessions of the Convention bodies by a national delegation consisting of one or more officials empowered to represent and negotiate on behalf of their government.

In the UNFCCC process, multiple negotiating groups sometimes overlap. Some of the negotiating groups, as at COP26 in Glasgow are listed below.

G77+ China

Developing country Parties generally work through the Group of 77 to establish common negotiating positions. The G-77 was founded in 1964 in the context of the UN Conference on Trade and Development (UNCTAD) and now functions throughout the UN system. It currently includes **134 parties**.

Because the G-77 and China is a diverse group with differing interests on climate change issues, individual developing country Parties also intervene in debates, as do groups within the G-77, such as the African Group, the Small Island Developing States, and the group of Least Developed Countries.

Arab Group

The Arab States is comprised of 22 member states namely Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Mauritania, Oman, State of Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen.

The Environmental Integrity Group (EIG)

Formed in 2000, comprises Mexico, Liechtenstein, Monaco, the Republic of Korea, Switzerland and Georgia.

European Union (EU)

The 27 members of the European Union agree on common negotiating positions. While the European Union can be, and is, a Party to the Convention, it does not have a separate vote from its members.

Least Developed Countries (LDCs)

The 48 Parties defined as Least Developed Countries by the UN regularly work together in the wider UN system. They have become increasingly active in the climate change process often working together to defend their particular interests, for example with regard to vulnerability and adaptation to climate change.

The Small Island Developing States (SIDS)

A coalition of some 40 low-lying islands that are particularly vulnerable to sea-level rise. SIDS Parties are united by the threat that climate change poses to their survival and frequently adopt a common stance in negotiations.

Other negotiating groups include

The African Group, AILAC (Independent Association of Latin American and Caribbean), ALBA, ABU (Argentina, Brazil and Uruguay), LMDCs (like-minded developing countries), OPEC, the Umbrella Group, SICA (Sistema de la Integración Centroamericana - Central American Integration System), Coalition for Rainforest Nations, BASIC (Brazil, China, India, South Africa). ALBA (Alianza Bolivariana para los Pueblos de Nuestra América).

Observations:

- This is the current status in 2023, Parties may establish new negotiating groups.
- Not all Parties are represented in a negotiating group at the moment, but they participate in the negotiations in their own accord.

Observers and observer-constituencies

Observer organizations include Intergovernmental, NonGovernmental and United Nations organizations. There are a large number of observers from NGOs, some of which have been influential in contributing to the position of parties not only due to lobbying but also through other means, such as representing other levels of government (e.g., city authorities), or reporting and analyzing the progress in the negotiations, or acting as watchdogs.

In accordance with Article 7, paragraph 6 of the Convention, Parties to the Convention, United Nations and related organizations and agencies, media and non-profit observer organizations with observer status may attend the sessions of the Convention. Consequently, everyone wishing to enter the conference must be registered accordingly and in possession of a conference badge.

The Non-Governmental organizations are divided into constituencies, loose groups with diverse but broadly clustered interests or perspectives. This website provides more information on the admission process and constituencies.

BINGO	Business and industry NGOs
ENGO	Environmental NGOs
Farmers	Farmers and agricultural NGOs
IPO	Indigenous peoples organizations
LGMA	Local government and municipal authorities
RINGO	Research and independent NGOs
TUNGO	Trade union NGOs
WGC	Women and gender constituency
YOUNGO	Youth NGOs



Module 2

THE NEGOTIATIONS AND RULES OF PROCEDURE OF THE INTERGOVERNMENTAL CLIMATE CHANGE PROCESS

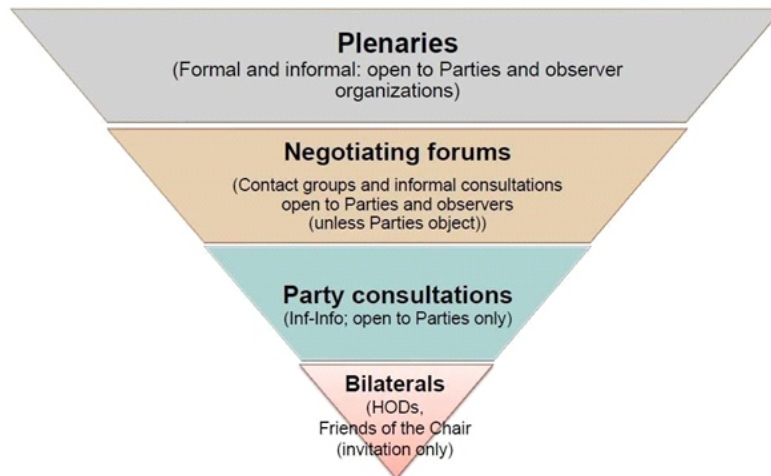
Introduction

Module 1 covered the United National Convention for Climate Change (UNFCCC), the Kyoto Protocol, the Paris Agreement, and the institutional arrangements for the climate change intergovernmental process. Module 2 explains the Draft Rules of Procedure of the Conference of the Parties and its Subsidiary Bodies drafted in 1996 and how the various groups function, convene and report.

- Negotiations: Plenary, Contact Groups, Informal Consultations Informal informals and huddles
- Draft Rules of Procedure of the Conference of the Parties and its Subsidiary Bodies being applied
- Agenda (Rules 9–16)
- The Presidency and the Bureau (Rules 22 and 23)
- Co-Facilitators
- Observers (Rule 6 and 7)
- Elections
- Decisions Decision-making (Rule 41–53)
- Reports, Decisions, and other outcomes

Negotiation: Plenaries, Contact groups, Informal consultations, Informal informals and Huddles

The negotiations take place in a variety of different forums, including in the corridors of COPs, but the main



Plenaries of the COP, CMA and CMP

Formal forums in which decisions may be taken.

- They are open to Parties, observer Parties, observer States, observer organizations, media and other registered participants.
- Opening plenaries generally begin with an opening ceremony and later agree on the agenda for the meetings.
- Closing plenaries include a report back from presiding officers on each negotiation and Parties consider and adopt draft decisions and conclusions forwarded by negotiating bodies.

Contact groups

Forums in which specific agenda items and text is negotiated by delegates led by co-facilitators, in view to coming to an agreement.

- They are established by an agreement of the COP, CMA, CMP or of a subsidiary body and are based on the proposal of the President or the a Chair of a subsidiary body. A Party may suggest the establishment of a Contact Group to the President or Chair, which will propose it to the relevant body at their discretion.

- All Parties are invited, and observers may participate unless 1/3 of Parties present oppose.

Informal consultation

Forums in which agenda items and text is negotiated by delegates led by co-facilitators or a particular issue is discussed.

- They are convened by the President of a governing body or chair of subsidiary body.
- These are normally open to Parties, observer States and observers, but can be limited participation meetings and approved by that body.
- Until SB 34 (June, 2011), these were closed to observers, but since then the recommendation is that they are open unless 1/3 of Parties present oppose, if there is no contact group for that particular agenda item. The SBI 50 (June, 2019) Chair encouraged Parties to open these to observers as much as possible and tasked facilitators to check if Parties agree in the beginning of their first meeting.

Informal informals

Forums in which agenda items and text is informally discussed to advance negotiations.

- They are established with the agreement of the relevant body for that agenda item or by the presiding officer under their own responsibility.
- Such smaller group meetings are often used to troubleshoot a specific problematic issue or advance negotiations on contentious issues, for example, to draft a specific section of text.
- These are usually closed to observer organizations.

Huddles

These are small groups that convene within negotiations (plenary or other space) to discuss specific issues concerning text or other issues concerning Parties.

Other negotiation forums/spaces include corridors, friends of the president/chair and smaller meetings.

The negotiations should follow the principles of openness, transparency, representation, equality, ethics, inclusiveness and overall control by the COP. They should also strive to represent regional and gender balance (decision 23/CP.18).

As a matter of practice and courtesy, meetings do not begin unless and until the Chair/Coordinator of the major negotiating groups (i.e., G77 and China, European Union and Umbrella Group, African Group, AOSIS, etc.) are present.

The diagram activity below is of the different meetings taken from the COP 24 edition of the Observer Guide.

Meeting	Output	Access	Description
Plenary	Pre-sessional	Open	Plenary meetings provide a forum for general statements on the agenda items of the meeting, but negotiations rarely take place here.
Contacts Group (CG)	Deliberations draft text	Open unless one-third of Parties present at the session object, and the presiding officer may determine at any time to close.	Contact groups conduct negotiations on specific agenda items to achieve an agreed outcome.
Informal Consultations	Draft text	When there is no contact group, the first and last meetings of the informal consultations may be open but respecting Parties' right to keeping the informal meetings closed.	The President or Chair of a subsidiary body or contact group facilitators convene informal consultations.
'Informal Informals'	Deliberations draft text	Closed	Parties use a range of informal, smaller group settings, such as 'Friends of the Chair' and so-called 'informal informals', to advance negotiations on contentious issues or expedite detailed drafting work.
CG Conclusion	L document	Open unless one-third of Parties present at the session object, and the presiding officer may determine at any time to close.	
Closing plenary	Adoption of L document	Open	

Draft Rules of Procedure of the Conference of the Parties and its Subsidiary Bodies being applied

The COP Rules of Procedure contain 59 rules. Many are procedural (definitions, reporting, languages, etc.). Substantive rules governing functions and processes are discussed below.

The draft rules of procedure of the COP and its subsidiary bodies apply to the COP, the CMP, and the CMA and also to the Subsidiary and Constituted bodies in case they do not have their own rules of procedure.

Article 7.3 of the Convention established that the COP would, at its first session, adopt its own rules of procedure.

The COP did not adopt the draft rules of procedures due to a lack of consensus on Rule 42 (Voting). For this reason, they are still considered the “draft rules of procedure being applied.” They are provisionally applied since COP 2 in 1996, with the exception of Rule 42.

The Guide will discuss some key points of the draft rules of procedure being applied in the following sections: Agenda, the Presidency, and the Bureau, Co-Facilitators, Observers, Elections, and Decision-Making.

Use of consensus rather than voting:

The Rules of Procedure drafted in 1996 have never been adopted by the Conference of the Parties (COP) because of divergent views on Rule 42, Voting. Accordingly, all decisions adopted by the COP, and consequently by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) and the Paris Agreement (CMA), have been taken applying the practice of “consensus” since its first session in 1995.

Agenda (Rules 9–16)

Rules 9 to 16 address the agenda, which establishes the issues which will be negotiated in each session.

- A provisional agenda is put together by the secretariat for each COP, CMP, CMA and SB session, with the agreement of the President of the COP or the relevant SB Chair and is distributed to Parties at least six weeks before the session.
- Parties may propose items to be included on the provisional agendas.
- When deciding on the agenda, the COP may add, delete, defer or amend items. (Rule 13)

- The practice of the COP, CMA, CMP and SBs has been to adopt the agenda at the beginning of their respective session on the basis of consensus.

The Presidency and the Bureau (Rules 22 and 23)

PRESIDENCY

The President is generally from the host country of the COP.

Some exceptions were the COP 25 with a Chilean Presidency hosted in Madrid and COP 23 with a Fijian Presidency held in Bonn.

- The President of the COP also serves as the President of the CMP and CMA.
- The President is elected immediately after the opening of a session of the COP. In practice, the President is a high-level official of his or her country, usually foreign affairs minister or an environment minister.
- Per rule 22.3, once elected, the President shall participate in the session in that capacity and shall not at the same time exercise the rights of a representative of a Party.

Rule 23 sets out the general powers of the President, which include:

- declaring the opening and closing of the session
- presiding at the meetings of the session
- ensuring the observance of the draft rules of procedure being applied
- according the right to speak
- putting questions to the vote
- announcing decisions
- ruling on points of order
- controlling the proceedings and maintaining order thereat
- The President also chairs the Bureau

BUREAU

The Bureau is comprised of a President, seven vice-presidents, the chairs of the subsidiary bodies established by Articles 9 and 10 of the Convention, and a rapporteur (Rule 22.1).

The [Bureau](#) is mainly responsible for questions of process management, and it supports:

- The COP, CMP and CMA through the provision of advice and guidance to the President in his or her work and the ongoing intergovernmental processes under the Convention, the Kyoto Protocol and the Paris Agreement,
- the organization of the sessions of the governing and subsidiary bodies.

Rule 20 also sets out that the Bureau is responsible for examining the credentials submitted by Parties and submits a joint report thereon to the COP.

Per practice, additional functions of the Bureau are:

- supporting the presidency and secretariat in making arrangements for sessions of the UNFCCC organs including advice on provisional agenda,
- reviewing applications from intergovernmental organizations (IGOs) and non-governmental organizations (NGOs) for accreditation as observers in line with the criteria agreed by the SBI,
- being consulted by the UN Secretary-General on the appointment of the UN Executive Secretary.

Co-facilitators

The President of the COP and the presiding officers of (other) subsidiary bodies usually delegate the facilitation of contact groups and informal consultations to chairs or other facilitators, after they are proposed and agreed to in plenary by consensus.

Facilitators of informal consultations or informal informals established under contact groups are proposed and agreed to by consensus by the contact group establishing those consultations.

The appointment of co-chairs or co-facilitators from both an Annex I Party and a non-Annex I Party is a long-standing practice aimed at ensuring balance in country representation. Ideally, there would also be gender balance.

Observers (Rule 6 and 7)

Observers include Observer States (Palestine), United Nations System and its Specialized Agencies, intergovernmental organizations (IGOs), and non-governmental organizations (NGOs).

Per Article 7 (6) of the UNFCCC, the “United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State member thereof of observers thereto not Party to the Convention” may be represented at sessions of the Conference of the Parties as observers.

Per rule 7.1 of the draft rules of procedure being applied, “any body or agency, whether national or international, governmental or nongovernmental, which is qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties as an observer may be so admitted unless at least one-third of the Parties present at the session object.”

Participation: Such observers may, upon the invitation of the President, participate without the right to vote in the proceedings of any session, unless at least one third of the Parties present at the session object (Rule 7.2).

- In practice, generally observers may speak after all Parties have made their interventions or if there is agreement, they may be invited to share their views at another moment.
- **Per meeting type:**
 - **Plenaries:** Open to observers.
 - **Contact groups:** Per decision 18/CP.4, observer organizations may participate in open contact groups unless the Parties setting up that contact group object, and on the understanding that the presiding officers of such a contact group may determine at any time during the proceedings that the group should be closed to observers.
 - **Informal Consultations:** As agreed at SBI 34, in the event that there is no contact group for an agenda item, at least the first and last meetings of the informal consultations may be open to observer organizations, recognizing the right of any Party to keep any part of the informal consultation closed.
 - To encourage transparency and the participation of observer organizations, the practice has been for facilitators of informal consultations to seek confirmation from Parties at the first meeting as to whether all subsequent meetings may also remain open to observers. At subsequent meetings, the facilitators, at the start of the meeting, ask the Parties if the meeting may be opened to observers (on a no-objection basis).
 - **Informal informals:** closed to observers.

Submissions: since 2004, requests for the submission of information and views have been extended to NGOs, where appropriate, on the understanding that NGO submissions would not be issued as official documents but made available on the UNFCCC website.

Elections

The climate change institutional framework includes the three bureaux of the governing and subsidiary bodies and 15 constituted technical bodies established under the Convention, the Kyoto Protocol, and the Paris Agreement. Each year members and their alternates are elected or appointed to these bodies based on nominations from United Nations regional groups or other constituencies, with the aim of achieving gender balance in the membership of these bodies.

Based on the practice of the United Nations, Parties are organized into five regional groups:

- African States (African Group)
- Asian States
- Eastern European States
- Latin American and the Caribbean States (GRULAC)
- Western European and Other States (WEOG)
 - These regional groups are used to guarantee balanced regional representation. They are not negotiation groups, except for the African Group, which also negotiates as a group.
 - For more information on the United Nations Regional Groups of Member States, visit [Regional groups of Member States](#).

The "Other States" include Australia, Canada, Iceland, New Zealand, Norway, Switzerland, and the United States of America, but not Japan, which is in the Asian Group.

Rule 51 of the draft rules of procedure being applied confirms that all elections shall be held by secret ballot unless otherwise decided by the COP. In practice, elections of the President are normally held by acclamation.

In the first quarter of each year, the Executive Secretary issues a notification inviting nominations for the election and appointment of the members and/or alternate members for positions open for election to the UNFCCC bodies for that year.

Nomination of candidates for election are transmitted through regional groups and UN/UNFCCC constituencies (LDCs and AOSIS). Candidates are elected or appointed to serve either as representative of their respective regional group/constituency, or in their personal capacity in accordance with the rules of procedure of each UNFCCC body.

Rule 22.1 refers to regional balance, foreseeing that two members should be elected from each regional group. The COP also strives for gender balance in the composition of the Bureau, in accordance with the enhanced Lima work programme on gender and its gender action plan, as well as with decisions 23/CP.18 and 3/CP.25.

Decision-making (Rule 41–53)

Every Party has one equal vote, and regional economic integration organizations (e.g. EU) have the right of vote of the number of Parties they represent. (Article 18 of the UNFCCC and Rule 41 of the Draft Rules of Procedure being applied)

Voting: (Rule 42) This is the most contentious item of the draft rules of procedure being applied and was not approved by the COP. The disagreement over this rule concerns which types of decisions require consensus and which can be decided by majority rule. This is why the draft rules of procedure were not adopted but considered “draft rules of procedure being applied.”

Consensus: In the lack of the voting rule, the COP, CMP, CMA, SBSTA, and SBI decisions are made by consensus, except for specific cases where the Convention, the Kyoto Protocol, the Paris Agreement or any specific rule being applied establishes a specific required majority, such as the adoption of amendments (Rule 35 of the Draft Rules of Procedure being applied).

- Consensus' is not defined in the Convention or in the draft rules of procedure being applied. According to established practice of the United Nations, the concept of consensus is understood to mean the practice of adoption of decisions by general agreement without having to resort to voting in the absence of any formal objection.
- That means decisions are adopted by consensus unless a Party or Parties actively and formally objects to its adoption. In that case, the President cannot proceed, and the President and Parties must make all the efforts to form consensus

Reports, Decisions and other outcomes

Reports: At the end of a session, the SBI, SBSTA, COP, CMP and CMA each adopt a report.

- The reports contain a summary of the meeting and decisions adopted by these bodies.
- These can take note of or approve of other reports.

Approve v. note: The meaning of terms such as 'noting' or 'approving' must always be read in context because the context may affect the meaning.

Approving

'**Approving**' a report typically means approving the report as a whole, but it could also mean that recommendations or conclusions set out in the report have been approved.

Noting

'**Noting**' a report generally means that the relevant body has seen the report and formally recorded that it has considered or taken note of the report, without necessarily endorsing it.

Decisions: The COP, CMP and CMA adopt decisions necessary to promote the effective implementation of the Convention, the Kyoto Protocol and the Paris Agreement respectively.

- These decisions may provide guidance to Parties, the subsidiary bodies, constituted bodies, the secretariat and/or observer and other organizations and may also create other constituted bodies, programmes and plans and other means necessary to implement the climate change regime.

Conclusions: The SBI and the SBSTA adopt conclusions rather than decisions and often attach draft decisions to those conclusions to be considered or adopted by the COP, CMA or CMP.

MOU3

FINANCIAL MECHANISMS UNDER THE UNFCCC

3 Module

Introduction

Countries contribute to climate change in different ways and, at the same time, their ability to cope with climate change consequences varies. The Convention calls for financial assistance from those with more resources to help those with limited resources and that are more vulnerable. It is for this reason that the Convention states that Annex II Parties provide financial resources to assist developing countries in implementing the Convention through the establishment of a financial mechanism.

Article 11 of the Convention states that the operation of a financial mechanism is entrusted to one or more existing international entities. The operation of the financial mechanism is partly entrusted to the Global Environment Facility (GEF) and, as of COP17, also to the Green Climate Fund (GCF). The financial mechanism is accountable to the COP, which decides on its climate change policies, program priorities and eligibility criteria for funding.

This module explains the financial mechanisms under the UNFCCC, including how they operate. It goes on to discuss the two main Financial Mechanisms, GEF and GCF, as well as the special funds that were created by Parties to fund climate action under the Convention.

The Global Environment Facility (GEF)

The GEF was established in 1991 ahead of the 1992 Rio Earth Summit and includes 184 countries in partnership with international institutions, civil society organizations and the private sector. It supports country-driven sustainable development initiatives in developing countries that generate global environmental benefits.

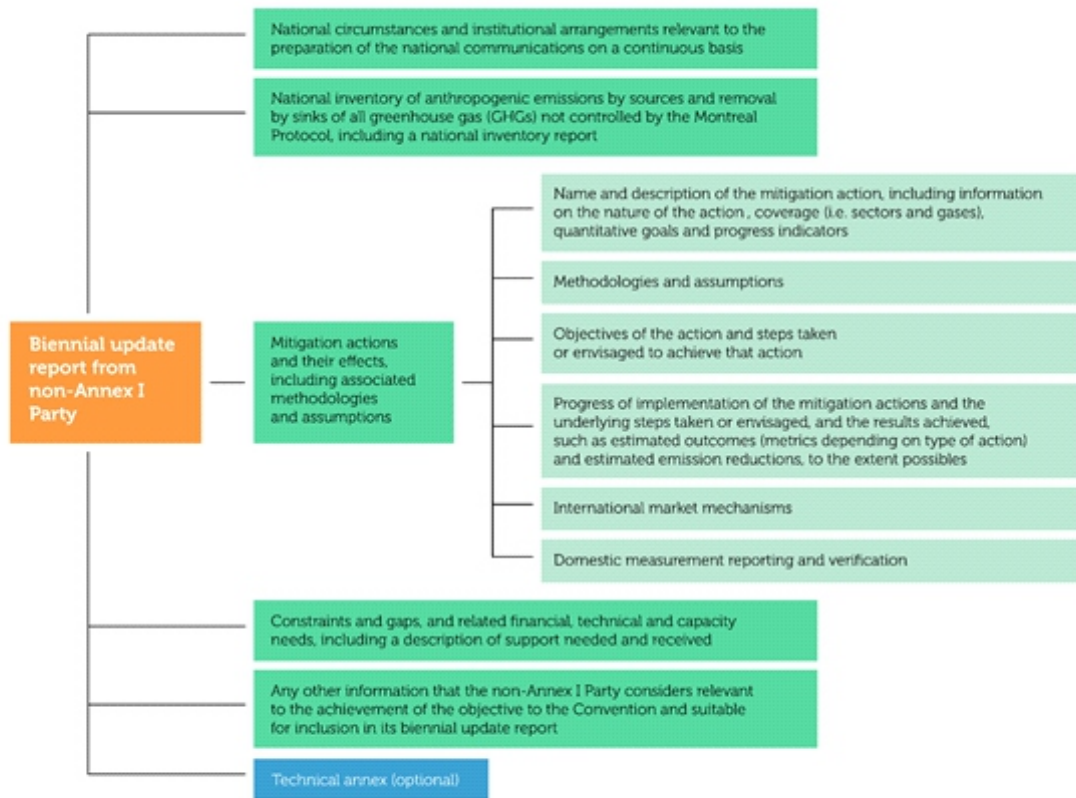
The relationship between the COP to the UNFCCC and the GEF Council was agreed in a memorandum of understanding (MOU) contained in decision 12/CP.2([opens in a new tab](#)) and decision 12/CP.3([opens in a new tab](#)).

The GEF, including the Special Climate Change Fund (SCCF) and the Least Developed Countries Fund (LDCF), serves the Paris Agreement. The CMA provides guidance on its climate change policies, program priorities and eligibility criteria for funding related to the Paris Agreement and transmitted by the COP.

Article 9, paragraph 9 of the Paris Agreement states that:

“The institutions serving the Agreement shall aim to ensure efficient access to financial resources through simplified approval procedures and enhanced readiness support for developing countries, in particular

LDCs and the SIDS in the context of their national climate strategies and plans” Paris Climate Change Agreement



Key elements of biennial update reports

The GEF provides funding for both mitigation and adaptation projects, particularly national communications, nationally appropriate mitigation actions, and biennial update reports (BURs) which are key for countries to track their progress in meeting their climate change commitments.

Do you know how much funding the GEF has mobilized since 2001 to support global adaptation projects?

- A. USD 2–3 billion
- B. USD 6–7 billion
- C. USD 12–13 billion

GEF's collaboration with other funds

Through coordinated engagement, the fund has collaborated closely with the Green Climate Fund on joint country dialogues and programming and will continue to increase collaboration with other climate funds to advance the global climate adaptation agenda. The GCF will be discussed in the next section.

The decisions taken, and the conclusions and guidance provided by COP, CMP, CMA, SBI and SBSTA, are relevant for GEF and inform its work on climate change, thus supporting the UNFCCC's bodies. In return, GEF reports back to the COP.



Project example

Building the adaptive capacity of rural communities and reducing their vulnerability to climate change and variability through integrated micro watershed management and climate resilient agriculture practices to ensure food security in Cambodia.

The Green Climate Fund (GCF)

The GCF was established at the COP 16 in Cancun, by decision 1/CP.16. It is governed by the GCF Board and accountable to and functions under the guidance of the COP to support projects, programs, policies and other activities in developing countries using thematic funding.

The GCF serves the Paris Agreement. Guidance to its policies, program priorities and eligibility criteria related to the Paris Agreement is provided by the CMA and transmitted by the COP.

The Paris Agreement states that the financial mechanism shall aim to ensure efficient access to financial resources through simplified approval procedures and enhanced readiness support for developing countries, in particular LDCs and SIDS.

Being the world's largest climate fund, the GCF is mandated to support developing countries raise and realizing their Nationally Determined Contributions (NDC) ambitions towards low-emissions and climate-resilient pathways.

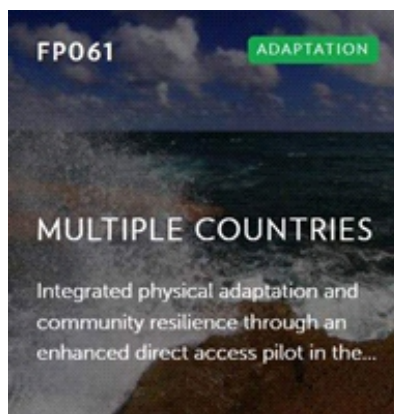
Enhancing Direct Access

GCF's Enhancing Direct Access (EDA) pilot channels climate financing to homegrown organizations in developing countries. USD 200 million have been approved for this pilot program. The objective of this pilot is to enhance country ownership of projects and programs through a dedicated access window for GCF's Direct Access Entities (DAEs).

Examples of EDA projects:



The Federated States of Micronesia (FSM)



Antigua and Barbuda, Dominica and Grenada



Namibian

The Special Climate Change Fund (SCCF)

The SCCF is a complement of the other financial mechanisms for the implementation of the Paris Agreement and was established under the Convention in 2001.

The Fund finances projects related to:

- Adaptation
- Technology transfer and capacity building
- Transport
- Industry
- Agriculture
- Forestry
- Waste management
- Economic diversification

The SCCF is managed by the GEF and operates in parallel with the Least Developed Countries Fund (LDCF). Both have a mandate to serve the Paris Agreement. The SCCF is open to all vulnerable developing countries and supports a wide range of adaptation activities.

Do you know how much the SCCF has invested in global projects since its inception?

- A. USD125 million
- B. USD355 million
- C. USD550 million

Looking ahead, the SCCF will continue to facilitate private sector engagement in climate adaptation, climate risk management and climate resilient technology and infrastructure.

Project example



An SCCF-funded project in the Caribbean (SOILCARE) is helping eight small island countries invest in improved soil management to address climate change and improve land quality. This project, implemented by the FAO, is helping to integrate adaptation into regional policies and plans, establish climate modelling on a regional scale, identify climate-resilient technologies, and build regional capacity and knowledge management.

The Least Developed Countries Fund (LDCF)

The LDCF was established to support a work program to assist Least Developed Countries to carry out:

- The preparation and implementation of National Adaptation Programs of Action (NAPAs), country-driven strategies for addressing their most urgent adaptation needs.
- The implementation of the National Adaptation Plans (NAPs) process.
- The LDC work program under the UNFCCC.

NAPAs and NAPs will be discussed in more detail in module 2.

GCF FUNDING (USD)

3.0b

GCF funding*

6.3b

Co-financing

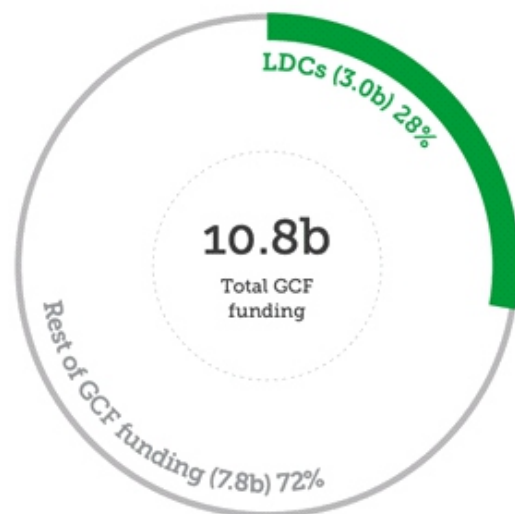
81

Total approved GCF projects, including 10 multiregional projects

61

Projects under implementation

GCF GLOBAL PORTFOLIO (USD)



GCF Spotlight: Least Developed Countries (Image source: GCF)

DIRECT ACCESS ENTITIES

AEPC	IICA
AWB	KOICA
BOAD	LBA
BTSEC	MOE_RWA
CCCCC	MoFEC
CDB	MWE_UGA
CRDB	NCDDSecretariat
CSE	NTNC
DBSA	OSS
DBZ	PKSF
FNEC	SPC
IDCOL	

READINESS SUPPORT

175

Total **number**
of readiness
grants **approved**

132.5
USD million

Total **value**
of readiness
grants **approved**

139

Total **number**
of readiness
grants **disbursed**

68.5
USD million

Total **value**
of readiness
grants **disbursed**

GCF Spotlight: Least Developed Countries (Image source: GCF)

The LDCF works to bolster technical and institutional capacity at the national and local level, to create a policy environment that encourages investments in adaptation solutions to reduce systemic barriers to progress, and to promote innovation and private sector engagement. Primary funding areas include:

- Agriculture and food security
- Natural resource management
- Water resources
- Disaster risk management and prevention
- Coastal zone management
- Climate information services
- Infrastructure
- Climate change-induced health risks
- Nature-based adaptation solutions

LDCF Grant: Project example

Grant: A USD6 million LDCF grant helped Sao Tome and Principe join the West Africa Coastal Area (WACA) Resilience Investment Program. The project's activities included the "Safety at Sea" initiative for fishermen who must contend with increasingly strong and unpredictable storm surges, as well as intense squalls and dry fog.

Meteorology: The program will also support training of marine meteorologists on storm surge modelling, and the establishment of a marine meteorological station – or system of buoys – to improve monitoring and forecasting.



Reflection:

Are you familiar with any projects funded through the SCCF or LDCF? What are the focus areas of the project? Are they at the national or local level?

The Adaptation Fund

The Adaptation Fund was established in 2001 to finance concrete adaptation projects and programs in developing countries that are Party to the Kyoto Protocol and are particularly vulnerable to the adverse effects of climate change.

It is financed with a share of proceeds from the Clean Development Mechanism (CDM) (discussed in module 2), project activities and other sources of funding. The Adaptation Fund is supervised and managed by the Adaptation Fund Board, composed of 16 members and 16 alternates, which meets at least twice a year. Although it was established to serve the Kyoto Protocol, it is now serving the Paris Agreement.

Project example

The main objective of the project 'Adaptation Initiative for Climate Vulnerable Offshore Small Islands and Riverine Charland in Bangladesh' is to enhance the climate resilience of vulnerable communities who live on coastal islands and riverine chars in Bangladesh.

Specific objectives of this project include:

- Enhanced resilience of households through climate-resilient housing, renewable sources of electrification and the provisioning of safe drinking water.
- Increased climate resilience of communities through climate risk mapping, cyclone and flood preparedness that leaves no one behind and basic infrastructure that is resilient to cyclones and floods.
- Improved income and food security of vulnerable households by innovating and introducing locally appropriate climate-resilient livelihood practices.
- Enhanced knowledge and capacity of communities, government and policymakers to promote climate-resilient development on riverine and offshore islands.



Case Study – Financing Local Climate Adaptation in LDCs

Besides the UNFCCC financial mechanisms, actions are taken by various actors to support climate change adaptation efforts. Local authorities in least-developed countries (LDCs), for example, present a unique opportunity for countries to meet local adaptation needs. However, they often lack the necessary resources.

In 2011, the UN Capital Development Fund (UNCDF) designed the Local Climate Adaptive Living (LoCAL) facility, which aims to promote climate change-resilient communities and local economies by establishing a standard and internationally recognized country-based mechanism to channel climate finance to local government authorities in LDCs. It increases awareness and capacities to respond to climate change at the local level, integrates climate change adaptation into local government's planning and budgeting systems in a participatory and gender-sensitive manner and, as such, increases the amount of finance available to local governments for climate change adaptation.

Local Climate Adaptive Living (LoCAL) facility

The LoCAL mechanism was established in 2011 to address the unfunded mandate of local authorities in addressing climate change adaptation.

It is tailored to specific country circumstances to increase awareness of and responses to climate change adaptation through local government planning and budgeting systems and to leverage the amount of finance available to local governments for climate change adaptation.

Can you guess how many local governments LoCAL has engaged as of 2021?

- A. 100
- B. 200
- C. 300

Another 16 countries have expressed interest in joining LoCAL in the period 2019–2022:



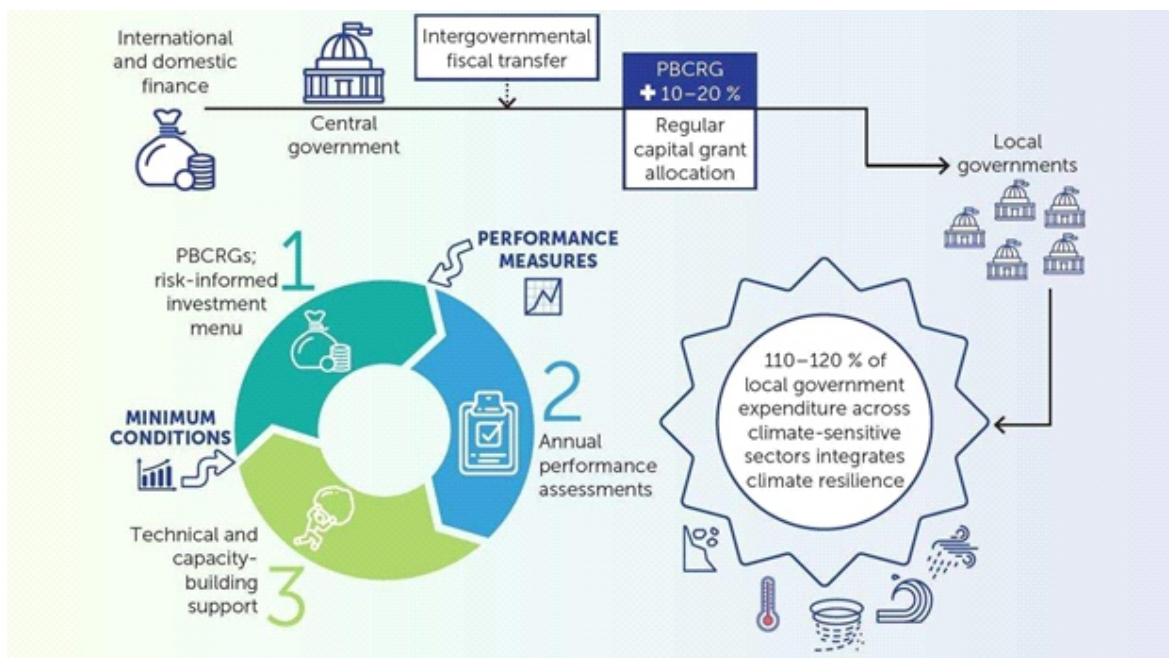
These bring the total number of LoCAL countries to 34, of which 27 are LDCs, 7 are SIDS and 24 are in Africa, with a potential scale-up reach of half a billion people.



Countries that have engaged with the LoCAL facility

During the same period, LoCAL has mobilized more than USD 125 million from UNCDF resources as host organization, donors and parallel funding from governments, to initiate and roll out the mechanism. Fourteen countries are currently being accompanied for GCF and/or AF direct access.

There are three components which the LoCAL Mechanism relies upon, highlighted in green below:



The LoCAL Facility and the UNFCCC process

Now that we are familiar with the LoCAL facility, how does it fit into the broader picture of the UNFCCC process?

This section will look at entry points and opportunities to engage with the UNFCCC governing and subsidiary bodies on topics of relevance to LoCAL countries.

Do you recall the two major pillars that drive climate action that the Convention works along?

1. **Mitigation**- focusing on reducing climate change causing greenhouse gas emissions.
2. **Adaptation**- focusing on coping with and adapting to the adverse impacts of a changing climate.

As such, decisions taken by the three governing bodies - the COP, CMP and CMA - aim to support Parties to identify, develop and implement climate change mitigation and adaptation actions.

Furthermore, the Convention's subsidiary bodies, the SBSTA and SBI, besides their specific individual mandates, work together on crosscutting issues that touch on both their areas of expertise, including vulnerability and adaptation and response measures. Besides, as mentioned earlier in the module, the SBI's agenda is shaped around the key building blocks of implementation of treaties and instruments:

Transparency: As of 2014, the SBI increasingly focused towards advancing the MRV issues as outlined in the Cancun framework with the launch of two processes, the international assessment and review process (IAR) and the international consultations and analysis process (ICA) that are conducted under the SBI.

Mitigation: The ICA aim is to increase the transparency of mitigation actions, their effects and capacity-building needs, in a manner that is non-intrusive, non-punitive and respectful of national sovereignty.'

Adaptation: Under the capacity-building block, the SBI monitors and reviews progress on the implementation of frameworks for capacity-building in developing countries and countries with economies in transition.

Finance and Technology Transfer: Under the finance and technology transfer block, the SBI provides guidance to Parties on finding ways to access funding to undertake technology needs assessments, and to develop and implement climate technology pilot projects.

Capacity building: Under the capacity building block, the SBI monitors and reviews progress on the implementation of frameworks for capacity-building in developing countries and countries with economies in transition.

The LoCAL Facility is a crosscutting mechanism that supports all of these building blocks.

The LoCAL Mechanism - Assisting Parties to implement their NDCs in the context of sustainable development and poverty eradication. The LoCAL Mechanism enables Parties to implement their NDCs through local climate action and implementation by increasing local investments and related capacity-building and technical support in countries, thereby building resilient communities and local economies and contributing to the achievement of the Paris Agreement and related Sustainable Development Goals and their targets. The LoCAL Mechanism particularly contributes to SDG 1, SDG 2, SDG 6, SDG 11 and SDG 13. "We all agree, the alarms have been sounded, it cannot be business as usual. Disasters don't wait for procedures, so we need to be able to trigger finance mechanisms such as LoCAL to channel finance where it is needed." [Alpha A. K. Jallow](#)

The LoCAL Mechanism – Promoting mitigation and adaptation ambition: The LoCAL Mechanism promotes enhanced adaptation ambition, and adaptation-mitigation co-benefits and contributes to the implementation of NDCs and NAP processes through the vertical integration of NDCs and NAPs. LoCAL was referenced by several UNFCCC bodies in official reports to the COP (on adaptation, finance and NAPs) while the LDCs and other countries (e.g. Ghana, Cote d'Ivoire) are presenting LoCAL as a non-market approach (NMA) to the implementation of adaptation priorities in the NDCs and the NAPs processes - discussed in the next module. The LoCAL guidelines 'Financing Local Adaptation to Climate Change: Experiences with Performance-Based Climate Resilience Grants' serve as supplementary material to the NAP technical guidelines developed by the LDC Expert Group (discussed later in Module 2) of the UNFCCC. The LoCAL guidelines support developing countries in creating strategic linkages between NDCs, NAPs processes and

the sub-national level in a coordinated and standard manner – bringing a financing dimension to the vertical integration of the NDC and NAP processes.

Vertical integration in the NAP process: As such, the Mechanism has been featured as a practical example of 'Vertical integration in National Adaptation Plan (NAP) processes: A guidance notes for linking national and sub-national Adaptation new'; and many LDC Parties of UNFCCC such as Benin have highlighted LoCAL as an adaptation measure under their NDC. In addition, LoCAL was recognized as a tool and method for subnational adaptation and included as such on the UNFCCC adaptation knowledge portal.

Moreover, the UNFCCC Secretariat included in its Note on "Progress in the process to formulate and implement national adaptation plans" activities to integrate climate change adaptation into local government planning and budgeting systems under the Local Climate Adaptive Living Facility. The 53rd SBI session approved the report of the stocktaking meeting of the Least Developed Countries Expert Group (discussed later in Module 2). The report includes the work with LoCAL, among experiences, good practices and lessons learned in relation to support provided by organizations to the least developed countries. Here LoCAL functions as:

"A financing mechanism for subnational and local climate action based on performance-based climate-resilient grant systems and for integrating adaptation into subnational development plans."

Last, but not the least, the LoCAL Mechanism contributes to the achievement of the Paris Agreement. It does so through the local level implementation of adaptation action and adaptation co-benefits with mitigation, including:

1. Agriculture
2. Forestry and Other Land Use (AFOLU)
3. Renewable energy

An estimated 28% of the investments financed under LoCAL relate to the AFOLU and energy sector.

Which of the statements below can be attributed to a PBCRG as defined by LoCAL:

- Financial top-up that covers the additional costs of making local investments climate resilient.
- Financial support targeting all local development projects.
- National financial resources available to local authorities for administrative purposes.
- Financial top-up channeled through intergovernmental fiscal transfer systems towards local adaptation investments.

Which of the following SDGs does the LoCAL Mechanism contribute to:

- SDG 1
- SDG 2

- SDG 4
- SDG 6
- SDG 10
- SDG 11
- SDG 13

Which of the following statements is true?

1. In the context of the NAP process, vertical integration is the process of creating intentional and strategic linkages between national and sub-national adaptation planning, implementation, monitoring and evaluation.
2. The LoCAL Mechanism promotes enhanced adaptation ambition, and adaptation-mitigation co-benefits and contributes to the implementation of NDCs and NAP processes through the vertical integration of NDCs and NAPs.
3. The LoCAL Mechanism combines performance-based climate-resilience grants (PBCRGs) that ensure programming and verification of climate change expenditures at the local level while offering strong incentives for performance improvements in enhanced resilience, with technical and capacity-building support and monitoring and quality assurance across the process.

Conclusion

The climate change agenda has made great advances, particularly through the UNFCCC-driven process. The UNFCCC Convention works along two major pillars that drive climate action: mitigation and adaptation. Decisions taken by the governing bodies support Parties to identify, develop and implement climate change mitigation and adaptation actions.

The Convention's subsidiary bodies work together on crosscutting issues that touch upon both their areas of expertise, including vulnerability, adaptation and response measures. The key building blocks of implementation focus on:

- Transparency
- Mitigation
- Adaptation
- Finance and Technology Transfer
- Capacity building

Financial assistance

Countries contribute to climate change in different ways and, at the same time, their ability to cope with climate change consequences varies. The Convention calls for financial assistance from those with more

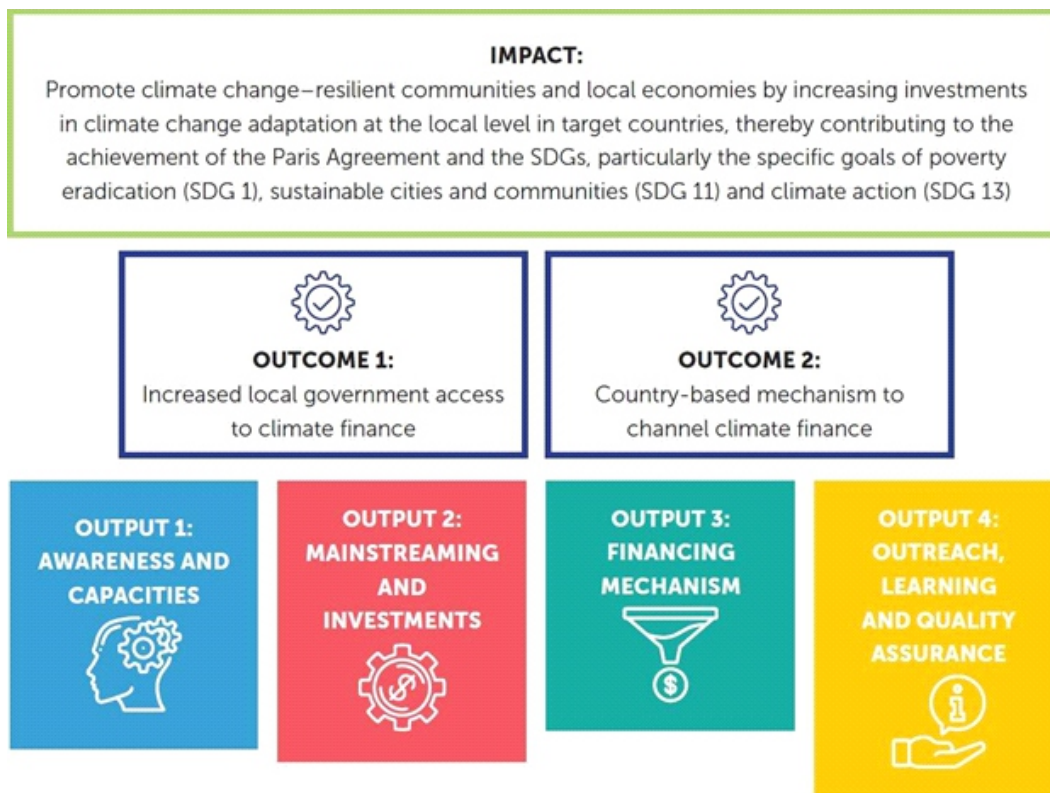
resources to help those with limited resources and who are more vulnerable. It is for this reason that the Convention states that Annex II Parties provide financial resources to assist developing countries in implementing the Convention through the establishment of financial mechanisms.

Besides the UNFCCC financial mechanisms, actions are taken by various actors to support climate change adaptation efforts.

Local authorities in least-developed countries (LDCs), for example, present a unique opportunity for countries to meet local adaptation needs.

The LoCAL Mechanism

The LoCAL Mechanism increases awareness and capacities to respond to climate change at the local level, to integrate climate change adaptation into local government planning and budgeting in a participatory manner, and to increase the financing available to local governments for climate change adaptation investments in LoCAL countries.





WORLD
ISSUE 4

Module

4

**ADAPTATION UNDER
THE UNFCCC**

Introduction

The UNFCCC defines adaptation as the:

- Adjustments in ecological, social, or economic systems in response to actual or expected climatic stimuli and their effects or impacts. It further explains that adaptation can refer to 'changes in processes, practices, and structures to moderate potential damages or to benefit from opportunities associated with climate change'.

Adaptation solutions will vary and one adaptation solution suitable for one territory or community will not necessarily be suitable for another. It is key that countries, communities and local actors consider their specific contexts when planning for adaptation.

This module starts by looking at the adaptation-related Articles and specific adaptation obligations Parties have under the Convention. These are particularly Article 3.3 refers to the 'precautionary principle and the need for cost-effectiveness.

Principles Under Article 3.3

In their actions to achieve the objective of the Convention and to implement its provisions, the Parties shall be guided, INTER ALIA, by the following:

1. The Parties should protect the climate system for the benefit of present and future generations of humankind, based on equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof.
2. The specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, and of those Parties, especially developing country Parties, that would have to bear a disproportionate or abnormal burden under the Convention, should be given full consideration.
3. The Parties should take precautionary measures to anticipate, prevent or minimize the causes of climate change and mitigate its adverse effects. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing such measures, taking into account that policies and measures to deal with climate change should be cost-effective to ensure global benefits at the lowest possible cost. To achieve this, such policies

and measures should take into account different socio-economic contexts, be comprehensive, cover all relevant sources, sinks and reservoirs of greenhouse gases and adaptation, and comprise all economic sectors. Efforts to address climate change may be carried out cooperatively by interested Parties.

4. The Parties have a right to, and should, promote sustainable development. Policies and measures to protect the climate system against human-induced change should be appropriate for the specific conditions of each Party and should be integrated with national development programs, taking into account that economic development is essential for adopting measures to address climate change.
5. The Parties should cooperate to promote a supportive and open international economic system that would lead to sustainable economic growth and development in all Parties, particularly developing country Parties, thus enabling them better to address the problems of climate change. Measures taken to combat climate change, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

Article 4. Article 4.1(e), which calls on Parties to “cooperate in preparing for adaptation to the impacts of climate change...”; Article 4.1(f), which requires Parties to “take climate change considerations into account” and to minimize adverse effects that adaptation projects and measures could have on the economy, public health or on the quality of the environment; and Article 4.4, which requires “Annex II Parties to assist developing countries in meeting adaptation costs”.

Principles Under Article 4

In their actions to achieve the objective of the Convention and to implement its provisions, the Parties shall be guided, INTER ALIA, by the following:

1. The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof.
2. The specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, and of those Parties, especially developing country Parties, that would have to bear a disproportionate or abnormal burden under the Convention, should be given full consideration.
3. The Parties should take precautionary measures to anticipate, prevent or minimize the causes of climate change and mitigate its adverse effects. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing such measures, taking into account that policies and measures to deal with climate change should be

cost-effective so as to ensure global benefits at the lowest possible cost. To achieve this, such policies and measures should take into account different socio-economic contexts, be comprehensive, cover all relevant sources, sinks and reservoirs of greenhouse gases and adaptation, and comprise all economic sectors. Efforts to address climate change may be carried out cooperatively by interested Parties.

4. The Parties have a right to, and should, promote sustainable development. Policies and measures to protect the climate system against human-induced change should be appropriate for the specific conditions of each Party and should be integrated with national development programmes, taking into account that economic development is essential for adopting measures to address climate change.
5. The Parties should cooperate to promote a supportive and open international economic system that would lead to sustainable economic growth and development in all Parties, particularly developing country Parties, thus enabling them better to address the problems of climate change. Measures taken to combat climate change, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

The Guide will continue with the review of a timeline of the various milestones on adaptation under the Convention, starting with a brief overview of the progress on adaptation to date, from COP2 in 1996 to the COP26 Glasgow Climate Pact in 2021.

Parties' obligations on adaptation under the UNFCCC

The UNFCCC and the Paris Agreement recognize the importance of adaptation and thus have made provisions to cater for the needs of adaptation, both in promoting it and ensuring that the financial mechanism caters for it.

As a global challenge affecting many on different levels, it is a key component of the long-term global response to climate change to protect people, livelihoods and ecosystems. Parties, therefore:

“Acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, considering vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of indigenous peoples and local knowledge systems, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions.” **The Paris Agreement**

So how do Parties deal with adaptation? This essentially involves 4 key steps, as illustrated by the graphic below:



- I. Assessing impacts, vulnerability, risks and resilience.
- II. Planning for adaptation.
- III. Implementing adaptation measures.
- IV. Monitoring and evaluating (M&E) adaptation.

Throughout the process, continuous stakeholder engagement and communication, along with capacity-building, finance and technology, are essential to the success of each step.

Within the UNFCCC climate change regime, Parties carry out adaptation-related activities in a number of workstreams, through work programs and in specialized groups and committees that include:

- National Adaptation Program Actions (NAPAs)
- National Adaptation Plans (NAPs)
- Adaptation Committee
- The LDC Expert Group (LEG)
- Nairobi work program on impacts, vulnerability and adaptation to climate change
- Nairobi work program on impacts, vulnerability and adaptation to climate change
- Technical Examination Process on Adaptation
- Technical Examination Process on Adaptation

Reflection:

Do you know what the differences are between NAPAs and NAPs?

Adaptation timeline overview

Since the Convention's adoption, Conferences of the Parties (COPs) have taken place every year to negotiate and take decisions on climate action as informed by the latest climate science available.

The table below illustrates the Conferences of the Parties where adaptation milestones were reached:

CONFERENCE OF PARTIES(COP)	ADAPTATION MILESTONES
COP 2-1996	Observing impacts, assessing risks and vulnerabilities. National Communications Stabilizing greenhouse gas (GHG) emissions
COP 3-1997	Stabilizing greenhouse gas (GHG) emissions The Kyoto Protocol, including its market-based mechanisms: International Emissions Trading, Clean Development Mechanism, and Joint Implementation.
COP 7-2001	Moving to planning and pilot Implementation LDC support (NAPAs, LEG, LDCF), SCCF, and Adaptation Fund.
COP 11 - 2005	Sharing knowledge and lessons learned Nairobi work program
COP 13- 2007	Scaling up implementation Bali Action Plan.
COP 16- 2010	Moving towards comprehensive adaptation Cancun Adaptation Framework (Adaptation Committee, NAP process, and Loss & Damage). Establishment of the GCF
COP 19- 2013	Addressing loss and damage Establishment of the Warsaw International Mechanism and its Executive Committee.
COP 21- 2015	Paving the way for increased ambition Adoption of the Paris Agreement (Global goal on adaptation, adaptation communications, technical examination process on adaptation, expedited support for NAP processes, enhanced transparency framework, global stocktake)
COP 24- 2018	Setting the rules of implementation guidelines for the Paris Agreement. Recognizing local communities and indigenous peoples under the Convention Establishment of the Facilitative Working Group of the Local Communities and Indigenous Peoples Platform
COP 26- 2021	Strengthening efforts to build resilience to climate change The Glasgow Climate Pact, to strengthen the efforts to build resilience to climate change and to cut greenhouse gas emissions and to provide the necessary finance for both.

Adaptation highlights - key milestones under the UNFCCC

Before we begin, from the previous section, do you recall the key steps of the Party adaptation process?

- Implementing adaptation measures
- Planning for adaptation
- Assessing impacts, vulnerability, risks, and resilience
- Securing financing streams
- Monitoring and evaluating (M&E) adaptation

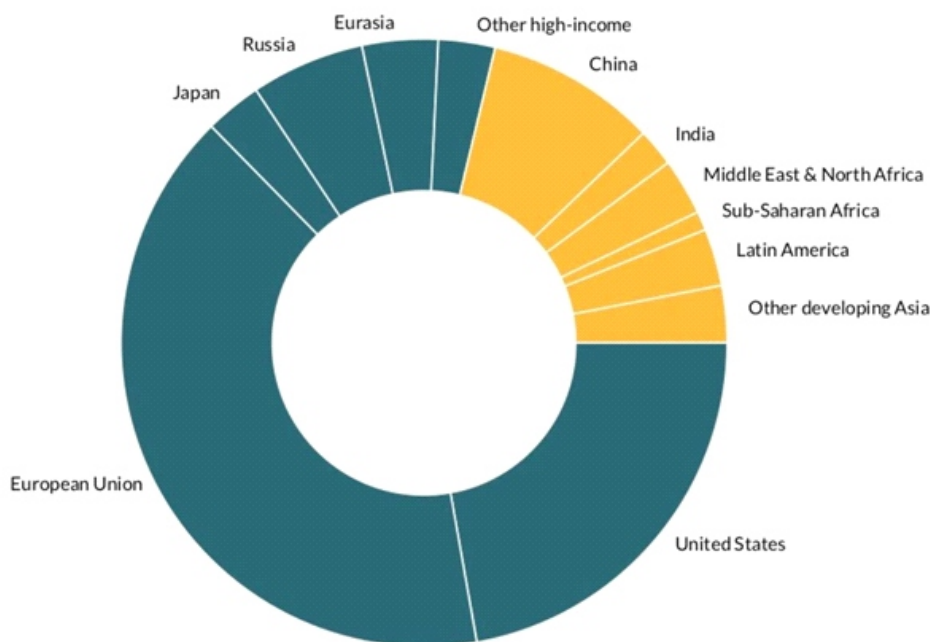
COP 3 – The Kyoto Protocol and market-based mechanisms

The Kyoto Protocol was adopted at the 3rd COP in Kyoto, with the main aim of stabilizing greenhouse gas (GHG) emissions. Although the Kyoto Protocol focuses on mitigation actions, it is important to first understand its market-based mechanisms before looking into non-market-based adaptation mechanisms.

The Protocol operationalizes the Convention by committing industrialized countries and economies in transition to limit and reduce GHG emissions in accordance with agreed individual targets. The Convention itself asks those countries to adopt policies and measures on mitigation and to report periodically.

The Kyoto Protocol is based on the principles of the Convention and follows the annex-based structure. It binds developed countries and puts a heavier burden on them under the principles of:

“Common but differentiated responsibility and respective capabilities”. [UNFCCC](#)



What caused climate change historically?

The historical concentration of industry and wealth in developed countries means that they are responsible for 79% of the emissions from the 1850s to 2011. **Developed countries / developing countries.**

Historical emissions

The Convention recognizes that they are largely responsible for the current high levels of GHG emissions in the atmosphere. The Protocol sets binding emissions reduction targets for 37 industrialized countries and economies in transition, and the European Union. Many people may be familiar with terms such as carbon credits, carbon markets and emissions trading. These mostly originate from the Kyoto Protocol, which established flexible market mechanisms based on the trade of emissions permits.

The Protocol states that countries must meet their targets primarily through national measures. However, they have additional means to meet their targets through three market-based mechanisms:

1. International Emissions Trading

Greenhouse gas emissions – a new commodity: Parties with commitments under the Kyoto Protocol (Annex B Parties) have accepted targets for limiting or reducing emissions. These targets are expressed as levels of allowed emissions, or “assigned amounts”, over the 2008–2012 commitment period. The allowed emissions are divided into “assigned amount units” (AAUs). Emissions trading, as set out in Article 17 of the Kyoto Protocol, allows countries that have emission units to spare – emissions permitted them but not “used” – to sell this excess capacity to countries that are over their targets. Thus, a new commodity was created in the form of emission reductions or removals. Since carbon dioxide is the principal greenhouse gas, people speak simply of trading in carbon. Carbon is now tracked and traded like any other commodity. This is known as the “carbon market.”

Other trading units in the carbon market: actual emissions units can be traded and sold under the Kyoto Protocol’s emissions trading scheme. The other units which may be transferred under the scheme, each equal to one tonne of CO₂, may be in the form of:

- A removal unit (RMU) based on land use, land-use change and forestry (LULUCF) activities such as reforestation
- An emission reduction unit (ERU) generated by a joint implementation project
- A certified emission reduction (CER) generated from a clean development mechanism project activity.

Transfers and acquisitions of these units are tracked and recorded through the registry systems under the Kyoto Protocol.

An international transaction log ensures the secure transfer of emission reduction units between countries.

The commitment period reserve: In order to address the concern that Parties could "oversell" units, and subsequently be unable to meet their own emissions targets, each Party is required to maintain a reserve of ERUs, CERs, AAUs and/or RMUs in its national registry. This reserve, known as the "commitment period reserve", should not drop below 90 per cent of the Party's assigned amount or 100 per cent of five times its most recently reviewed inventory, whichever is lowest.

Relationship to domestic and regional emissions trading scheme: Emissions trading schemes may be established as climate policy instruments at the national level and the regional level. Under such schemes, governments set emissions obligations to be reached by the participating entities. The European Union emissions trading scheme is the largest in operation.

2. The Clean Development Mechanism

The Clean Development Mechanism (CDM), defined in Article 12 of the Protocol, allows a country with an emission-reduction or emission-limitation commitment under the Kyoto Protocol (Annex B Party) to implement an emission-reduction project in developing countries. Such projects can earn saleable certified emission reduction (CER) credits, each equivalent to one tonne of CO₂, which can be counted towards meeting Kyoto targets. The mechanism is seen by many as a trailblazer. It is the first global, environmental investment and credit scheme of its kind, providing a standardized emissions offset instrument, CERs. A CDM project activity might involve, for example, a rural electrification project using solar panels or the installation of more energy-efficient boilers. The mechanism stimulates sustainable development and emission reductions, while giving industrialized countries some flexibility in how they meet their emission reduction or limitation targets.

Operating details of the CDM: A CDM project must provide emission reductions that are additional to what would otherwise have occurred. The projects must qualify through a rigorous and public registration and issuance process. Approval is given by the Designated National Authorities. Public funding for CDM project activities must not result in the diversion of official development assistance. The mechanism is overseen by the CDM Executive Board, answerable ultimately to the countries that have ratified the Kyoto Protocol. Operational since the beginning of 2006, the mechanism has already registered more than 1,650 projects and is anticipated to produce CERs amounting to more than 2.9 billion tonnes of CO₂ equivalent in the first commitment period of the Kyoto Protocol, 2008–2012.

3. Joint implementation

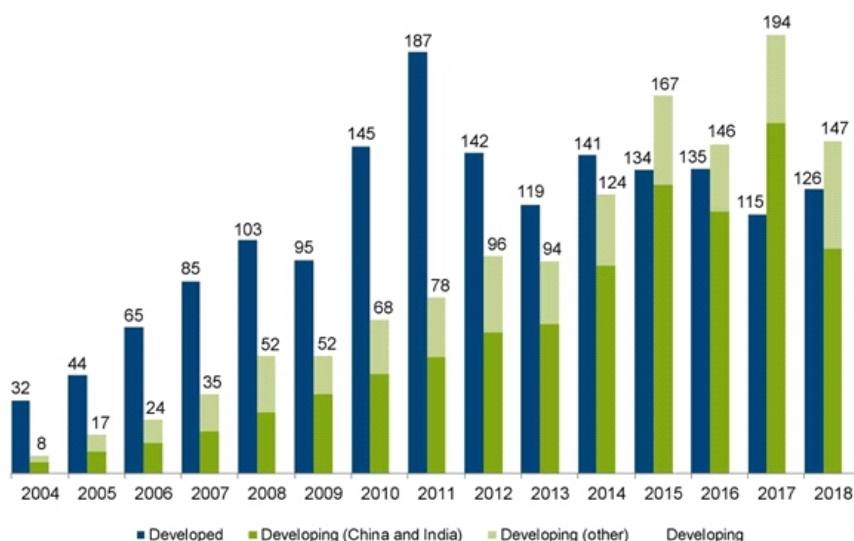
The mechanism known as "joint implementation", defined in Article 6 of the Kyoto Protocol, allows a country with an emission reduction or limitation commitment under the Kyoto Protocol (Annex B Party) to earn emission reduction units (ERUs) from an emission-reduction or emission removal project in

another Annex B Party, each equivalent to one tonne of CO₂, which can be counted towards meeting its Kyoto target. Joint implementation offers Parties a flexible and cost-efficient means of fulfilling a part of their Kyoto commitments, while the host Party benefits from foreign investment and technology transfer.

Eligibility and approval: A JI project must provide a reduction in emissions by sources or an enhancement of removals by sinks, that is additional to what would otherwise have occurred. Projects must have the approval of the host Party and participants have to be authorized to participate by a Party involved in the project. Projects starting as from the year 2000 may be eligible as JI projects if they meet the relevant requirements, but ERUs may only be issued for a crediting period starting after the beginning of 2008.

Track 1 and Track 2 procedures: If a host Party meets all of the eligibility requirements to transfer and/or acquire ERUs, it may verify emission reductions or enhancements of removals from a JI project as being additional to any that would otherwise occur. Upon such verification, the host Party may issue the appropriate quantity of ERUs. This procedure is commonly referred to as the Track 1 procedure. If a host Party does not meet all, but only a limited set of eligibility requirements, verification of emission reductions or enhancements of removals as being additional must be done through the verification procedure under the Joint Implementation Supervisory Committee (JISC). Under this so-called Track 2 procedure, an independent entity accredited by the JISC must determine whether the relevant requirements have been met before the host Party can issue and transfer ERUs. A host Party which meets all the eligibility requirements may at any time choose to use the verification procedure under the JISC (Track 2 procedure).

These mechanisms ideally encourage the reduction of GHG emissions in the first place where it is most cost-effective, for example, in developing



Investment in renewables capacity, developed vs developing countries, 2004- 2018 (\$BN). (Image source: Frankfurt School of Finance & Management - UNEP Collaborating Centre(opens in a new tab), CC BY-SA 3.

Green investment

This has the parallel benefit of stimulating green investments in developing countries and including the private sector in this endeavor to cut and hold steady GHG emissions at a safe level. It also offers the possibility of removing the use of older, dirtier technology and makes it easier to use newer, cleaner infrastructure and systems that have long-term benefits and are more economical.

The Kyoto Protocol is also designed to assist countries in adapting to the adverse effects of climate change. It facilitates the development and deployment of technologies that can help to increase resilience to the impacts of climate change. The Adaptation Fund, discussed in the next section, was established to finance adaptation projects and programs in developing countries that are Parties to the Kyoto Protocol.

COP7 and its main related developments – LDCs support (NAPAs, LEG, LDCF), SCCF, and AF

The seventh session of the Conference of the Parties (COP) was a major breakthrough for the Least Developed Countries (LDCs) in that it was at this COP that the LDCs work program was established – Moving to plan and pilot implementation LDC support (NAPAs, LEG, LDCF), SCCF, and Adaptation Fund

Support to LDCs

In implementing Article 4.9 of the Convention that states that:

“...parties shall take full account of the specific needs and special situations of the least developed countries in their actions with regard to funding and transfer of technology” UNFCCC

“...the seventh session of the Conference of the Parties in 2001, in Marrakech, Morocco, established the Least Developed Countries (LDCs) work program. This work program focuses on the preparation and implementation of the National Adaptation Programs of Action (NAPAs) – a process for LDCs to identify priority activities that respond to their most urgent and immediate climate change adaptation needs”

It was also at this COP that the LDC Expert Group (LEG (opens in a new tab)) was established to provide technical support and advice to the LDCs, and a Least Developed Countries Fund (LDCF (opens in a new tab)) was created to fund the preparation and implementation of NAPAs. The NAPA process gives prominence to community-level input as an important source of information, recognizing that grassroots communities are the main stakeholders – thus NAPAs use existing information, as no new research is needed, and focus on action and flexible national country-driven activities. NAPAs are documented in a simple format that is easily understood both by policy-level decision-makers and the public.

As of December 2017, 51 countries had completed and submitted their NAPAs to the UNFCCC Secretariat. These NAPA documents have a list of ranked priority adaptation projects and short profiles of each activity,

designed to facilitate the development of project proposals for their implementation.

Priority areas are:

1. Agriculture
2. Food Security
3. Water Resources
4. Coastal zones and early warnings
5. Disaster management

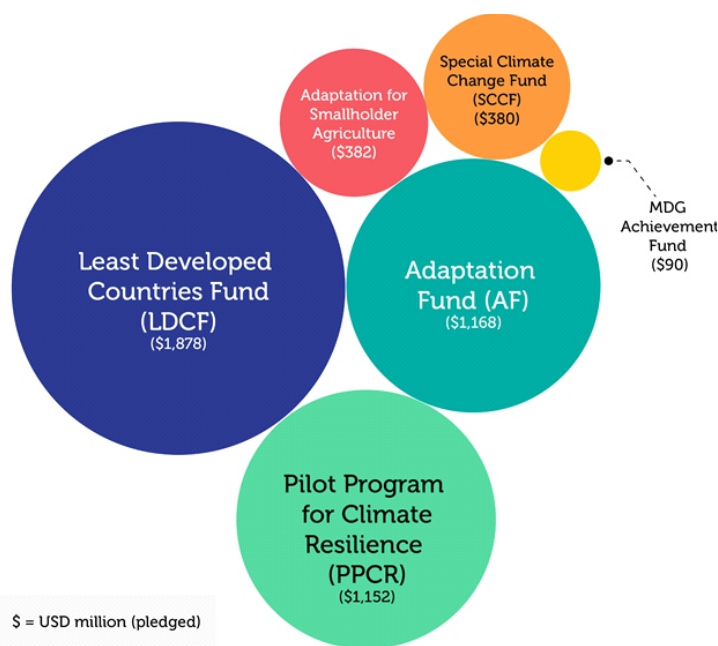
Reflection:

Has your country submitted a NAPA? If so, are you aware of any of its projects that received funding through the LDCF mechanism? What was its focus area/sector?

Once a NAPA has been submitted to the UNFCCC Secretariat, the country is eligible to access funding under the Least Developed Countries Fund (LDCF) to implement it. All the Party needs to do is to prepare a concept note and request the assistance of a GEF implementing agency to submit a project identification form and then a full project proposal to the LDCF.

The SCCF

It was also, at the same COP, that the Special Climate Change Fund (SCCF) was established to finance projects relating to adaptation; technology transfer and capacity-building; energy, transport, industry, agriculture, forestry and waste management; and economic diversification to complement the other funding mechanisms for the implementation of the Convention. The fund is open to all vulnerable developing countries and supports a wide range of adaptation activities.



Size of fund focused solely on adaptation. Adapted from: Climate Fund Updates (opens in a new tab).

As discussed in Module 1, under the financial mechanisms of the UNFCCC, the SCCF is managed by the GEF and operates in parallel with the Least Developed Countries Fund (LDCF). Both have a mandate to serve the Paris Agreement.

The Adaptation Fund

The Adaptation Fund, also discussed in module 1 under the financial mechanisms under the UNFCCC, was also established in 2001 at COP7 to finance concrete adaptation projects and programmes that reduce the adverse effects of climate change facing communities, countries and sectors. The Adaptation Fund is intended to finance climate adaptation projects and programmes in developing countries that are Parties to the Kyoto Protocol. Initially, the Fund was financed mainly by a share of proceeds from CDM project activities. Since 2012, it has also been funded through international emissions trading and joint implementation, which provide a 2% share of proceeds to the Fund.

Many countries, including LDCs, have since evolved into medium- and long-term adaptation planning through the process of National Adaptation Plans (NAPs), which are not limited to LDCs but to all developing countries. The NAP processes in LDCs build on the experience of their NAPAs. NAPs will be discussed in the next section.

Before we move on, do you recall the main aim of the Kyoto Protocol?

- Increasing awareness of climate change
- Funding national adaptation plans
- Stabilizing greenhouse gas emissions

COP16 and its main related developments: The Cancun Adaptation Framework (Adaptation Committee, NAP, Loss and Damage) and the Green Climate Fund (GCF)

The sixteenth session of the Conference of the Parties (COP16) of the UNFCCC and the sixth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 6) took place in Cancun, Mexico in November 2010.

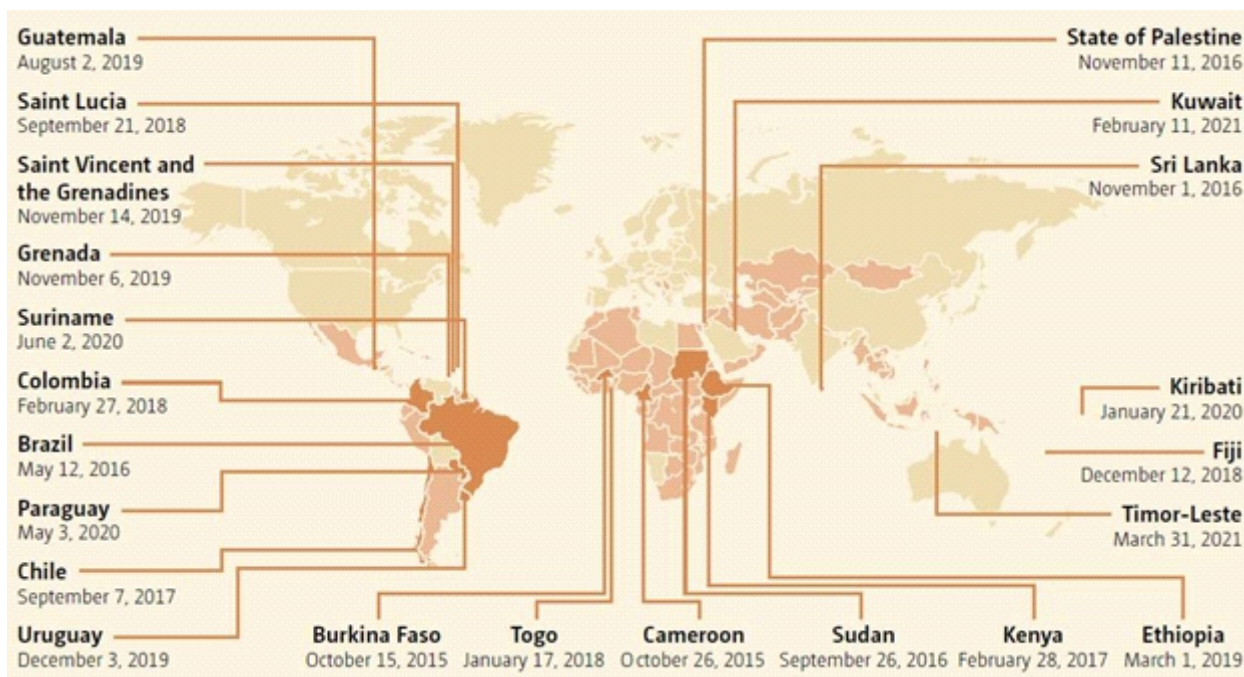
- Moving towards comprehensive adaptation. Cancun Adaptation Framework (Adaptation Committee, NAP process, and Loss & Damage). Establishment of the GCF.
- It produced the basis for the most comprehensive and far-reaching international response to climate change the world has ever seen to reduce carbon emissions and build a system that made all countries accountable to each other for those reductions.

Highlights and commitments from that COP include:

1. Parties committed to a maximum temperature rise of 2 degrees Celsius above pre-industrial levels, and to consider lowering that maximum to 1.5 degrees in the near future.
2. Parties committed to make fully operational, by 2012, a technology mechanism to boost the innovation, development and spread of new climate-friendly technologies.
3. The establishment of the Green Climate Fund to provide financing to projects, programmes, policies and other activities in developing countries via thematic funding windows.
4. The Cancun Adaptation Framework, which included setting up an Adaptation Committee to promote the implementation of stronger, cohesive action on adaptation.
5. The establishment of a work programme on how to best address loss and damage from climate change impacts in developing countries.

In short, the Cancun Agreements included the most comprehensive package ever agreed by governments to help developing countries deal with climate change. This included finance, technology and capacity-building support to help developing countries meet urgent needs to adapt to climate change and to hasten their plans to low emission development.

Building on the positive experience of LDCs in addressing their urgent and immediate climate change adaptation needs through NAPAs, the COP also established a process for LDCs and other interested developing countries to formulate and implement national adaptation plans (NAPs) to identify and address their medium- and long-term climate change adaptation needs.



Information on national adaptation plans in developing countries as of 31 March 2021 (Image source: UNFCCC)

NAPs have been taken up by many developing countries. The diagram above shows countries, as of March 2021, that have either submitted (darker shades) or have initiated (lighter shades) their NAPs process. There is no information for the unshaded countries on whether they have initiated the process.

Which of the following funds was designed to support the implementation of NAPAs?

- LDCF
- SCCF
- AF

COP 21 – The Paris Agreement and its associated developments

At the twenty-first session of the Conference of the Parties of the UNFCCC (COP21), a landmark, legally binding international agreement was adopted by 196 Parties in Paris, France in December 2015. Paving the way for increased ambition Adoption of the Paris Agreement (Global goal on adaptation, adaptation communications, technical examination process on adaptation, expedited support for NAP processes, enhanced transparency framework, global stock take).

This agreement, the Paris Agreement, entered into force on 4 November 2016, with the goal to: “...limit global warming to well below 2, preferably to 1.5, degrees Celsius, compared to pre-industrial levels.”

The Paris Agreement established a global goal on adaptation for enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change in the context of the temperature goal (Article 7.1)

It also sets obligations on all countries under Article 7.9 to undertake adaptation action stating: “All Parties should engage in adaptation, including by formulating and implementing National Adaptation Plans, and should submit and periodically update an adaptation communication describing their priorities, needs, plans and actions. The adaptation efforts of developing countries should be recognized”. The Paris Agreement recognized the importance of addressing the adverse impacts of climate change at local, subnational, national, regional and international levels.

The Paris Agreement was a great achievement, bearing in mind that the negotiations started at the Earth Summit in Rio in 1992. But how did we get to the Paris Agreement?

The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA): After the Paris Agreement, a new meeting was introduced into the agenda of the Conference of the Parties – the meeting of the Parties to the Paris Agreement (CMA).

Considering what you learned in Module 1, is the following statement true or false?

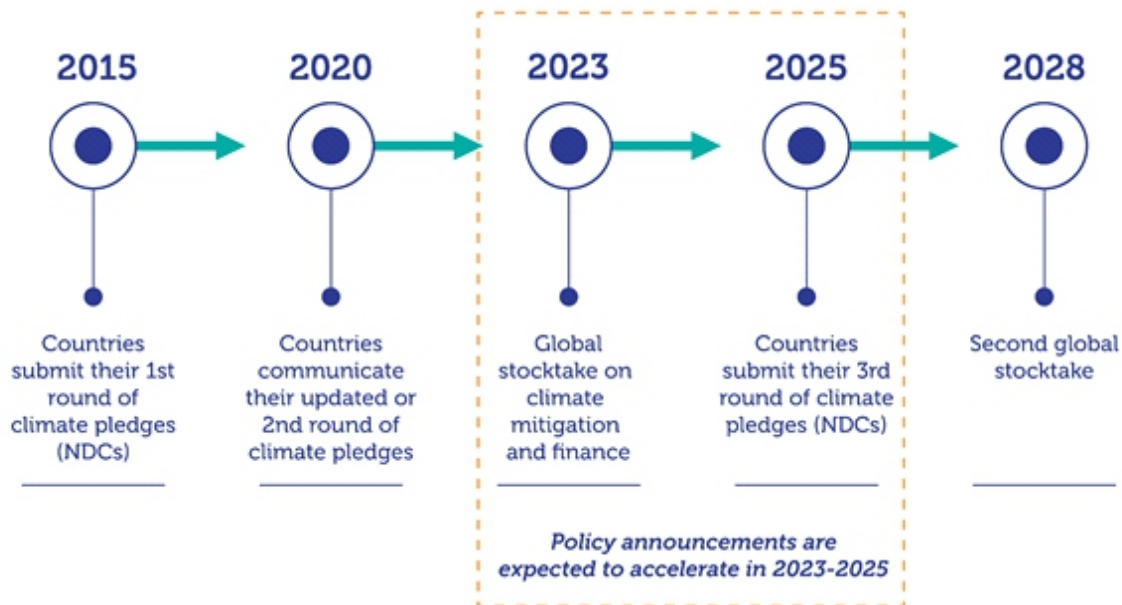
The CMA, alongside the COP and CMP, oversees the implementation of the Paris Agreement.

- True
- False

In November 2016 the twenty-second session of the Conference of the Parties (COP 22), the twelfth session of the Conference of the Parties served as the meeting of the Parties to the Kyoto Protocol (CMP 12) and the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1), were held in Marrakech, Morocco. This Conference successfully demonstrated to the world that the implementation of the Paris Agreement is underway and the constructive spirit of multilateral cooperation on climate change continues.

The Global Stocktake (GST) and National Determined Contributions (NDCs):

Article 14 of the Paris Agreement agrees to a global assessment of action under the 'global stocktake' (GST). The GST assesses collective progress towards long-term goals and efforts on mitigation, adaptation and the means of implementation. The first global stocktake will be in 2023 and every five years thereafter, unless otherwise decided by the CMA.



Adapted from Medium.

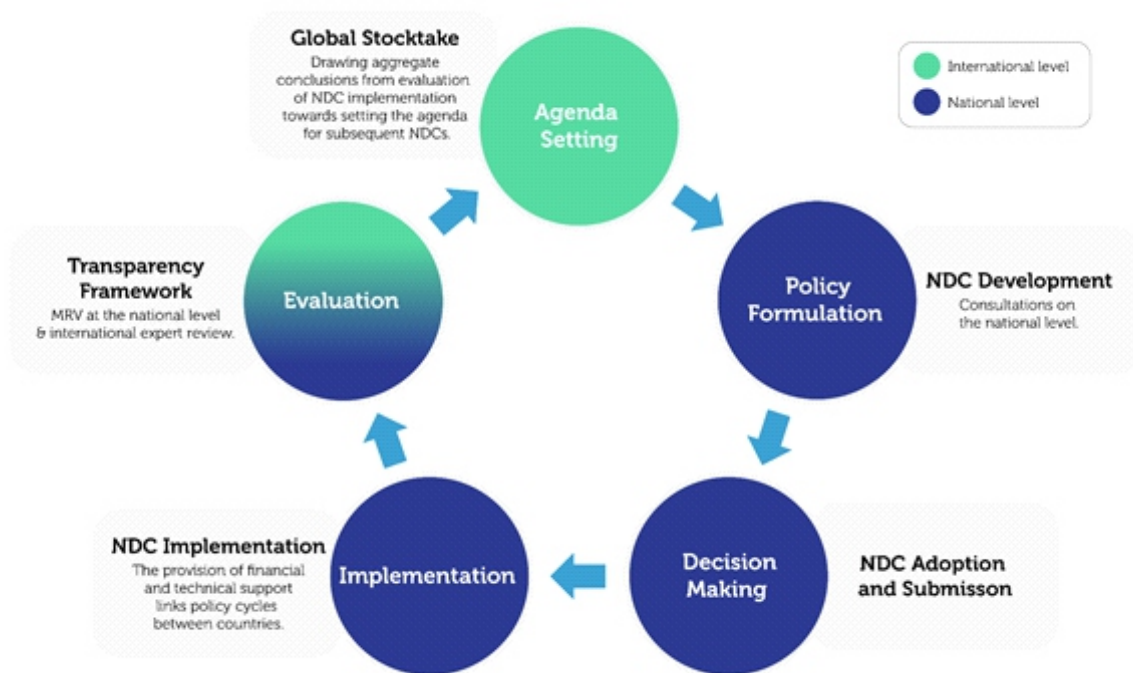
Article 14.3 of the Paris Agreement provides that the outcome of the global stocktake shall inform Parties in updating and enhancing their actions and support in accordance with the relevant provisions of the Agreement.

Under the Paris Agreement, Article 14 states that the CMA shall: "...periodically take stock of the implementation of the Paris Agreement to assess the collective progress towards achieving it and its long-term goals. It shall do so in a comprehensive and facilitative manner, considering mitigation, adaptation and the means of implementation and support, and in the light of equity and the best available science". The first global stock take started in 2021 and will run until 2023.

This process facilitates the assessment of global collective progress on three thematic areas:

- Mitigation
- Adaptation
- Means of implementation and support

It considers the social and economic consequences of response measures and efforts to address loss and damage. The collective assessment takes inputs on equity into consideration and makes use of the best available science in a cross-cutting manner



The NDC Cycle as a policy cycle. Adapted from Wuppertal Institute.

It is intended that the outcomes of the global stock take will increase the ambition of actions and support for collectively addressing climate change without focusing on individual countries or groups of countries, and is designed to complete its work before the beginning of each new cycle of Nationally Determined Contributions (NDCs). This allows Parties to take into consideration the outputs of the collective assessment when formulating and submitting.



Reflection:

Are you familiar with the focus areas/sectors of your country's NDC?

Other provisions on adaptation under the Paris Agreement:

Article 6.8: Article 6.8 (opens in a new tab) established the non-market mechanism under the Paris Agreement. The mechanism promotes the implementation of countries' nationally determined contributions, promoting sustainable development. It also aims to support adaptation ambition enabling coordination across instruments and institutions.

Article 9: Article 9 sets obligations on developed countries to provide financial resources to developing countries for implementing their adaptation efforts. It also provides that support for LDCs and SID should be grant-based resources for adaptation.

Article 11: Article 11 states the importance of country-driven capacity-building to enhance the ability of developing country Parties, in particular the least developed countries and the small island developing States, to take effective climate change action, including the implementation of adaptation and mitigation actions. The capacity-building should facilitate technology development, dissemination and deployment, access to climate finance, relevant aspects of education, training and public awareness, and the transparent, timely and accurate communication of information.

Article 13: Article 13 established the transparency framework for action and support to build mutual trust and confidence, and promote effective implementation, with built-in flexibility that considers the Parties' different capacities. Article 13.8 requires countries to provide information on the adverse impacts of climate change and their efforts on adaptation.

COP 26 – Glasgow Climate Pact, decisions on Article 6 of the Paris Agreement

In 2021, at the twenty-sixth session of the Parties of the UNFCCC (COP26), after a year without a COP due to the COVID-19 pandemic, countries adopted the Glasgow Climate Pact with the aim of turning the 2020s into a decade of climate action and support.

The package of decisions includes strengthening efforts to build resilience to climate change, continued efforts to cut greenhouse gas emissions and to provide the necessary finance for both. Nations reaffirmed their duty to fulfil the pledge of providing USD 100 billion annually from developed to developing countries.

And they collectively agreed to work to reduce the gap between existing emission reduction plans and what is required to reduce emissions, so that the rise in the global average temperature can be limited to 1.5 degrees.

As part of the package of decisions, nations also completed the Paris Agreement's 'rulebook' as it relates to market mechanisms and non-market approaches, and the transparent reporting of climate actions and support provided or received, including for loss and damage.

Key outcomes include:

Finance for Climate Adaptation: The COP26 new financial pledges to support developing countries in achieving the Paris Agreement global goal for adapting to the effects of climate change. Additionally, the new rules for the international carbon trading mechanisms (Article 6) agreed at COP26 will support adaptation funding.

Transparency and Reporting: Another outcome of the COP26 includes the finalization of the Paris Agreement 'rulebook', which lays out how countries are held accountable for delivering on their climate action promises and self-set targets under their NDCs.

Market mechanisms and non-market approaches (Article 6): New Agreements for market mechanisms were also reached at COP26. These essentially support the transfer of emission reductions between countries while also incentivizing the private sector to invest in climate-friendly solutions. Simultaneously, Parties decided on non-market approaches enabling stronger cooperation between countries on mitigation and adaptation. Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its third session, held in Glasgow from 31 October to 13 November 2021 urges Parties to further integrate adaptation into local, national and regional planning.



Reflection:

Do you think that the COP26 was a success? If yes, why? If not, why not? What are some of the successes and/or missed opportunities?

Considering what you learned previously, do you know if the following statement is true or false?
The LoCAL mechanism contributes to the implementation of the Paris Agreement.

- True
- False



WORLDWIDE

5

Module

INTERNATIONAL CONFERENCES: FUNDAMENTALS OF NEGOTIATION, STRATEGIES AND TACTICS

Introduction

In this module, you will learn about negotiation, the context within which negotiations can take place, the conference environment, traits of a good negotiator, how to prepare for negotiations and the process itself. You will also learn about approaches to negotiation and possible outcomes, how to negotiate with people, how to use persuasion in negotiation, and how to get the most out of a conference. Throughout the module, there are examples and tips for you to consider in practice, tips on what is and what is not recommended to do in various situations.

Before we continue, what are some subjects a negotiator should be well informed about in preparation for negotiation?

- Processes
- Issues to be negotiated
- Applicable Rules of Procedure
- Traditions

Fundamentals of negotiation in international conferences

Why negotiate?

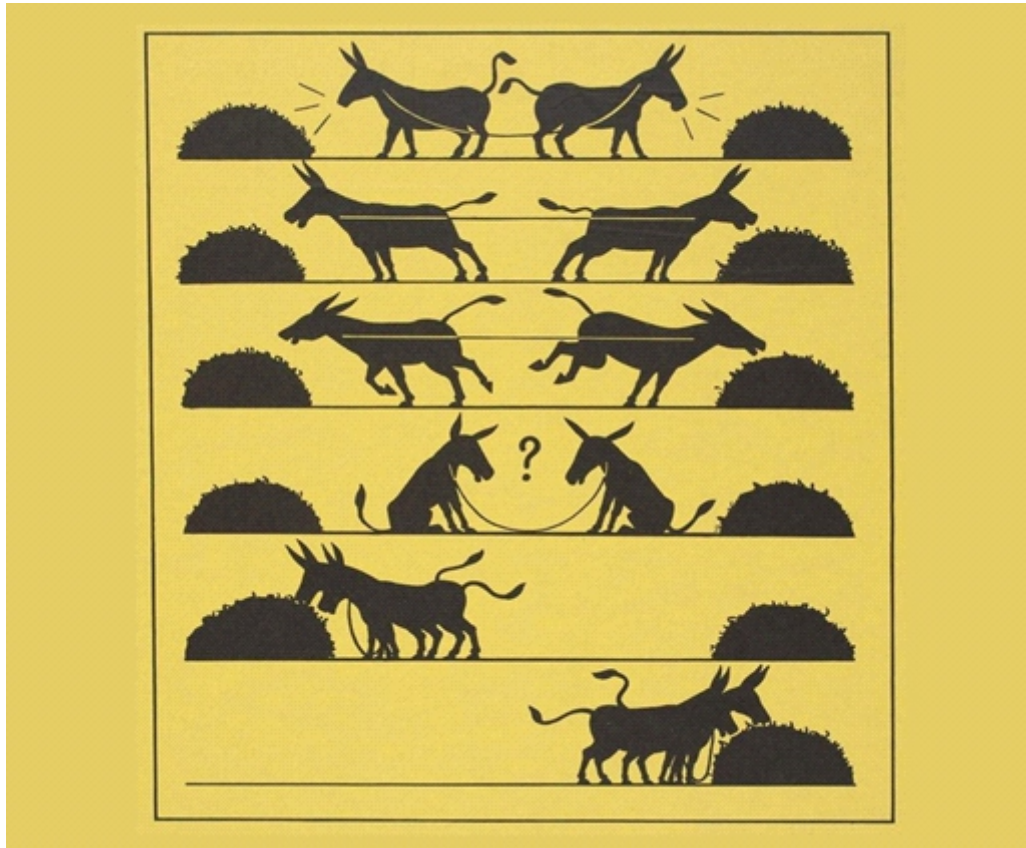
Negotiation is practiced in all fields of human activity. It is a way of making joint decisions in the presence of different views and leads to the achievement of the objectives of all parties despite existing differences. Negotiation is key to the success of international conferences and represents a way of coping with disagreement or conflict. However, conflict can only be dealt with in the presence of common interests. In the context in which parties do not have a sense of existing common interests, and only in the presence of differences, negotiation is set for failure.

- If agreement (common interest) exists, the dispute is settled
- If agreement (common interest) doesn't exist, the dispute is not settled.

In the process of negotiation, the aim of any delegation is to achieve an overall improvement of their initial situation, a situation they were facing before the start of the negotiation.

The spirit of compromise: The language is extremely important here and, at times, words, such as 'compromise', can have very negative connotations, even more so when translated into languages other

than English. In international negotiations, negotiators often speak of 'the spirit of compromise' as something that is admirable and not considered as backing down, and instead is about reducing immediate ambitions to accommodate others' concerns, ultimately leading to the outcome all parties regard as an improvement.



Have a look at the cartoon above, that illustrates the concept of negotiations.

By analogy, what would best describe the rope tying the two mules together?

- conflict
- Interdependency
- Obstacle
- Issue

What about their action of pulling each other in opposite directions? How could this be best described by analogy with international relations?

- Conflict
- Interdependency
- Obstacle
- Issue

In your view, which of the following four outcomes would be ideal, again, by analogy with international relations?

- Mule A, while stronger, should out-pull mule B.
- Mule B, while weaker, should surrender.
- The two mules, equally strong, should pull so hard that the rope break.
- There should be a stalemate

The source of power in negotiations

“Power in negotiations is the ability to get an outcome you consider satisfactory.” **Ronald A. Walker**
While governments of powerful nations are well placed to brief their delegations thoroughly and to equip them with knowledgeable individuals, power itself, whether it be military, economic or cultural, is not sufficient to impose one's will on another party.

The real source of power in negotiations is a combination of several factors, such as:

- I. The attractiveness of the proposal to others
- II. Existing bilateral relationships between governments
- III. How knowledgeable delegations are with regards to the issues to be negotiated
- IV. How well delegations understand the attitudes of other delegations towards them
- V. How active a delegation is and how hard it works
- VI. The flexibility of delegations in meeting the concerns of other delegations
- VII. The delegations' creativity to produce attractive proposals to other delegations
- VIII. Whether delegations have clear ideas of the objectives to be achieved

Examples of smaller countries prominent in negotiations:

- Malta had a significant role as an initiator of the Law of the Sea negotiations.
- The Small Islands Developing States are prominent in climate change negotiations

Note:

Leading delegations are those that aspire to influence the outcome of negotiations. The more they are willing to best accommodate differing concerns, the more other delegations will follow them.

History shows that power-based outcomes, when the 'rule of might' was applied, are damaging, including to the stronger party. Imposing one's will on a weaker party is not negotiation.

Thinking back to the cartoon illustrating the two mules, what do you think would be a collaborative approach to solving the problem they have? But what is the problem they have? Well, the problem they have is not represented by themselves, but by the conflict in their objectives. Hence, once this is realized, the solution might be:

- To feed together on each of the piles of food in turn.
- Taking turns, each one waiting while the other eats its preferred pile of food.
- Kicking the two piles of food until they are close enough for both to feed at the same time.

What makes an individual a good negotiator?

An individual's ability to negotiate is a combination of nature and nurture. While some individuals are naturally equipped with the right temperament and personality that helps them become good negotiators, others, who are not naturally predisposed to this, can still become very effective negotiators through training and practice. There is not only one effective style of negotiation at international conferences. A mixture of the following traits can make a good recipe:

1. Self-confidence and determination. This needs to be applied carefully so as not to be interpreted as vanity, which is a weakness that is not appreciated by other participants in negotiation.
2. The ability to put yourself 'in the shoes' of other delegates and understand their concerns.
3. The ability to show empathy, which helps when communicating with delegates from other cultures.
4. An increased self-awareness that enables you to identify your traits that deserve further development and traits that would be better suppressed.
5. The ability to observe dispassionately and learn from other negotiators.

Note:

Successful negotiation in international conferences is, in essence, a joint effort to achieve as many as possible of each other's objectives.

Preparation for negotiation

Preparation for negotiation is key and experienced negotiators take it very seriously and prepare by planning. In doing, so you should:

1. Be clear about your objectives, including flexibility and priorities.
2. Be well informed.
3. Apply information to achieve objectives

There are basic objectives and instrumental objectives.

Basic Objectives

Examples of basic (fundamental) objectives:

- The agreement should be technically feasible.
- The costs of implementation should be kept to a minimum in your own country.
- The agreement does not conflict with other governmental projects in other areas in your own country, etc.

Instrumental Objectives

Instrumental objectives are intermediary objectives set as stepping-stones towards the achievement of 'higher' objectives, and while rooted into your basic objectives.

Being clear-sighted is key, remaining focused on the ultimate objective and not allowing yourself to be side-tracked by instrumental objectives.

Flexibility is very useful to negotiators, and it should be accounted for during the planning stage. Restrictive instructions from headquarters represent a real challenge to delegations. To achieve the best results, negotiators should be given the maximum freedom of decision by headquarters. Ultimately, no one has a better sense of all factors involved than those who are negotiating.

Delegations have many objectives, both fundamental and instrumental. You need to decide which of your objectives are worth more effort and which ones can be sacrificed. However, this doesn't mean that any of your objectives are negligible. There are cases when low-priority objectives can be achieved with minimum effort. Don't miss these opportunities.

Tip:

Set priorities, but do not overlook the 'low-hanging fruits.'

Be well informed about issues to be negotiated, applicable Rules of Procedure, processes, traditions, etc.

It is important to remember that you are negotiating with people carrying credentials as well as instructions (from their governments), responsibilities, viewpoints, expectations, personal factors, human characteristics, etc.

Conferences reach decisions by agreement or a close approximation of agreement. This can be achieved through a vote by an overwhelming majority, or through the absence of any objection

In this context, do you know the term to describe, 'the absence of any objection'?

- Solidarity
- Unison
- Consensus

Reaching Agreement: Delegations should work towards an agreement, and there is always a large majority who do that. In other words, delegations do not only work towards advancing their national objectives but also on ensuring that the conference reaches agreement.

Achieving Objectives: Delegations should work on achieving as many objectives of other delegations as possible, including their own delegation, assuming that there are no hostile objectives to one another.

Finding Solutions: In cases where the objectives of another delegation are conflicting with your own, then you all have a problem, a common problem. The task becomes to find a solution to the problem, and this can only be done by working together.

Remember the two mules?

Tip:

The only way to achieve your objective through negotiation is to reach agreement with your counterparts.

Consider this scenario of a bride and groom trying to agree on where to take their honeymoon:

- Bride - She would like to spend two weeks in the Swiss Alps in a small cottage. In particular, she looks forward to spending time in the mountains, in nature, hiking and looking out for wild animals.
- Groom - He would like to spend two weeks in a comfortable wellness hotel by the sea. In particular, he looks forward to all that the hotel has to offer: a spa, a beauty and massage studio, and evening entertainment.

From the scenario described above, what are the negotiation issues?

- Location
- Time frame
- Hobbies
- Accommodation

What would be a win-win solution?

- Spend two weeks in a wellness hotel in the Swiss Alps
- Spend two weeks in a wellness hotel by the sea
- Spend two weeks separately, each in their own favourite location
- Stay at home

The negotiation environment is shaped by emotional and physical aspects.

An environment conducive to agreement would involve optimistic, hopeful and cooperative delegates, who would find themselves in a room where, among other factors, the temperature, ventilation, and access to food and drink would contribute to everyone's comfort.

It is in everyone's best interest, including the Chairperson's, to ensure that the conference environment remains positive.

Time and timing are also important factors. Experienced negotiators know how much time delegations need to consult each other and when it is the right time to approach each other.

The process of negotiation

Negotiation is about seeking a solution taking into account different preferences held by different delegations. The process of seeking a solution is an iterative process, consisting broadly of three phases.

Phase I

- Exploratory discussion on each other's concerns and preferences – the debate.
- Narrowing down the area of possible agreement.
- The formulation of specific proposals.
- Informal discussions/negotiations among proponents on the proposals

Phase II

Formal negotiations, once a proposal is formally submitted. The focus is on the proposal and counterproposals.

Phase III

The conference reaches and pronounces a decision on each proposal, either formally rejecting or accepting them (sometimes with some modifications).

Tip:

During Phase I, be aware of parallel communication channels 'onstage' and 'behind the scenes'

Momentum is important for negotiators who are aiming for an outcome. When momentum is lost, conferences become bogged down or even stall. Negotiators may return to points previously settled and reopen them for renewed debate. Thereafter, the conference resumes its progress if it is ultimately to reach an outcome. The formal submission of a proposal is of crucial importance. If your wishes are not reflected in the proposal, they will not be reflected in the decision.

There are several ways to ensure your wishes are included in the proposal:

- Submit the proposal yourself, alone or in association with other delegations.
- Encourage other delegations to submit a proposal responsive to your wishes.
- Persuade other delegations to revise their proposal, to accommodate your wishes.
- Merge your proposal with the proposal of another delegation.
- Persuade the conference to amend a proposal and align it with your wishes.
- Support a delegation which is already doing one of the above.

Tip:

There are at least two reasons why another delegation would include your wishes in the proposal before the conference:

- **You are both in the same boat, for example, your countries are exporters of agricultural products. In which case, you are not alone, and it might be that the other delegation's proposal duplicates your proposal.**
- **The other delegation, to strengthen their proposal, may give you an incentive to support it, by including your wishes in it.**

Before we continue, do you remember what are some examples of basic (fundamental) objectives?

- The agreement should be technically feasible.
- The costs of implementation should be kept to a minimum in your own country
- The agreement does not conflict with other governmental projects in other areas in your own country, etc.

Keeping matters in perspective while shaping the outcome

The outcome of a conference is only an element in a broader and evolving picture, which will help or hinder the achievement of delegations' future objectives.

Avoid Resentment- In this context, at times, it might be possible to outwit other delegations and get them to accept an outcome that they will later regret. This is likely to be only a victory in the moment.

Resentments will likely prevail, will make future negotiations difficult and, at the first available opportunity, affected countries will seek to undermine the agreement.

Find Balance - Instead, negotiators need to ensure that the negotiations address the concerns of all involved. It's a matter of finding a balance between your wishes and those of other participants, avoiding focusing exclusively on your wishes and pushing them forward with little regard for others' wishes.

At the same time, negotiators need to be prepared to deal with those who are doing the contrary, who focus exclusively on their wishes disregarding the wishes of others.

Here are three possible solutions that can be applied either individually, successively or in combination:

1. Divide the differences: you let others have their preferences on some aspects in exchange for them accepting you having your way in other aspects.
2. Give something else to the other party that they value in exchange for them accepting you having your way on the contested points.
3. Find a creative way that somehow either sidesteps the differences or allows both/all parties to meet their respective objectives.

Note:

A package is a solution to a complex negotiation, includes several elements and cannot be divided. Delegations must accept the whole package or nothing at all. To make a decision, delegations need to see the whole package. The rule for negotiating a package is that 'nothing is agreed until everything is agreed'.

Strategies and tactics in negotiation in international conferences

Approaches to negotiation

Let's start by looking at the Harvard Principles of Negotiation while bearing in mind that there are five negotiation strategies one can play: win-lose, lose-win, compromise, lose-lose, win-win.

Harvard looks at four tactical principles of negotiation that can be applied and lead to win-win negotiation:

1. Separate the person from the issue

This will avoid eroding the relationship you have with the person with whom you negotiate which would otherwise prevent you both from reaching an agreement. The person with whom you negotiate should be seen as a partner and not as an enemy.

How do you think you would tend to negotiate with someone you like?

- I would assume they like me too and expect them to give in.
- I would demand more of them because I would assume the feeling is mutual.
- I would demand less of them because I like them.
- I would not negotiate with someone I like to avoid altering my impression of them.

2. Negotiate interest-oriented and not position-focused

The Pumpkin Problem

Position – Three people want the only available pumpkin – this represents each one's position.

Interests– Enquiring further, it is discovered that one wants it for a Halloween mask, the second wants it for its flesh to make soup and the third wants it for its seeds – these represent the interests.

3. Develop criteria that a solution must fulfil

Do not rush into providing a solution based on position. Based on interests, develop criteria that must be fulfilled by the solution one would say 'yes' to and that lead to a win-win outcome. There will be a set of criteria for party A and a set of criteria for party B. The win-win solution would fulfil all criteria of both parties.

4. You should have different options to choose from

People like to choose. Hence, it is an advantage to try to create more win-win solutions based on sets of criteria of both/all parties.

Of course, in the real world, it is not always possible to reach a win-win negotiation outcome. Next, we will look at a couple of contrasting broad approaches to negotiation.

'Competitive bargaining' vs 'collaborative problem solving'

Imagine that you are trying to sell a second-hand car and the only point to consider is how much money you will convince the buyer to pay. In this context, the buyer tries to pay as little as possible, while you try to receive as much as possible. A gain by you is an equal loss by the buyer and vice versa.

The value of the first number mentioned fixes a reference point in people's heads. This has a massive influence on their decision processes – and on the result of the negotiation. When your 'anchor' is too aggressive:

- Your counterpart may get angry or sad.
- Your counterpart may think no deal is possible.
- As a result, you may not get a deal and/or lose your reputation.

Competitive bargaining

This type of negotiation is referred to as 'competitive bargaining'. The essential feature is that what each party receives is what they accepted as the outcome of the negotiation. In international conferences, the issues are far more complex and the balance to be found is between trade-offs, in which, besides the quantity, the nature of what different parties receive is also different.

Tactical principles of 'competitive bargaining'.

1. Always ask for more than you expect to get – this represents your 'negotiating coin' that you can trade in exchange for your aim
2. You could demand things that you don't really hope to achieve, and which are strongly opposed by other parties – you may hope that other parties will make concessions to stop you from pressing ahead with such demands.
3. Hide your 'bottom line' – you may get more if others don't know how little is acceptable to you.
4. Take early and give late – this refers to the tendency of most people to place more importance on what has been experienced most recently.
5. Manage the 'concession rate' – if you concede things too slowly, others may lose hope of achieving their aim; if you concede too quickly, others may end up with more than you needed to give.
6. The points at issue are seen as having the same worth for both sides, although they rarely do. For example, when money is at stake.

There is an entirely different negotiation style more common in international conferences than 'competitive bargaining'.

Cooperative problem solving

It is generally more productive in negotiations between representatives of sovereign states. It starts from the premise that all those involved have an interest in reaching an agreement, through a proposal that all would agree upon, and where each has an interest in the others being satisfied. This style is a cooperative effort to find an outcome that is attractive to all parties. It is called 'cooperative problem solving', and its principles are quite contrary to those applied in the case of 'competitive bargaining':

Tactical principles of 'cooperative problem solving'

1. Do not request concessions that you know are impossible for others. They may not believe that you are genuinely working for agreement.
2. It is important that others understand your position, even your 'bottom line'. They will understand the necessity to include other elements that you value to compensate and provide you with an incentive to agree.
3. Sometimes it is in your best interest to give a lot to others early in the negotiation process, to incentivize others to give you what you need and to be able to reach agreement.
4. The 'concession rate' may not be important.
5. Understand that the same points have different values for different negotiators and that additional points can be identified and given to satisfy them.

Logrolling: exchange of concessions based on differences in priorities

Which issue is most important to me, and which issue is most important to you? If these issues are not the same: I can help you with issue A and you can help me with issue B.

Explanation - If there are several issues to negotiate, some issues are often more important to one party than to the other. These can then be traded in a way that is profitable for both parties.

Example - For Julia, the choice of restaurant is more important than the time for dinner. For Michelle, on the other hand, the time is especially important, and she is flexible with regard to the restaurant. Now Michelle could choose the time and Julia the restaurant — so the main priorities of both would be satisfied 100%.

Tip:

The negotiator's dilemma comes from the fact that it is not always clear whether the other parties are engaging in negotiations using competitive bargaining or collaborative problem-solving. A delegate attempting collaborative problem-solving without sufficient prior consultation might be misunderstood by counterparts, viewed as 'soft' and taken advantage of.

Hence:

Do not expose your 'bottom line' too early in case the process is competitive.

Let others know the nature of your objectives and ensure them that you are not demanding to get what you want at the expense of others.

Examples of contrasting styles: competitive vs. constructive

Do you know which of the following two statements illustrates a constructive approach?

- You say the budget should be X, we say X + Y. Let's settle on X + 80%Y.
- I understand that your prime interest is that the budget should not exceed X. We originally proposed a higher figure, so that the budget could accommodate our priorities, but could accept a budget of X if the priorities in the budget were readjusted to meet our concerns.

Negotiating with people

Conference decisions are made by delegates. As mentioned earlier, delegates not only carry credentials but also:

- Instructions from their governments, and responsibilities.
- Accountability for their behavior at the conference to their superiors, their national parliament and media.
- Viewpoints and expectations
- Personal factors, such as traits, worries, distractions, etc.; and
- Human characteristics, such as the need for sleep, food, to be treated with respect, etc.

These, together with the conference environment mentioned earlier in the module, are factors, or levers, available to you to secure the other delegates' agreement on your preferred outcome.

Tip:

Remember that these factors, or levers, also apply to you and you should make an effort to remain in control. Be aware of their effects and try to resist any attempt to misuse them

An international conference is a roomful of people with whom you will interact and who you will try to convince to agree with what you want. Of all the ways that can be used to achieve that, there are two that are most frequently successful: asking politely and finding a solution that accommodates everyone's needs. Other strategies for convincing a roomful of people to agree with you are to offer incentives, threaten, trick, use authority or dependency, appeal to solidarity, cajole, use charisma and charm, wear them down, reason, etc. Be wary of some of these as they can run contrary to a constructive approach.

A proposal is most likely to succeed if it reflects the wishes of as many delegations as possible. A proposal has a considerable advantage from the start if it is legally and technically correct and cogently expressed. A successful proposal represents the solution to the riddle posed by the fact that different delegations have different instructions and ambitions. Each negotiation is in fact a search for that solution.

There is a wide spectrum of formulae for a proposal's acceptability:

1. Some delegations like it and no others particularly object it
2. Some like it and others do not particularly like it but consider that it gives them enough
3. Some like it, but others do not like it, but there are reasons for the latter not to press for change or express their opposition etc.

A winning text is a text that will advance the objectives of each delegation to the widest extent possible, despite differences in instructions and objectives.

Framing is important.

Here are a few examples:

Widening appeal: 'Free trade in agriculture would be good for X country farmers' vs. 'It would be good for all agricultural exporters and for consumers in food-importing countries. The second formulation has more appeal for an international audience, explaining why many others should export as well.

Achievement or failure: 'CO2 neutral in 2040' or 'Contribute to global warming until 2039'.

Euphemisms: 'Price correction'; 'to neutralize a target'

Reason for a problem: 'Climate crises' or 'climate policy crises'

Moral framing: Addressing values of the target audience when selecting reasons



Tip:

You have an interest to advance the objectives of the other delegations, while supporting and advancing your own objectives, to the extent that the others' objectives are not incompatible with achieving your own objectives.

The Glasgow Climate Pact was signed in spite of conflicting opinions across the world. Among the key issues addressed, and which set the stage for future negotiation, there was the issue of the use of coal and fossil fuels until 2030. To accommodate the needs of developing countries, the Parties insisted on a specific language in the Pact.

Persuasion in negotiation

Many tactics have been tried, with some being more successful than others. Here is a non-exhaustive list of such tactics:

Approach others - How you approach other delegates will shape their reaction. Adopting a civil manner, explaining your position and requesting their support will help you to achieve better results

Logical argument - Reason is the most effective and most widely used line of argument in international conferences. Address the values of your target audience when using reason.

Technical factors- are closely related to reason and logic. Do your research to fully understand the technical, legal, financial and practical aspects of the issue under negotiation. This may win you the admiration and trust of others.

Good company - Most delegates (governments) feel comfortable when their position is aligned with that of certain other delegates (governments).

Momentum-When a particular solution begins taking shape and progressively gains support, the conference can be seen to have increasing momentum towards this solution.

Trade-offs-When negotiators trade off one less desirable point for themselves for a point more to their liking, sometimes referred to as 'in exchange for'.

Bundling/unbundling- facilitates the construction of packages of issues acceptable to all because they contain elements attractive to each delegation. Unbundling is possible when a specific issue is not dependent on other issues and therefore on an agreement.

Tricks, threats and extraneous incentives – These have major disadvantages and problems of implementation in international conferences.

Creativity–This comes with experience and brings new perspectives to the issue negotiated.

Let's consider this context:

A wants the agreement to provide 100 X, 100 Y but no more than 10 Z

B wants 100 X, 100 Z but no more than 10 Y

C wants 100 Y, 100 Z but no more than 10 X

Based on the above, what would be the lowest common denominator outcome an agreement could provide?

- 100X, 100Y, 100Z
- 50X, 50Y, 50Z
- 20X, 20Y, 20Z
- 10X, 10Y, 10Z

Tip:

Stay focused on outcomes:

- **Agree whenever you can but always stand up for your principles.**
- **Don't get distracted by the dynamics or theatre of the meeting.**
- **Know when to let things pass and when to intervene.**
- **Do not react to provocations.**
- **Walk around obstacles, not into them.**

Asking direct questions such as 'Why?', 'Why not?', 'How is that fair?' can help you move from positional bargaining to substantive negotiation

There is nothing wrong with disagreeing, but it is important how you express disagreement.

Before we move on, which of the contrasting styles of negotiation matches the description below? You say the budget should not exceed 50%X while we wanted 80%X. Would you settle on 50%X with concessions made within the priorities of the budget to facilitate our concerns?

- Constructive
- Competitive

Competitive negotiation

While negotiation is a collaborative activity, it can also have elements of competition when delegations have conflicting objectives. Next, we'll look at various elements associated with competitive negotiation.

Strategies for eliminating competing texts:

- A. You may be able to persuade the proponents of a competing text that the text doesn't really advance their objectives, or that it is unnecessary because your text already advances their objectives.
- B. You may be able to persuade other delegations to press the proponents of the competing text to withdraw it
- C. You may be able to move a formal amendment that may change the meaning of the competing text so that the proponents withdraw it.
- D. You may be able to negotiate a merger of your proposal and their proposal into one that can be supported by both parties.

Tip:

If possible, get your own proposal on the table first. Ideally, it is in your best interest to have only one proposal before the conference and, if that's yours, you may benefit from the advantage of not having support denied by another existing competing proposal.

Blocking a consensus:

Blocking a consensus means that the conference will not adopt a decision you dislike or, if voted in favor, your opposition will be manifest.

If you are faced with the dilemma of whether to block a consensus or not, consider various scenarios:

1. You may not want to frustrate the majority of the international community who support the impending decision in question.
2. You may force a vote while aware that you can't win, just to show that you were defiant, but you will lose your ability to moderate the agreement in exchange for your agreeing to consensus.

3. You may force a vote which may lead to your relative isolation becoming more apparent to all.
4. You may not want to miss the opportunity to have your delegation's views reflected more completely in the report of the conference, right conceded by the proponents of the proposal and for whom the consensus is important

Instead of blocking a consensus, you may:

- Take advantage of using the report of the conference as one way for your views to be heard by other delegates, their governments and all those who'll read the report.
- Also, speak from the floor, so your interventions are noted by all delegations and will carry the weight of your country.
- Look at ways to disassociate your delegation from the decision once it has been taken. For example, say that 'if the conference had a voting option you would have asked for a separate vote on the objectionable section and would have voted against that while voting in favor of the resolution as a whole'.

If the above alternatives to blocking a consensus are not an option and you have no choice but to block the consensus, it is in your best interest to explain to other delegations the reasons for your actions.

Evasion:

Being the delegation that opposes decisions often comes with costs, since the delegation is the one preventing others from achieving their objectives. There are cases where delegations try to avoid these costs by hiding behind others.

For example:

Delegation X is expected to take a strong stance against a particular decision, while Delegation Y, which also opposes the same decision, perhaps even more than Delegation X, decides not to show it. This leaves delegation X to take the blame for blocking the decision.

The risk is, amongst others, that Delegation X may change its stance and may decide to expose Delegation Y in an embarrassing way.

Damage Limitation

If you decide not to block an emerging agreement or you are unable to do so, you may be able to limit the damage that the agreement may inflict on your position by:

1. Make sure that your opposing view is heard by the conference so that your views are recorded in the report of the conference.
2. Getting the text changed to a format more acceptable to you, such as making the text more ambiguous or open to a range of interpretations.
3. Reduce the authority of the text that is emerging. For example, 'the conference urges states to' is less authoritative than 'the conference decides'.

In extreme cases, delegations walk out of the conference room, thus indicating that no decision applies to them. In doing so, these delegations lose all power to influence the decisions of the conference. Bluffing to block the consensus is also a risky strategy because, if another delegation calls your bluff, you lose credibility and the power to influence the outcome.

Destructive strategies:

At times, delegations who are not happy with a decision may resort to destructive strategies such as:

- Calling for a deferral – getting the decision deferred may buy them time to improve the text.
- Wasting time – preventing a conference from deciding by creating diversions or confusion, getting other delegates angry, raising irrelevant points, etc.

When any of these scenarios occur at conferences where the greater majority agrees with the decisions, those who resort to these strategies risk earning a bad reputation, therefore reducing their government's ability to achieve the results they want at future conferences.

Long-lasting resentments against them can evolve among the other governments. Defeating destructive strategies can be achieved through vigilance and transparency, such as exposing the tactics to all parties, and it is in everyone's best interest to do so, including the Chairpersons.

Exercise

Type in the concept according to the description:

A measure of last resort to avoid having decisions you dislike adopted by the conference and, in which case, it is in your best interest to explain to other delegates the reasons for your action.

While disagreeing with decisions, you decide not to oppose them openly, knowing that there is another delegation who will do this, and, in this way, you protect your own reputation in relation to other delegations.

You decide not to, or you cannot block an emerging agreement, but instead, you work towards changing the text to a more ambiguous format that is more acceptable to you.

You work towards creating confusion within a conference because you are not happy with the decisions which are about to be adopted.

Rescuing conferences

It is in everyone's best interest to act towards rescuing a conference that shows signs of potential failure.

Such signs could include:

- An overall negative reaction to proposals.
- An overall negative atmosphere.
- A slow pace towards agreement.
- Stalling progress towards agreement
- Moving towards a bad agreement, such as one that is difficult to implement, legally and technically faulty, etc.

If you face such difficulties, there is a six-step formula you can use:

1. **Stay calm** – if you appear agitated you may be perceived as losing control and, at the same time, authority.
2. **Pause to assess the situation** – this would allow tempers to cool down and shift the attention towards the issue in search of solutions
3. **Consult with helpful delegates** – a solution could be found collectively.
4. **Consider whether the conference should pause** – this might be an option for emotions to calm down and, once the conference resumes, delegates may be more focused on the issue.
5. **Consider whether to give something to your counterparts** – this could be, for example, a clarification, an apology, something that would save another delegate's self-esteem, etc. Remember that diplomacy is 'the art of building ladders for people to climb down'.

6. **Consider whether you should change something**, such as words at issue, argumentation, order of business, personnel deployed, the format of negotiations, etc.

The three most common mistakes that lead to negotiations failing are:

1. Rejecting an agreement that has benefits for your side because it's less than you had hoped to achieve.
2. Rejecting an agreement that includes benefits for you because you think that the other parties have gained more.
3. Failing to inform headquarters if you are about to fail; you have made a mistake that will possibly have repercussions beyond the conference room; you are about to enter a serious confrontation with another representative; and the conference is about to fail.

Negotiating through intermediaries

Mediation: There are cases when negotiators rely on mediators, but only after agreeing on what her/his role and limits will be. Mediators are not parties to the negotiation and they, as well as their role, are accepted by the parties. A mediator's role can include:

- Carrying messages between the parties
- Providing the parties with an outsider's view.
- Suggesting possible solutions.
- Urging their own solution to the issue to be negotiated.
- Deciding the outcome for negotiators

Note:

If possible, get your own proposal on the table first. Ideally, it is in your best interest to have only one proposal before the conference. Decision-making mediators, as in the last point above, are referred to as arbitrators. Nevertheless, the parties themselves remain the final decision-makers, and, if that's yours, you may benefit from the advantage of not having support denied by another existing competing proposal.

The reasons for using mediation can vary and a delegation may rely on a mediator if:

1. It lacks empathy, knowledge, time and/or interest needed to solve an issue through negotiation.
2. It has high regard for the skills of a particular mediator and is confident about the mediator's eventual success

3. It considers that the concessions the delegation is ready to make will be accepted by other parties if they are recommended by a mediator.
4. It represents a culture in which there is a high degree of respect for authority.
5. It feels a strong antipathy towards other delegations and would rather not deal with them directly.

Negotiating through group representatives: In negotiations involving many delegations, the most important negotiations take place between representatives of delegations, especially in the final phases of a conference. A delegation may choose to accompany its designated spokesperson, although the latter is the only one to speak.

Advantages

Negotiation through group representatives has the following advantages:

- It is simpler and quicker to negotiate, especially in large conferences and when time is limited.
- Groups have the opportunity to select the most able negotiator amongst them.
- Representatives can generally support their groups' interests more effectively than the group would do

Challenges

While there are many challenges to this system, once agreed upon, it remains very effective and is much more commonly used than mediation. Challenges are:

- Agreeing on common aims, positions and strategies may lead to protracted internal group meetings.
- Any proposal advanced internally by a group member has to be accepted by the other members before being taken forward by the negotiator of the group.
- The accepted internal proposal may represent a set of compromises that will limit the negotiation freedom of the negotiator of the group taking it forward.
- The negotiator of the group is accountable to individual members of the group. For example, she/he may be criticized by members of the group for being either too adventurous or too slow in taking up opportunities.
- A heavy responsibility rests on the shoulders of the group negotiator to represent the views of the group.

The spokesperson for a group has to have a rapid communication system to constantly inform the group about developments as the negotiation unfolds. For example, some use 'runners' to inform group members about the latest developments. Sometimes, constituent groups within larger groups develop positions and appoint representatives who negotiate on behalf of the constituent group within the larger group. For example, the Arab Group within the G77 or the Nordic Group within the EU.

Which of the following actions represent efforts to rescue a conference?

- Consulting with helpful delegates in an attempt to find a solution collectively.
- Suggesting the conference should pause so that delegates can reflect on the issue and refocus on it once the conference resumes.
- Rejecting the agreement that includes benefits for your side when the benefits are less than you had hoped to achieve.
- Giving something to your counterparts that could save their self-esteem.
- Rejecting the agreement that includes benefits for your side when you see that the other parties have gained more.
- Changing words at issue to accommodate your counterparts' aims, without necessarily working against your agenda.

Conclusion

This module has offered a glimpse of strategies and tactics of negotiation and by no means has tried to cover all aspects of it. Negotiation is used in many fields and the more stakeholders involved the more complex and difficult it can get. This is the case at international conferences where hundreds of countries' representatives work around the clock to find inclusive solutions to common problems.

In the previous two modules, we have learned about the UNFCCC and how negotiating groups gather annually at COPs, CMAs and CMPs, supported and guided by SBSTA and SBI, to discuss and agree upon climate change actions that are common but at the same time differentiated. Ultimately, negotiation is about collaboration.

We have also zoomed in on the adaptation pathway and how this has evolved under the Convention, since its establishment in 1992. By doing so, we looked at a selection of COPs where a variety of adaptation milestones have been reached through negotiations.


Glossary

TERM	NAME
Adaptation	Adaptation is defined in human systems as the process of adjusting to the actual or expected climate and its effects and to moderate harm or take advantage of beneficial opportunities. In natural systems, adaptation is the process of adjustment to climate change and its effects; human intervention may facilitate the adjustments.
Adaptation Committee	The Conference of the Parties established the Adaptation Committee as part of the Cancun Agreements to promote the implementation of enhanced action on adaptation in a coherent manner under the Convention, and it is now also serving the Paris Agreement, inter alia, through various functions.
Adaptation Fund Board	The Adaptation Fund was established to finance concrete adaptation projects and programmes in developing countries that are particularly vulnerable and are Parties to the Kyoto Protocol. The Fund is to be financed with a share of proceeds from clean development mechanism (CDM) project activities and receive funds from other sources. It is operated by the Adaptation Fund Board.
Alliance of Small Island States (AOSIS)	An ad hoc coalition of low-lying and island countries. These nations are particularly vulnerable to rising sea levels and share common positions on climate change. The 43 members and observers are American Samoa, Antigua and Barbuda, Bahamas, Barbados, Belize, Cape Verde, Comoros, Cook Islands, Cuba
Anthropogenic	Resulting from or produced by human beings.
Arab Group	The Arab States, a negotiating group, is comprised of 22 member states, namely Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Mauritania, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen
Argentina, Brazil and Uruguay (ABU)	A negotiating group.
Asociacion Independiente di Latinoamerica y el Caribe (AILAC)	In English, The Independent Alliance of Latin America and the Caribbean was established as a formal negotiating group under the UN Framework Convention on Climate Change in December 2012 during the Conference of the Parties in Doha, Qatar. It includes Chile, Columbia, Costa Rica, Honduras, Guatemala, Panama, Paraguay, and Peru.

TERM	NAME
Bali Road Map	Adopted the Bali Road Map that contained the agreement on the deadline (COP 15) for agreeing on a framework for action after 2012 (the end of the first commitment period of the Kyoto Protocol).
Blue Zone	The venue of each COP is usually separated into two zones. The Blue Zone is open only to registered participants. The Green Zone is open to the public.
Bolivarian Alliance for the Peoples of Our America (ALBA)	The venue of each COP is usually separated into two zones. The Blue Zone is open only to registered participants. The Green Zone is open to the public.
Buenos Aires Plan of Action	Parties adopted the Buenos Aires Plan of Action, which set COP 6 as the deadline for reaching agreement on the operational details of the Kyoto Protocol and on strengthening the implementation of the UNFCCC.
Bureau of the COP, CMP and CMA	The Bureau supports the COP, CMP, and CMA through the provision of advice and guidance regarding the ongoing work under the Convention, the Kyoto Protocol, and the Paris Agreement, the organization of their sessions and the operation of the secretariat, especially at times when the COP, CMP, and CMA are not in session.
Business and Industry NGOs (BINGO)	A non-governmental organization (NGOs) that has observer status.
Carbon sinks	Carbon reservoirs and conditions that take in and store more carbon (i.e., carbon sequestration) than they release. Enhancement of carbon sinks can serve to partially offset greenhouse gas emissions. Forests, soils, rocks, and oceans are large carbon sinks
Climate change	Refers to any change in climate over time, whether due to natural variability or as a result of human activity (IPCC AR4, 2007).

Acronyms

Acronym	Name
ABU	Argentina, Brazil and Uruguay
AC	Adaptation Committee
ADP	Durban Platform for Enhanced Action
AFB	Adaptation Fund Board
AILAC	Asociacion Independiente di Latinoamerica y el Caribe
ALBA	Bolivarian Alliance for the Peoples of Our America
AOSIS	Alliance of Small Island States
BINGO	Business and Industry NGO
CBDR	Common but Differentiated Responsibilities
CC	Compliance Committee of the Kyoto Protocol
CDB ED	Executive Board of the Clean Development Mechanism
CGE	Consultative Group of Experts
CMA	Conference of the Parties Serving as the Meeting of the Parties to the Paris Agreement
CMP	Conference of the Parties Serving as the Meeting of the Parties to the Kyoto Protocol
COP	Conference of the Parties
CTCN	Climate Technology Centre & Network
EIG	The Environmental Integrity Group
ENGO	Environmental NGO
ENGO	Environmental NGOs
EU	European Union
Farmers	Farmers and Agriculture NGOs
FWG	LCIPP Facilitative Working Group
G77	Group of 77
GCF	Green Climate Fund
GEF	Global Environmental Fund
GHG	Greenhouse gas
GRULAC	Group of Latin American and Caribbean States
IGO	Intergovernmental Organization
IPCC	Intergovernmental Panel on Climate Change
IPO	Indigenous Peoples Organization
JISC	Joint Implementation and Supervisory Committee
KCI	The Katowice Committee of Experts on the Impacts of the Implementation of Response Measures
KP	Kyoto Protocol
LCIPP	Local Communities and Indigenous Peoples Platform
LDCs	Least Developed Countries



LEG	Least Developed Countries Expert Group
LGMA	Local Government and Municipal Authorities
LGMA	Local Government and Municipal Authorities
LMDC	Like Minded Development Countries
MEA	Multilateral Environmental Agreements
NDCs	Nationally Determined Contributions



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