

# Regional Training Workshop

Francophone Africa



15-16 June 2016

Dakar, Senegal

ecbi

European Capacity Building Initiative

[www.eurocapacity.org](http://www.eurocapacity.org)

The contents of this report do not necessarily represent the views of the European Capacity Building Initiative (ecbi), any of its Members, or its supporting partners.

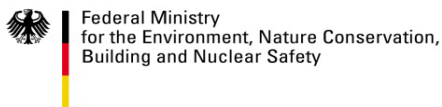
All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without prior permission of the ecbi.

This report has been compiled by Anju Sharma and Tessa Adamson.

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

For more information on IKI see [www.international-climate-initiative.com](http://www.international-climate-initiative.com)

Supported by:



based on a decision of the German Bundestag

## Partner Institutions

oxford  
climate  
policy

iied



## TABLE OF CONTENTS

Introduction	2
Introduction to the Climate Negotiations	2
Introduction to the Paris Agreement	4
Mitigation	5
Acronyms in the Negotiations Game	6
Adaptation and Loss & Damage	6
Legal Issues	8
Transparency and the Global Stocktake	9
Negotiation Game	10
Practical Negotiating Skills	11
Climate Finance	12
Capacity Building	14
Mock Negotiating Session	14
Technology Development and Transfer	15
Concluding Session	16

## INTRODUCTION

The 2016 ecbi Training and Support Programme Workshop for Francophone Africa took place on 15 and 16 June 2016 in Dakar, Senegal. The workshop, organised in collaboration with ecbi's regional partner Energie Environnement Développement (ENDA), was attended by over 30 negotiators from the region.

Representing the ENDA Director, Emmanuel Seck opened the workshop on the first day, welcoming participants to Dakar and thanking the government of Senegal for their cooperation. This was followed by a round of introductions.

Seck noted that the workshop was an opportunity to gain clarity on the international negotiations, and discuss country priorities. He said the Paris Agreement was a historic accord, but much work remains to achieve the objective of emissions reductions, including national implementation. He said the Least Developed Countries (LDCs), in particular francophone countries, need to implement adaptation action programmes that can serve development in the long term. Seck also noted the important role of capacity building across sectors to deal with climate change.

Benito Müller, ecbi Director, briefly presented on ecbi. He said the Initiative is a network of institutions founded in 2005. It has three programmes: a Fellowship Programme; a Training and Support Programme (TSP, of which this workshop was a part); and a Publications and Policy Analysis Unit. The Fellowship Programme, mainly for senior negotiators, has two main annual events – a seminar in Bonn and an annual Fellowship in Oxford. The purpose of the Programme is not so much training as trust building between developing countries, and between developing countries and Europe. Müller said the relationship between developing countries and Europe is particularly important, since they are progressive forces in the climate negotiations.

Achala Abeysinghe, Head of TSP and principal researcher at the International Institute for Environment and Development (IIED), informed participants that TSP has three annual workshops planned each year, for Asia, Francophone Africa and Anglophone Africa. She stressed that capacity building was a continuous process, of which the workshop was only a part. She said the workshops include an introduction to the negotiations, thematic sessions introducing key areas of the negotiations, and practical sessions to encourage engagement.

Souleymane Diallo, Director of the Cabinet of the Minister of Environment and Sustainable development, welcomed participants on behalf of the Minister of Environment. He highlighted the important role of the international negotiations in dealing with climate change, keeping global average temperature rise below 2°C degrees, and in dealing with climate impacts. He highlighted the need for capacity to understand climate change and its impacts, and to negotiate effectively. He noted the increased role that developing countries are playing in the negotiations as their negotiating capacity improves.

## INTRODUCTION TO THE CLIMATE NEGOTIATIONS

Madeleine Diouf, Head of the Climate Change Division of the Ministry of Environment and Sustainable Development in Senegal, presented a history of the climate negotiations.

She noted that the objective of the UN Framework Convention on Climate Change (UNFCCC) is to stabilize the concentrations of greenhouse gases (GHGs) in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system; to allow ecosystems to adapt naturally to climate change,

while ensuring food production is not threatened; and to enable economic development to proceed in a sustainable manner.

She said the UNFCCC focuses on six GHGs: carbon dioxide, methane, nitrous oxide, sulphur hexafluoride, hydrofluorocarbons, and perfluorocarbons.

The Conference of Parties (COP) is the supreme body of the Convention, which, among other things, negotiates commitments; evaluates their implementation; and considers reports submitted by the subsidiary bodies. The President presides over the COP with the help of a COP Bureau to manage procedural and organizational matters.

The COP is assisted by two subsidiary bodies. The Subsidiary Body for Technological and Scientific Advice (SBSTA) provides scientific support, offering advice on the development and transfer of technologies. It is the interface between the Intergovernmental Panel on Climate Change (IPCC) and the COP. The Subsidiary Body for Implementation (SBI) assists the COP in assessing implementation and preparing decisions.

Parties are categorised into several groups, including Annex I Parties (41 industrialized countries); Annex II Parties (24 Annex I Parties to provide financial resources to developing countries); non-Annex I (developing countries); and LDCs.

Diouf said the Kyoto Protocol was agreed in 1997, and became effective in February 2005. It is ratified by 193 Parties. Its main objective was to establish legally binding targets for GHG emission reductions. Developed countries agreed to reduce their emissions by 5.2% between 2008 and 2012, compared to 1990 levels. Annex B of the Protocol lists 39 Parties with emissions reduction targets.

Diouf listed the following key negotiating groups: the European Union; the Latin American and Caribbean Group (GRULAC); the Umbrella Group, including Australia, Canada, USA, New Zealand, Russia, Japan, and Turkey; the Environmental Integrity Group that includes Switzerland, South Korea, and Monaco; and the G77 and China. The G77 and China is the developing country group, she said, which includes the Small Island Developing States (SIDS), the Organization of the Petroleum Exporting Countries (OPEC), the African Group, BASIC (Brazil, South Africa, India and China), the Latin American and Caribbean Group (GRULAC), Like Minded Group, the Bolivarian Alliance for the Peoples of Our America (ALBA), LDCs, the Arab Group, etc.

In addition, the observers are categories according to their constituencies, including the intergovernmental organisations, non-government organisations (NGOs), business organisations, environmental NGOs, research NGOs, etc.

Diouf then presented figures indicating the performance of countries with regard to their commitments under the Kyoto Protocol. She noted that eastern European countries had decreased their emissions significantly mainly because of the slowing down of their economies. At the same time, emissions had grown in countries such as China, India, Mexico, Africa, and Brazil.

After describing the negotiations leading up to the Paris Agreement, Diouf noted that the main issues that were controversial leading up to the Paris Conference included: whether there should be universal participation or developed countries should take the lead; application of the common but differentiated responsibilities (CBDR) principle; to what extent the agreement should be guided by science and equity; the temperature goal (whether it should be 1.5°C or 2°C); and the measurement, reporting and verification (MRV) of climate finance.

Diouf then described the key provisions of the Paris Agreement. She noted that a 1.2°C to 1.9°C rise by 2050 will increase the number of undernourished people in Africa by between 25 and 95%. The current cost to curb these impacts for African countries is estimated between US\$ 7-15 billion per year. If nothing is done to reverse the trend of greenhouse gas emissions, US\$ 50 billion will be needed per year by 2050.

Diouf concluded by listing the key priorities for developing countries, including support for countries to establish GHG inventories, address their vulnerability, strengthen their research, and set up networks at the sub-regional and regional levels to share experiences and develop country-specific approaches, especially in important sectors such as forestry, agriculture, animal husbandry and waste.

In the discussion that followed, Müller noted that a recent scientific study had found that countries had met their commitments under the first commitment period of the Kyoto Protocol.

## INTRODUCTION TO THE PARIS AGREEMENT

Abeysinghe presented an overall analysis of the Paris Agreement, and listed its key provisions during this session. She said the Agreement was greeted as a major win for multilateralism and climate diplomacy, proving that political leadership, combined with economic incentives and peer pressure, and guided by the UN, can produce effective agreements.

The Paris Agreement includes three main pillars, said Abeysinghe: legal rigour; participation and effectiveness. Its legal rigour was based on its form, as an internationally legally binding agreement following the treaty structure of the Vienna Convention on the Law of Treaties; on its legally binding obligations, although these were somewhat weaker than expected; and the provisions for compliance included in the Agreement.

On participation, she listed the presence of 150 world leaders in Paris; the fact that 187 countries had submitted “initial” Nationally Determined Contributions (NDCs); the participation of 177 countries at the signing ceremony in New York; and the willingness of all Parties to prepare, communicate and maintain NDCs, and participate in the transparency framework, global stocktake and compliance mechanism.

Abeysinghe said the key provisions of the Agreement include those on mitigation (Articles 3-6); adaptation (Article 7); and loss and damage (Article 8). They also include the global temperature-related goal; information-based approaches like the transparency mechanism, global stocktake and education; facilitation-based approaches like the provisions for finance (Article 9), technology development and transfer (Article 10), capacity building (Article 11), and international cooperation (Articles 4-6); and the compliance and dispute settlement provisions (Articles 15 and 24).

The Agreement’s global goal aims to hold the increase in the global average temperature to well below 2°C above pre-industrial levels, while pursuing efforts to limit the temperature increase to 1.5°C. In order to achieve this goal, each country will submit an NDC every five years.

With regard to adaptation, Abeysinghe said a global adaptation goal of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change is established by the Agreement. There is also a separate Article on loss and damage, calling for further steps to be taken in this regard.

On finance, the Agreement calls on developed countries to provide financial support to developing countries, with US\$ 100 billion as the floor. Developing countries will also be provided support for capacity building.

A Technology Framework is established to provide overarching guidance to the work of the Technology Mechanism in promoting and facilitating enhanced action on technology development and transfer.

Further, she said, a transparency framework for both action and support has been established. Global stocktakes will take place every five years after 2023. Finally, a compliance mechanism has been established for facilitating implementation and promoting compliance.

On the governance elements in the Paris Agreement, Abeysinghe noted that the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement (CMA) will be the main governing body. The two subsidiary bodies under the UNFCCC will continue to serve the Paris Agreement, and additional subsidiary bodies can be established if needed. An Ad Hoc Working Group on the Paris Agreement (APA) will prepare the entry into force of the agreement and develop further rules and guidance.

In her concluding remarks, Abeysinghe noted that the Agreement was not perfect – there was no actual commitment for countries to fulfill their NDCs; the 1.5°C target was viewed mainly as an aspirational goal; setting a new target for climate finance was postponed to 2025; and the methodologies, guidance and procedures for a number of mechanisms still had to be agreed. Rules had to be developed on NDCs, new market mechanisms, support for adaptation, sources of public finance, support for technology transfer and development, capacity building, transparency, the global stocktake, and the compliance mechanism. However, she said there was still a chance that ambition could be raised.

In the discussion that followed, participants discussed the legal status of the Agreement; how countries could access the funds promised under the Agreement; the role of the Green Climate Fund (GCF); and how the 1.5°C goal could be achieved. It was noted that renewable energy is key to meeting the 1.5°C goal, and that the GCF would only channel a portion of climate finance, along with other multilateral and bilateral channels of finance.

## MITIGATION

This session was kicked off with a presentation by Subhi Barakat from Legal Response Initiative (LRI).

Barakat said mitigation refers to the process of addressing climate change by reducing emissions and removing GHGs from the atmosphere. Emissions reductions can take place through measures to improve efficiency, using alternative technologies, or making social change. GHGs can be removed by enhancing sinks and reservoirs.

Under the UNFCCC, Parties had agreed to implement programmes with mitigation measures (Article 4.1.b); and developed countries had agreed to adopt national policies to limit emissions and enhance sinks (Article 4.2.a). Under the Kyoto Protocol, it was agreed that developed countries would achieve quantitative emission reduction targets (Article 2) and a collective overall reduction of 5% below 1990 levels (Article 3.1). Under the Paris Agreement, Barakat said, all Parties will have mitigation obligations determined at the national level (Article 4.2).

He said the Paris Agreement calls for global peaking of GHGs as soon as possible, and balancing anthropogenic emissions and removals in the second half of the century (Article 4.1). Parties will prepare NDCs every five years (Article 4.2) that have to be progressively more ambitious (Article 4.3), informed by global stocktake (Article 4.9), and include measures pursued and information for transparency and clarity (Article 4.8).



Under the Agreement, all Parties should formulate long-term low-GHG development strategies (Article 4.19). Developing countries are encouraged to work towards economy-wide targets (Article 4.4). They can use mitigation co-benefits from adaptation or economic diversification actions to meet mitigation targets (Article 4.7) and get support for mitigation actions (Article 4.5). LDCs and SIDS can prepare low-GHG emission development strategies (Article 4.6).

The Agreement also includes provisions to enhance sinks and reservoirs, and to allow “voluntary cooperative approaches” (Article 6).

All Parties are expected to provide GHG inventories and information to track progress in implementing contributions at least biennially (Article 13.7), though LDCs and SIDS can submit at their discretion. The information provided on action and support will be subject to expert review (Article 13.11).

Barakat also described the Agreement’s provisions on the “impact of response measures” – a new forum on the impact of response measures will serve the Agreement. He said emissions from international transport have not been included under the Agreement.

With regard to next steps, Barakat said the features of the NDCs will have to be further developed by the APA. SBSTA will develop further guidance on voluntary cooperative approaches, including guidance to avoid double counting, and undertaking a work programme under the framework for non-market approaches to sustainable development.

Finally, Barakat provided participants a list of further reading and useful links related to mitigation, including the [mitigation section](#) of the UNFCCC website; a LRI [document](#) listing next steps; a UNFCCC [document](#) on tasks arising from the Paris Agreement; and a [roadmap](#) from Paris.

In the discussion that followed, participants discussed what countries have to do to comply with the mitigation provisions of the Agreement. In response, Barakat highlighted the need to encourage and incentivize Parties to do what is in the best interest of all. Responding to a question on how aviation and maritime emissions could be included, he noted that they were dealt with by the International Civil Aviation Authority and International Maritime Organisation, which are more concerned with safety and protocols than emissions reductions. He also noted that addressing these emissions could have a negative impact on developing countries, citing the case of China resisting attempts by the EU to pass a law introducing a carbon tax on the aviation sector.

## ACRONYMS IN THE NEGOTIATIONS GAME

During this session, Brianna Craft, IIED, led a game to familiarise participants with common acronyms in the UNFCCC negotiations, such as CMA, SBSTA, APA, MRV, Biennial Update Reports (BURs), Paris Committee on Capacity Building (PCCB), Technical Expert Meeting (TEM), common but differentiated responsibilities, and relative capabilities (CBDRRC) and Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP).

## ADAPTATION AND LOSS & DAMAGE

This session started with a presentation by Mamadou Honadia, head of the delegation from Burkina Faso and former Vice Chair of the Adaptation Fund Board.



Honadia started by providing a background on adaptation. He noted that adaptation refers to the adjustment in natural or human systems in response to actual or expected climate changes or their effects, to moderate harm or enhance benefits. Adaptation may be spontaneous or planned and can occur in response to, or in anticipation of, changing conditions. Articles 3.3, 4.1 and 4.4 of the UNFCCC refer to adaptation.

Describing the Nairobi Work Programme (NWP) on Adaptation, he said it was launched to provide a forum to discuss adaptation, promote learning and bridge knowledge gaps. It also offers a platform for interface between science and policy. The NWP continues to be relevant after the Paris Agreement, and could support the adaptation goal, the Adaptation Committee, the LDC Expert Group. It ensures a strong synergy with existing processes and bodies of the UNFCCC.

Honadia then described the Cancun Adaptation Framework adopted in 2010, listing its five components:

- **Implementation:** All Parties need to plan, prioritize and implement adaptation actions with resources provided. LDCs are to formulate and implement National Adaptation Plans (NAPs) on the basis of their National Adaptation Plans of Action (NAPAs).
- **Loss and Damage:** A work program to address issues of loss and damage.
- **Support:** Developed countries will provide finance, technology and capacity building to developing countries, specifically the most vulnerable, to implement actions, plans, adaptation projects and programs at the local, national, sub-regional and regional levels.
- **Institutions:** The Adaptation Committee was established to promote the implementation of enhanced action on adaptation in a coherent manner.
- **Principles:** Including UNFCCC principles, calling for a country-led approach, respect for gender equity, participatory approaches, transparency, action based on the latest scientific information and traditional knowledge, and the integration of adaptation policies and strategies with social, economic and environmental policies.
- **Stakeholder Engagement:** Civil society organisations, the private sector, multilateral organizations, international, regional and national are invited to take action to strengthen adaptation action at all levels.

Honadia noted that the Cancun Adaptation Framework aims to strengthen adaptation efforts, including through international cooperation. The Adaptation Committee aims to promote the implementation of enhanced action on adaptation consistently under the Convention, including by providing technical support to Parties; sharing information, experiences and good practices; and promoting synergy and strengthening of commitments.

The Paris Agreement recognises the importance of adaptation to developing countries and LDCs, Honadia said. It calls for modalities to recognize the efforts in developing countries, and to assess the needs of developing countries. Institutions are asked to share experiences on how their development assistance programmes and funding take account of climate risk and resilience. Cooperation is encouraged between regional centres. The GCF is requested to expedite the provision of resources to LDCs and developing countries for the preparation of NAPs.

On pre-2020 action on the NAPs, Honadia said COP 21 will launch a technical review process to identify opportunities to build resilience, reduce vulnerability, increase knowledge and implement adaptation measures.

He noted that the Global Environment Facility (GEF) has received 169 NAPAs by February 2016. 33 NAPA projects have been approved though funds have not been disbursed for all of them.

Honadia described loss and damage as the adverse effects of climate variability and change that a population has neither been able to cope with, nor adapt to. He said action on loss and damage has not been taken mainly because of the lack of knowledge and tools; the lack of resources; and the unwillingness of governments to discuss liability.

In November 2013 in Warsaw, he said, a Warsaw International Mechanism (WIM) on Loss and Damage associated with climate change impacts was established, and an Executive Committee was set up for the implementation of this mechanism. It aims to strengthen knowledge and understanding of holistic risk management approaches; strengthen dialogue, coordination, coherence and synergy between the actors; and strengthen action and support, including finance, technology transfer and capacity building.

Loss and damage is also addressed in Article 8 of the Paris Agreement, Honadia noted, which agrees to strengthen WIM, and enhance understanding, action and support. The Executive Committee of WIM has been tasked with establishing a centre for information and exchange on insurance and risk transfer to allow States to develop and implement comprehensive strategies for risk management. It will also establish a task team to work with other technical bodies and provide recommendations to reduce and prevent the displacement of populations due to climate change. However, he said, the accompanying decision to the Paris Agreement has ruled out liability associated with loss and damage due to climate change.

Honadia highlighted the importance of adaptation and an effective mechanism to deal with loss and damage for developing countries, particularly LDCs and SIDS. Noting that LDCs were still seeking fund for adaptation projects, he proposed consideration of mitigation programmes, which attract more funding, that also provide adaptation co-benefits.

In the discussion that followed, participants discussed the need for greater clarity on definitions of the global goal for adaptation and loss and damage; challenges with the quantification of vulnerability reduction and resilience building; and the role of NAPs.

## LEGAL ISSUES

Abeysinghe started the discussion with a presentation on legal issues related to the Paris Agreement.

On legal nature, Abeysinghe said there were various forms or instrument types, including treaties, conventions, protocol and agreements that have entry into force provisions; decisions taken during COPs; and political declarations such as the Rio Declaration and the Copenhagen Accord.

She noted that the “legal bindingness” of an international agreement depends on a combination of factors, including the form or type of the relevant legal instrument; the language of the provisions (mandatory language or aspirational language) and the specificity of the language; and the provisions for enforcement (compliance, monitoring, rights of action, dispute settlement).

On language, she highlighted the difference between words such as “shall”, which signal a legally binding requirement, and “should” which signal a recommendation or expectation.

On compliance provisions, Abeysinghe noted that Article 15 of the Agreement establishes a compliance mechanism to facilitate implementation of, and promote compliance with, its provisions.

Abeyasinghe said the Agreement will enter into force on the thirtieth day after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55% of the total GHG emissions have deposited their instruments of ratification, acceptance, approval or accession (Article 21). She said whereas a signature merely creates an obligation to refrain, in good faith, from acts that would defeat the general objectives of an agreement, ratification indicates the country's consent to be bound by the multilateral treaty. She said countries can also choose to apply the Agreement provisionally. Abeyasinghe presented scenarios that could trigger the Agreement's entry into force, meeting the requirement of ratification by 55 Parties accounting for 55% of total global GHG emissions. So far, she said, 17 countries accounting for 0.04% of global GHG emissions have ratified the Agreement.

Abeyasinghe said a country can withdraw from the Agreement any time after three years from its entry into force, by giving written notice. The withdrawal will take effect one year after the notice is received. Parties withdrawing from the UNFCCC will also be considered to have withdrawn from the Paris Agreement.

Abeyasinghe highlighted the absence of a date for entry into force in the Agreement. She said the first CMA will take place only after entry into force takes place. Thereafter, countries that have not ratified will be excluded from the CMA.

Finally, Abeyasinghe listed next steps for countries – including starting the ratification process for the Agreement; engaging in the rule making process under the APA and other bodies; and ratifying the second commitment period of the Kyoto Protocol.

In the discussion that followed, participants discussed why legally-binding global agreements are important, and the requirements for entry into force of the second commitment period of the Kyoto Protocol. Abeyasinghe highlighted the benefits of having legally binding agreements, including the expectation that countries would then comply, giving other countries the confidence to be more ambitious; and greater certainty, especially in case of an election or change in government. She said it is also easier to convince stakeholders that action has to be taken if a country is bound by an agreement. On the second commitment period of the Kyoto Protocol, Abeyasinghe said it is considered an amendment that will need to be ratified by three-fourths of the countries that have previously ratified it.

## TRANSPARENCY AND THE GLOBAL STOCKTAKE

The session started with a presentation by Barakat, who noted that transparency is a fundamental feature of the Paris Agreement, which is applicable to all Parties, and promotes compliance through information disclosure, review and monitoring progress. It builds on existing transparency arrangements under the UNFCCC, and is facilitative, non-intrusive, and non-punitive (Article 13.3).

The provisions on transparency of action relate to clarity on action, including implementation of mitigation and adaptation actions, while the transparency of support provisions relate to clarity on support provided and received for mitigation, adaptation and means of implementation.

These transparency measures therefore cover mitigation provisions that state that Parties *must* provide a GHG inventory and information to track progress on implementing and achieving mitigation contributions; adaptation provisions that say countries *should, as appropriate*, provide information on impacts and adaptation; and support, where developed countries must provide information on support provided (others *should*), and developing countries *should* provide information on support needed and received.

Reports on progress towards these commitments will have to be submitted at least biennially, Barakat said, and will undergo an expert review, to consider support provided, implementation, and achievement of NDCs. The reviews will also identify areas of improvement and review the consistency of information. Multilateral consultations will then be held to consider efforts on finance, implementation and achievement of NDCs.

Barakat said the special circumstances of LDCs and SIDS have been generally recognized in the transparency provisions, and support will be provided for capacity building through a Capacity-Building Initiative for Transparency (CBIT).

On the global stocktake, Barakat said it will take place every five years starting in 2023, and cover all elements of the Paris Agreement except loss and damage. The stocktake will take stock of the implementation of the Agreement and assess collective progress towards achieving its purpose. A facilitative dialogue will also take place in 2018.

In addition, Barakat said periodic reviews will be carried out to assess the adequacy of the long-term global goal and overall progress towards achieving the objectives of the UNFCCC. The first review will take place over 2013-2015, and subsequent reviews will follow the adoption of an assessment report of the IPCC, or at least every seven years.

Listing the next steps with regard to transparency, Barakat said rules and guidelines will have to be developed by the APA, while the establishment and operation of the CBIT will be undertaken by the GEF.

On next steps for the stocktake, he said the APA will now identify sources of input and develop modalities, while SBSTA will work on how the IPCC assessment reports can inform the global stocktake. The COP, meanwhile, will convene the 2018 facilitative dialogue.

Listing sources of information on transparency, Barakat pointed participants to the UNFCCC website; a LRI [document](#) listing next steps; and a UNFCCC [document](#) on tasks arising from the Paris Agreement.

In the discussion that followed, participants discussed the importance of transparency in the climate context; and the difference between the global stocktake and facilitative dialogue. Barakat noted that the stocktake and dialogue are not the same, but are meant to achieve the same goal, which is to provide a collective view of action and support undertaken; assess information in the light of science; and use it to inform future contributions. The dialogue is a one-off arrangement before the Agreement comes into force, he said.

## NEGOTIATION GAME

The second day started with a game, where participants were presented with a hypothetical situation, where they were asked to negotiate how to spend US\$ 80 billion between mitigation, adaptation, technology development and transfer, capacity building and transparency. At the end of the negotiation session, Abeysinghe highlighted the importance of being proactive, building partnerships and seeking consensus. When seeking compromises, Müller noted the importance of not asking for too little, as its likely to be negotiated down, but also not asking for so much that it is completely dismissed.

## PRACTICAL NEGOTIATING SKILLS

In this session, Honadia presented on negotiating skills, and preparing for the international negotiations, with a focus on LDCs.

He said the negotiations were essentially talks between qualified representatives of States carried out to reach agreement on complex issues such as disarmament, pollution, destruction of the ozone layer, loss of biodiversity, etc. They are formal and often long-drawn processes, with formal rules that all participants must abide with.

Participants could include representatives of governments, non-government or civil society organisations, the private sector, and the media. It is important to be clear on who is on your side, and what the issue is.

Honadia emphasised the importance of strong mental and physical strength for negotiators, along with skills of endurance and coordination. Negotiators need to read as many sources of information as possible in order to be prepared, he said, and to anticipate the discussions.

In the climate change negotiations, Honadia noted that there were 152 developing country Parties belonging to the G77 and China Group, who were also known as the “non-Annex I”. This Group had a number of sub-categories, including the SIDS, African Group, LDCs, BASIC, GRULAC and Like Minded Group.

The developed or Annex I Parties include 41 countries, 28 of which are in the Organisation for Economic Cooperation and Development (OECD). 15 are part of a sub-group called “economies in transition”. 29 are part of the European Union. An “Umbrella Group” includes the US, Canada, Japan, Russia, New Zealand, Australia, Norway, and Ukraine. Finally, the Environmental Integrity Group includes Switzerland, Mexico, Liechtenstein, Monaco, South Korea.

Honadia noted that these Groups hold coordination meetings every day during the negotiations. The Africa Group usually meet between 8-9 am and 6-7 pm. The G77 and China meet between 9-10 am and 7-9 pm. The LDCs meet between 1-2 pm and 7-8 pm every day. Daily programmes are displayed on screens at the venue of the negotiations.

Honadia then introduced the participants to the formal numbering of official documents, which he said were available on the UNFCCC website. He emphasised the importance of team work and interaction with other members of the Group/ other Groups, including sharing of information. He said thematic teams on different agenda items are often set up to prepare position papers and statements for the negotiations.

Honadia said the international negotiations are a process of give and take in which Parties must try to find compromises. Advance preparation is critical. He concluded by reminding participants that a lot was at stake in the climate negotiations, as millions in LDCs are vulnerable and risk falling into further poverty.

In the discussion that followed, participants discussed situations where country positions do not align with group positions; the challenge of capacity for small delegations; and the role on NGOs in the negotiations. Honadia noted that countries have the right to defend their positions, and to note their objections to group positions. He said NGOs could play an important role in informing negotiators, and in lobbying other countries and groups.

Pa Ousman Jarju, Minister of Environment, Climate Change, Water, Wildlife and Fisheries in the Gambia, advised participants on the procedure to influence group positions in West Africa. Müller emphasised the need to be succinct while speaking at the UNFCCC meetings.

## CLIMATE FINANCE

In a presentation on climate finance, Müller first presented a brief history.

He noted that when the UNFCCC was adopted at the Earth Summit in 1992, it included Article 11, “*defining a mechanism for the provision of financial resources*” on a grant or concessional basis, to function under the guidance of, and be accountable to, the COP. It was also agreed that the operation of this financial mechanism will be entrusted to one or more existing international entities.

In 1997, the Kyoto Protocol agreed that a share of the proceeds from trading under the Clean Development Mechanism will be used to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation. This share of proceeds was eventually channelled to an Adaptation Fund.

Then in 2001, Müller said, the Marrakech Accords established a Special Climate Change Fund (SCCF) to finance activities, programmes and measures relating to climate change; and a Least Developed Countries Fund (LDCF), operated by an entity entrusted with the operation of the financial mechanism, under COP guidance, to support a work programme for the least developed countries, including the NAPAs.

The governance of the Adaptation Fund under the Kyoto Protocol became a controversial issue, as developing countries called for a balanced governance structure with developing country participation, instead of simply entrusting this Fund to the GEF like the SCCF and LDCF. In 2007, in Bali, it was decided that the Adaptation Fund would have a stand-alone governance and management structure with a tailor-made expert executive body and a decision-making format that ensures the authority of the COP.

At the Copenhagen conference in 2009, the Copenhagen Accord included provisions for a “Green Climate Fund” to be established. The Accord was merely noted, not adopted, but the subsequent COP in Cancun in 2010 formalised the GCF. At Copenhagen, developed countries also agreed to provide new and additional resources approaching US\$30 billion for the period 2010-2012 with balanced allocation between adaptation and mitigation (which came to be known as “fast start finance”); and to commit to a goal of mobilising US\$ 100 billion a year by 2020 to address the needs of developing countries.

At the Cancun conference, it was also agreed to set up a Transitional Committee to design the governance structure of the GCF. This Committee eventually drafted the Governing Instrument of the GCF, calling for a balanced governance structure, and for the new Fund to “*provide simplified and improved access to funding, including direct access, basing its activities on a country-driven approach and will encourage the involvement of relevant stakeholders, including vulnerable groups and addressing gender aspects*”.

Müller said a Standing Committee on Finance was also established at Cancun, “*to assist the Conference of the Parties in exercising its functions with respect to the financial mechanism of the Convention in terms of 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*”.



The GCF Governing Instrument's call for the Fund to implement direct access was implemented by the GCF Board in 2014, Müller said, when it called for *the Secretariat, under the guidance of the Accreditation Committee and in consultation with relevant stakeholders, to prepare terms of reference for modalities for the operationalization of a pilot phase that further enhances direct access, ..., for approval by the Board at its ninth meeting; these terms of reference will launch the pilot phase*".

Müller informed participants that the pilot phase of the GCF's enhanced direct access (EDA) modality has been launched, and the Secretariat is soon expected to issue a call for proposals. He explained that EDA refers to devolution of decision-making not just to the national level, but further on to the sub-national level.

Müller then discussed the problem of the low volume of overall climate finance that is available. In order to address this situation, he said the ecbi has launched an initiative to encourage "enhanced direct sourcing" of multilateral funds, by approaching sub-national governments. The first success of this initiative was an announcement in Paris by the government of Quebec, Canada, to pledge CA\$ 6 million to the LDCF.

At Paris, it was also decided that the GCF should carry out a technical review of the programme priorities of the LDCF, focusing on concrete activities that are relevant for the LDCs, and enhancing longer-term institutional capacity to design and execute such activities.

Müller noted that overall, the decisions relating to finance in Paris were not as ambitious as the ones taken in Cancun. While the Cancun conference agreed to the US\$ 30 billion as fast start finance for 2010-2012, Paris only agreed that developed countries will *"biennially communicate ... as available, projected levels of public financial resources to be provided to developing country Parties"*.

Whereas Cancun agreed to the longer-term goal of US\$ 100 billion annually by 2020, Paris decided that *"developed countries intend to continue their existing collective mobilization goal through 2025 ...; prior to 2025 the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement [CMA] shall set a new collective quantified goal from a floor of USD 100 billion per year, taking into account the needs and priorities of developing countries"*.

There were also no significant decision relating to the institutional architecture of climate finance in Paris, while Cancun had established the GCF.

Müller noted that long-term collective goals for climate finance tend to be more divisive than helpful, as no one agrees to the accounting methodologies – there is no agreement on how to define or measure the achievement of these goals. They guarantee "mutually assured unhappiness" for both developed and developing countries. Therefore, he said it is better not to focus on such goals, and instead to focus on looking for genuine ways to enhance the predictability of public sector contributions to international climate finance. He ended by describing some of the initiatives launched by ecbi in this regard – including approaching sub-national entities; "crowdfunding"; and approaching airlines to set up a contribution to the Adaptation Fund on their websites.

In the discussion that followed, participants asked questions related to making the funds more accessible for countries; the need for better definitions for climate finance, and for transparency; the role of the private sector; and the GCF's procedures.

In response, Müller noted that while international finance will always come with "conditionalities", it should not be only the donor making rules – more balanced governance can ensure that developing countries are also part of the rule-making process. Procedures are also needed to make the funds more accessible to the sub-



national level – for instance, through the EDA modality of the GCF. A pilot phase for the modality has been launched, and there is currently a need for good programme proposals. He also emphasised the need to “cap” the number of accredited entities in each country.

## CAPACITY BUILDING

The session on capacity building started with a presentation by Penda Kante-Thiam from the Division of Climate Change of the Ministry of Environment and Sustainable Development, Senegal.

Providing a background, Kante-Thiam noted that there has been little guidance for the implementation of capacity building efforts under the UNFCCC. A structured implementation work programme or other institutional arrangements have been opposed mainly on the basis of extra financial burden. The approach has therefore been ad hoc and inefficient, without any coherence and coordination among the many agencies that carry out this function in bits and pieces. There is no mechanism for mobilizing support for capacity building – funding comes mostly from bilateral agencies, resulting in a process that is not nationally owned or driven. There is no system for providing feedback or recommendations, or of MRV.

Kante-Thiam listed the Adaptation Committee, Standing Committee on Finance, Technology Executive Committee and the Consultative Group of Experts and their main features and mandates. She said introducing capacity building to their existing mandates would need alterations in their representation. Moreover, capacity building would, at best, remain a secondary priority for them.

Noting that a Paris Committee on Capacity Building (PCCB) had been created in Paris, she recommended ensuring that: financial resources for implementing capacity building activities are available and flowing through the financial mechanism of the Convention; a pre-2020 work programme on enhancing capacity in developing countries is agreed; and indicators are established to monitor and review the effectiveness of efforts. She also called for a full-fledged mechanism consisting of a policy wing and an implementation wing, with clarity on its relationship with other bodies working on capacity building.

Kante-Thiam invited participants to consider what strategies are needed to build national capacity, and how they could negotiate more efficiently for these strategies to find acceptance in the UNFCCC.

In the discussion that followed, participants discussed the cross-cutting nature of capacity building which contributed to making it seem more abstract; integrating climate change into school curriculums and building the capacity of communities to understand what climate change is and how it affects them. Kante-Thiam concluded by noting the need for behavioural change, clear indicators to measure and build capacity, and for more efficient approaches to building capacity.

## MOCK NEGOTIATING SESSION

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

## TECHNOLOGY DEVELOPMENT AND TRANSFER

This session was kicked off with a presentation by Craft.

Craft noted that according to the IPCC, technology transfer is “*a broad set of processes covering the flows of know-how, experience, and equipment for mitigating and adapting to climate change amongst different stakeholders*”. It refers to more than hardware – the IPCC defines it further as a broad set of processes covering the flows of know-how, experience, and equipment for mitigating and adapting to climate change.

Transfer, meanwhile, is not the mere sale or lease of goods – it comprises the process of learning to understand, utilise, and replicate technology, including the capacity to choose it and adapt it to local conditions and to integrate it with indigenous technologies.

Presenting a history of technology development and transfer, Craft said the UNFCCC includes Articles 4.3, 4.5, 4.7 and 4.9 relating to technology transfer. At the first COP in Berlin in 1995, the Berlin Mandate established a technology transfer projects inventory; investigated technology transfer financing; established networks of technology centres; and identified needed adaptation technologies.

At COP 4 in 1998, the Buenos Aires Plans of Action called on industrialised countries to provide lists of publicly owned environmentally sound technologies. Parties agreed on the need to stimulate private sector investment; identify projects and programmes on cooperative approaches; and engage in a consultative process to consider specific issues and questions.

At COP 7 in 2001 in Marrakesh, a “technology framework” was agreed that covered five key themes for action: technology needs assessments (TNAs); technology information; enabling environments; capacity building; and mechanisms for technology transfer. The framework launched a Technology Transfer Information Clearing House (TT:CLEAR), an information centres network, and listed needed capacity building activities.

The Marrakesh Accords also established an Expert Group on Technology Transfer (EGTT) which identified ways to advance technology transfer activities and prepared a handbook on TNA methodologies.

At COP 13 in 2007, the Bali Action Plan mandated a focus on key elements of long-term cooperation, including technology transfer. Parties agreed to undertake an assessment of the gaps and barriers to the provision and access to financing for technology transfer.

In 2008, at COP 14, the Poznan Strategic Program on technology transfer (PSP) established as a step towards scaling up the level of investment in technology transfer. PSP’s funding window of US\$ 50 million has three objectives: assisting developing countries to conduct TNAs; completing a series of pilot priority technology projects; and disseminating UNFCCC experience and successes.

In 2010 at COP 16 in Cancun, a Technology Mechanism was established to facilitate the implementation of nationally determined mitigation and adaptation technology activities. The mechanism is composed of two branches: the Technology Executive Committee (TEC) and the Climate Technology Centre and Network (CTCN).

Last year, in Paris, Article 10 of the Paris Agreement addressed technology development and transfer. Craft highlighted three important issues that arise from the Paris outcome: the vision and framework; the Technology Mechanism; and funding for implementation.

On the vision and framework, she said Article 10.1 of the Paris Agreement states that “Parties share a long-term vision on the importance of fully realizing technology development and transfer in order to improve resilience to climate change and to reduce greenhouse gas emissions.”

Article 10.4 states that a “technology framework is hereby established to provide overarching guidance to the work of the Technology Mechanism in promoting and facilitating enhanced action on technology development and transfer in order to support the implementation of this Agreement, in pursuit of the long-term vision referred to in paragraph 1 of this Article.”

Parties now have to consider what the long-term vision means in practical terms, how progress will be measured, and what guidance should be provided to the Technology Mechanism.

On the Technology Mechanism, Craft said Parties have to consider how the current actions of the Technology Mechanism can be improved; how the Technology Mechanism can best work to implement the outcomes of the TNAs and TAPs; and how the TEC and CTCN can best coordinate to improve implementation.

On funding for implementation, Craft said the Paris Agreement, in Article 10.6, states that “[S]upport, including financial support, shall be provided to developing country Parties for the implementation of this Article, including for strengthening cooperative action on technology development and transfer at different stages of the technology cycle, with a view to achieving a balance between support for mitigation and adaptation. The global stocktake referred to in Article 14 shall take into account available information on efforts related to support on technology development and transfer for developing country Parties.”

Moreover, Decision paragraphs 66 and 69 call for a periodic assessment of the effectiveness and adequacy of support to the Technology Mechanism. Parties will now have to consider what information is needed to periodically assess the effectiveness and adequacy of support to the Technology Mechanism; how to initiate and encourage links between the Technology Mechanism and the Financial Mechanism in the short term; and in the long term, where should the specified financial support come from and flow through.

Craft said SBSTA will elaborate the technology framework established in the Paris Agreement at the next COP in Marrakech in November 2016. This process will make recommendations for consideration and adoption at the CMA’s first meeting. SBI will elaborate modalities for the periodic assessment of the effectiveness and adequacy of support to the Technology Mechanism. Standing agenda items include the joint annual report of the TEC and the CTCN; the Poznan strategic programme on technology transfer; and linkages between the Technology Mechanism and the Financial Mechanism.

The TEC will meet independently of the UNFCCC sessions – the next meeting will be held from 6-9 September 2016. The Advisory Board of the CTCN will likely also meet in September. More info is available on [TT:CLEAR](#).

Craft concluded by listing key documents, including the [Paris Agreement](#); the [UNFCCC website](#) and [TT:CLEAR](#).

## CONCLUDING SESSION

In the final session, participants broke into two groups to discuss their national priorities for the upcoming COP negotiations (if they plan to attend), and to develop a strategy for engaging together in the negotiations.

Group 1 listed strategies for LDCs; adaptation and mitigation strategies; projects on low carbon; and mobilising finance to attain results. Group 2 listed national adaptation strategies and finance to implement them; transparency; and renewable energy. Participants highlighted the need to know the position of other countries to negotiate more effectively.

Commenting on the workshop, participants noted the need to hold such workshops regularly. They recognised the need for participants to do their homework and read relevant material before coming to the workshops, while appreciating the emphasis on gender equity, and on building the capacity of women in particular.