

STRUCTURING THE UNFCCC 2018 FACILITATIVE DIALOGUE



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A key driver of ambition envisioned in the Paris package is a “facilitative dialogue” among parties in 2018. This dialogue is mandated to take stock of the collective efforts of parties toward the long-term goal set out in Article 4.1, and is intended to inform the preparation of the next round of nationally determined contributions (NDCs).¹ This background paper provides a negotiating and political context for the convening of the facilitative dialogue, and discusses a range of issues and options relating to its purpose, scope and design.

CONTEXT

A central feature of the Paris Agreement is an ongoing cycle in which parties take stock every five years of collective progress as a prelude to submitting new NDCs. At the time the agreement was negotiated, parties expected that it would, in accordance with the terms of the Durban Platform, “come into effect and be implemented from 2020.”² The first “global stocktake” under the agreement was accordingly scheduled for 2023, with new NDCs to be submitted by 2025. Parties, however, felt it was important to initiate this cycle prior to the agreement’s anticipated entry into force. Hence, the Conference of the Parties (COP) decision adopting the agreement requests parties to submit new or updated NDCs³ by 2020, and establishes a facilitative dialogue in 2018 to take stock of collective progress and inform these NDCs.

At the first meeting of parties to the Paris Agreement, parties also established 2018 as the deadline for completing a series of decisions fleshing out the Paris architecture.⁴ With both the facilitative dialogue and the anticipated completion of the “Paris rulebook,”

2018 is shaping up as an important political moment to drive greater ambition.

Efforts to prepare for and capitalize on this moment extend beyond the United Nations Framework Convention on Climate Change (UNFCCC) process. There is growing recognition among parties and beyond that efforts by the full gamut of actors—including cities, states, business and industry, and civil society organizations—play an essential role in achieving the Paris goals, both contributing to and complementing party action. This trend is illustrated by the adoption of the Lima-Paris Action Agenda to showcase non-party commitments, the appointment of two high-level champions to interface with non-party stakeholders, and the establishment of the Marrakesh Partnership for Global Climate Action to carry these efforts forward.⁵ Efforts are underway outside the UNFCCC to further strengthen and elevate the contributions of non-state actors to maximize the political potency of the 2018 moment, for instance through a series non-state actor summits convened across the world.⁶ It is in this context that the preparations for the 2018 facilitative dialogue are set.

PURPOSE AND SCOPE OF THE FACILITATIVE DIALOGUE

Paragraph 20 of decision 1/CP.21 convenes the 2018 facilitative dialogue:

- to take stock of the collective efforts of parties in relation to progress towards the long-term goal referred to in Article 4.1 of the Paris Agreement; and
- to inform the preparation of NDCs pursuant to Article 4.8.

This paragraph raises several questions relating to the purpose and scope of the 2018 facilitative dialogue, including:

- **“Collective efforts”**—Does this term include efforts only under the UNFCCC regime or also under other complementary multilateral processes, such as the Montreal Protocol, or the International Civil Aviation Organization?
- **“Parties”**—Does this refer to the efforts of parties by themselves, or does it also include efforts of parties in collaboration with non-state actors and efforts of sub-national entities within parties?
- **“Progress”**—Does this refer to progress in relation to the implementation of NDCs alone or does it also include a broader consideration of the implementation of the Cancún pledges?
- **Article 4.1**—Is the reference to the Article 4.1 long-term goal to be understood as limiting the scope of the facilitative dialogue to mitigation, or is there potential for a wider scope covering impacts and support? Article 4.1 refers to the long-term temperature goal in Article 2. Both Article 4.1 and the Article 2 chapeau place this goal in the context of “sustainable development and efforts to eradicate poverty.” Should the facilitative dialogue therefore also take into account impacts of climate change, and hence adaptation responses and support for developing countries?
- **Article 4.8**—How is the reference to Article 4.8—covering the provision of information necessary for clarity, transparency and understanding while communicating NDCs—to be understood? Earlier drafts of the Paris Agreement’s negotiating text referred to (what became) Article 4.9, requiring parties to

communicate their NDCs every five years,⁷ and not to Article 4.8. By all accounts, the reference to Article 4.8 (rather than Article 4.9) mistakenly crept into the final text. Whatever its origins, does the reference to Article 4.8 extend the scope of the facilitative dialogue to include the nature and quality of the information that accompanies these NDCs?

Taking Stock of Progress—Whether within a wider context or not, the reference to Article 4.1 in paragraph 20 places mitigation centrally on the agenda of the facilitative dialogue. Article 4.1 identifies the mitigation goal as:

- global peaking as soon as possible, while recognizing that peaking will take longer in developing countries;
- rapid reductions thereafter in accordance with best available science; and a
- balance between emissions and removals in the second half of the century.

To assess parties’ progress toward this goal, in particular “peaking,” the facilitative dialogue could consider:

- emissions, emissions trends, and emissions projections;
- emissions scenarios in line with the long-term temperature goal;
- collective progress toward 2020 and/or 2025/30 targets;
- adequacy of collective efforts reflected in the implementation of current targets; and
- range of sub-national and other non-state action complementing state mitigation action.

If a wider scope is agreed, the facilitative dialogue could also consider:

- current/projected climate impacts, adaptation needs, and likely loss and damage, and parties’ actions to address these, including through cooperation;
- current/projected finance flows, both public and private, and parties’ actions to enhance them;
- current/projected advances in technology assistance and parties’ actions to enhance them; and
- current/projected advances in capacity building and parties’ actions to enhance them.

Informing NDCs—To assist parties in fully understanding potential contributors to increased ambition, the facilitative dialogue could consider:

- lessons learned from the implementation of current targets;
- recent and anticipated technological advances;
- new innovations in climate finance; and
- opportunities for strengthening partnerships with and among non-state actors

DESIGN OF THE FACILITATIVE DIALOGUE

Decision 1/CP.21 does not specify the design of the facilitative dialogue—what inputs should feed the stock taking exercise, what its modalities should be, and what outputs, if any, it should produce.

Inputs—It can be inferred from the placement of the paragraph in decision 1/CP.21 inviting a special Intergovernmental Panel on Climate Change (IPCC) report on the impacts of 1.5 degrees Celsius warming immediately after the paragraph convening the facilitative dialogue that this report is to be taken into account in the facilitative dialogue. But beyond this, the nature of the inputs is to be determined by parties. These could include:

- scientific inputs capturing the latest scientific information, including:
 - the IPCC Special Report on impacts of 1.5 C,
 - other IPCC special reports, and
 - non-IPCC papers/reports;
- updated UNFCCC synthesis report on the aggregate effect of Parties' NDCs⁸;
- summary UNFCCC reports of National Communications, Biennial Reports, Biennial Update Reports, International Consultation and Analysis, and International Analysis and Review processes focusing on the state of implementation of the NDCs and other targets;
- outputs from the 2016 facilitative dialogue focused on pre-2020 ambition;
- assessment of finance flows through reports such as the biennial assessment prepared by the Standing Committee on Finance, and summary reports of in-session workshops on long-term climate finance in 2017 and 2018;

- party submissions;
- others, such as inputs/reports/submissions from:
 - the high-level champions on the progress under the Global Climate Action Agenda,
 - other multilateral processes, for instance, the Montreal Protocol,
 - non-party processes and events, for instance, the planned Non-State Actor Summit in California in June 2018,
 - other bodies, for instance, the Organisation for Economic Co-operation and Development, International Energy Agency, U.N. Environment Programme, and accredited observers.

Modalities—In deciding modalities for the facilitative dialogue, parties have various options and models to choose from. One option is to establish both a formal stream and a complementary informal stream encompassing non-state actors, which could be linked.

The formal stream could involve a:

- technical component, such as negotiator- and/or expert-led thematic roundtables, which could include roles for other UNFCCC bodies and processes such as the Subsidiary Bodies, the Standing Committee on Finance, the Technology Executive Committee, and the high-level champions; and a
- political component, such as a high-level multilateral roundtable or moderated discussion.

The informal stream could involve, for instance, moderated discussions among non-state actors and sub-national entities as well as high-level political and advocacy events to complement the formal stream of work. This informal stream could encompass issues too political for consideration in the formal stream.

Options for linking the two streams include:

- permitting interventions from non-state actors and sub-national entities in the formal stream;
- references from the COP presidency during the formal process to the conduct, outputs, and importance of the informal stream; and
- references to the informal stream and its outputs in the output of the formal stream.

Outputs—In establishing the global stocktake, Article 14 of the Paris Agreement explicitly anticipates an

“outcome.” Decision 1/CP.21 contains no such reference with respect to the facilitative dialogue, leaving it to parties to determine whether it is to produce any outputs, and if so, what type. In keeping with the potential division between formal and informal streams of work, there could be both formal and informal outputs.

The formal stream could produce one or more of the following:

- a COP decision;
- a ministerial declaration containing key political messages;
- a synthesis report capturing all the inputs to the facilitative dialogue, with or without an adequacy assessment component;
- technical papers and summaries throughout 2018 capturing reactions of parties and making the science accessible to policy makers;
- regular informal notes and/or conclusions by the presidency.

The informal stream could:

- produce a high-level declaration with key messages;
- showcase particularly ambitious and/or ingenious partnerships, and opportunities for collaboration; and
- identify specific areas of mitigation potential, and opportunities to harness these, including through collaboration.

ENDNOTES

- 1 Decision 1/CP.21, Adoption of the Paris Agreement, FCCC/CP/2015/10/Add.1 (29 January 2016), para 20.
- 2 Decision 1/CP.17, Establishment of an Ad Hoc Working Group on the Durban Platform for Enhanced Action, FCCC/CP/2011/9/Add.1 (15 March 2012) para 4.
- 3 Decision 1/CP.21, above, para 24.
- 4 Decision 1/CMA.1, Matters relating to the implementation of the Paris Agreement, FCCC/PA/CMA/2016/3/Add.1 (31 January 2017), para 5.
- 5 See generally <http://newsroom.unfccc.int/climate-action/global-climate-action-agenda>.
- 6 See generally www.climategroundswell.org.
- 7 See Draft Paris Outcome, FCCC/ADP/2015/L.6/Rev.1 (5 December 2015), available at: https://unfccc.int/files/bodies/awg/application/pdf/draft_paris_outcome_rev_5dec15.pdf (para 20 on the “facilitative dialogue” refers to what was then Article 3(8) (features of NDCs) and not Article 3(7) (information relating to NDCs).
- 8 UNFCCC, Updated Synthesis Report on the Aggregate Effect of INDCs. (2 May 2016), available at: http://unfccc.int/focus/indc_portal/items/9240.php (although no formal mandate exists for the Secretariat to update this Synthesis Report again before 2018, para 25 of 1/CP.21 can be interpreted as providing the Secretariat with the standing mandate to prepare updated synthesis reports, when necessary).



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