

## Informal meetings during the preparation of COP21

Informal consultations played an important role in the preparation of COP21 and contributed to the success of negotiations in Paris. This note does not go into details of the substance of those discussions but focuses on how the meetings were organised and the role they played in the process by:

- Recalling the context for the use of informal meetings,
- Providing information on the organisation of the meetings: objectives, participation, format, choice of moderators, support provided to moderators, themes, transparency and reporting, involvement of the co-chairs and the secretariat, observers, logistical issues, other meetings organised by the presidencies in 2015, interaction with other processes, and continuation after COP21,
- Drawing some brief conclusions from this experience,
- Providing further detail, in annexes, on the meetings held, some precedents, and the ministerial facilitators that helped the presidencies.

### 1. The context

Given the complexity and the political sensitivity of many of the issues to be resolved, it was clear to almost all participants and observers that the technical negotiating process on its own would be unable to deliver an agreement in Paris. Success in Paris would therefore only be possible if there were a political deal. Getting that would require the incoming French presidency of COP21 to play an active role by demonstrating strong, political leadership well in advance of the conference. The incoming COP21 presidency was happy to take on such a role. It knew, however, that it would have to do so in a way that respected the UNFCCC process, taking account, in particular, of several factors:

- The UNFCCC process was the only way forward, but it was fragile, especially after the conflicts that had marked the conferences of Copenhagen in 2009 and Doha in 2012. For a number of reasons, mistrust was high between parties, but many parties also had a mistrust of a strong presidency. Reminders that this was a “party-driven” process were frequent and there were fears, justified or not, that there might be parallel negotiations in a small group not involving all parties or negotiating groups or that alternative texts might emerge from behind closed doors. It was therefore important for France, especially as a developed country and a member of the European Union, not just to play the role of a fair and impartial presidency, but also to be seen to do so, listening to the concerns of all parties and respecting the process within the UNFCCC, ensuring above all that work remained transparent, inclusive and party-driven. Building trust with all parties was the only way to have the ability to lead the process in Paris and avoid the procedural break-downs that had marked many previous conferences, especially in their final days. Any informal preparatory processes had therefore to contribute to building such trust.

- An incoming presidency formally assumes its role only on the opening day of the conference. In practice, this proved not to be a major issue and there was generally wide acceptance that France, as the incoming COP21 presidency, had the political legitimacy to prepare the success of the conference. In addition, there was an extremely close collaboration throughout the year with the Peruvian COP20 presidency, Manuel Pulgar-Vidal and his team (indeed, that collaboration had begun as early as 2013 along with the Polish COP19 presidency too at that time). As a result, initiatives throughout 2015 to prepare COP21, including all the informal meetings, were organised jointly by France and Peru which also meant that the preparation of COP21 could be informed not just by the viewpoint of a developed country, but also that of a developing country from a different region.
- The presidency does not directly manage the negotiation process until the final days of the conference. The preparation of the Paris Agreement had been entrusted to a special negotiating group, the Ad Hoc Working Group on the Durban Platform (ADP), and its co-chairs in 2015 were Ahmed Djoghlaif of Algeria and Dan Reifsnyder of the United States. In February 2015, the ADP developed the “Geneva Text”, a 90-page compilation of parties’ proposals which formally constituted “the” negotiation text until the middle of COP21. Developing the text during the year proved challenging for the ADP itself, which held five working sessions throughout the year from its first in Geneva until its closing in Paris. However, it was clear that the incoming presidency had to leave the ADP to run this process ahead of Paris – there could not be parallel negotiations on the text, there could not be negotiations that did not involve all parties, and there could not be an alternative text that did not emerge from the party-driven process. The ADP concluded its work and transmitted a draft text to the COP on the middle Saturday of the conference – only then could the presidency fully take the lead in working directly with parties throughout the second week to finalise the drafting of the agreement.

These constraints were fully internalised by the incoming COP21 presidency. However, being impartial did not mean having no judgement on the quality of the result and the French COP21 presidency did not want a result at any price – it wanted a good and ambitious result in Paris. As a result, the incoming presidency could not just sit back and wait for the negotiation process to deliver, since that would not have given a result – indeed, when the ADP finally delivered its final text to COP21 in the middle of the conference it still contained many options and was far from a final draft.

The presidency therefore developed a political strategy, working in parallel to the formal negotiation track, to ensure that COP21 would be in a position to deliver a good result. A key part of this was an intense diplomatic mobilisation involving the whole of the French diplomatic network, the COP21 team itself, especially Laurence Tubiana as climate ambassador but also four dedicated roving ambassadors, a major effort by foreign minister Laurent Fabius as future COP21 president including many bilateral visits and meetings, the mobilisation of other ministers such as Ségolène Royal, and the President of the Republic. The French diplomatic network followed closely the preparation of parties’ intended nationally determined contributions (NDCs) ahead of COP21, and a facility managed by the French Development Agency (AFD) provided support to several African and island states. Considerable effort was given to the development of the action agenda together with the Peruvian COP20 presidency, the UNFCCC secretariat and the UN Secretary General. And there was a particular focus on finance, including progress towards the 100 billion USD goal for 2020, the role of international financial institutions and the transformation of investment.

The informal consultations organised by the COP20 and the incoming COP21 presidencies were part of this broader strategy and were intended to facilitate progress towards an agreement in Paris.

## **2. The organisation of informal meetings**

France and Peru organised five informal meetings related to the negotiation of the Paris Agreement in 2015, including the pre-COP. [A full list is provided at annex A](#). In addition, several other meetings were organised, including a meeting of finance ministers and a lunch bringing together a number of heads of State and government in New York. The approach developed in 2015 was continued in 2016 by France and Morocco with a view to preparing COP22. Apart from when specifically mentioned otherwise, this note deals only with the organisation of the five informal meetings in 2015.

### **a) Objectives**

The informal meetings were intended to facilitate the negotiation of the Paris Agreement. There were no discussions on specific textual solutions – those were for the ADP. The informal meetings did, however, work through many of the key political issues that would need to be solved. Parties were of course able to express their positions, but since those were already well-known and reflected in the texts simply repeating what had already been said many times would have added little value to the negotiation process. Instead, the aim was to ensure that parties listened to each other, and to provide a complementary space for parties to understand, to clarify and where possible to expand their understanding of where they might be able to find potential areas of convergence between them on a number of key issues, and to be clear on points that continued to divide them.

The meetings were valuable for the incoming presidency, including by providing insight into the real needs of groups and parties (and this was a key aim of wider diplomatic outreach throughout the year) since positions expressed in the negotiating room reflected tactical as well as underlying positions. It was also an opportunity for the COP21 team to build its capacities in advance of the Paris conference, and for the future COP21 president to get personally involved in the process and know the key actors well before taking office. Many bilateral meetings were held in the margins of the consultations.

The meetings also enabled ministers to be involved directly in the debates well before Paris. This was important not just because of the major political choices to be taken but to prepare the transition from technical to ministerial discussions during the COP which is always difficult to manage.

The political priority of the presidencies was on the preparation of what became the Paris Agreement, and this was the focus of all of the informal meetings. The permanent subsidiary bodies on scientific and technological advice (SBSTA) and implementation (SBI) had an important workload in 2015 (including the 2013-2015 review which did contribute to the discussion on long term goals, and completing work on the implementation of the Kyoto Protocol's second commitment period). They were not, however, directly involved in the negotiation of the Paris Agreement which was under the responsibility of the ADP. As a result, the informal meetings did not address ongoing implementation topics, apart from the pre-2020 agenda, run by the ADP at the time.

### **b) Participation**

The first two meetings (March in Lima, May in Paris) took place at the level of chief negotiator. Between 40 and 50 parties participated in each of those meetings.

The final three meetings (July, September, November, all in Paris) were held at ministerial level, although parties that were not able to take part at ministerial level could be represented by their chief negotiator. The first ministerial level meeting in July involved 46 parties of which 31 were represented at a ministerial level, or equivalent. The second ministerial meeting in September involved 57 parties, of which 37 ministers. And there were 70 parties present at the pre-COP in November, including 60 ministers.

The presidencies invited a representative group of parties to take part in each meeting, always including the coordinators and several members of the each of main negotiating groups. A number of key parties in the negotiations were invited to all of the meetings, others were invited to some meetings but not all to ensure some rotation. Drawing on the experience of the incoming Mexican COP16 presidency in 2010 ([annex B provides some more information on precedents of previous presidencies](#)), all meetings were open-ended, so if any party which had not been invited requested to take part, it was given a place at the table.

To keep numbers reasonable, participation was generally limited to 1+2 (but some exceptions were allowed).

The ADP co-chairs were invited to all the meetings, as was the UNFCCC secretariat. The UN Secretary General's advisor was also invited, as well as their special envoy to the ministerial level meetings. The chairs of SBSTA and SBI were invited to the pre-COP.

### **c) Format**

Informal meetings in the past had usually been organised in a plenary format, allowing all participants to address the questions on the agenda in successive sessions. Occasionally, parallel break-outs had been organised to allow several topics to be examined at the same time. Whilst such formats allow all parties to express themselves, they are not well adapted to a real dialogue. As the number of participants rises much above twenty, the debate risks being reduced to a series of statements as participants read their prepared notes, often repeating what others have already said. Whilst parallel groups on different topics can help, they can also create silos, such as exist in the technical negotiations, and not allow all parties to get a real overview of the possible solutions and the linkages between topics.

The first informal meeting in Lima in March 2015 was largely structured in the traditional manner in a series of plenary sessions chaired by the presidencies. However, the presidencies decided to improvise during the meeting and move to a break-out format for one session with several small groups using the dining tables in the restaurant area, each of which seated ten people. This "pisco club" format (which did not involve the consumption of any pisco) allowed parties to have a more direct conversation around the relationship between the legal agreement and the accompanying decisions, the housing of NDCs, pre-2020 action, adaptation, and loss and damage. Several topics were addressed by more than one table. The small groups then reported back to the plenary.

The value of using smaller groups was that it made it easier to have a more interactive and dynamic discussion. As a result, the use of small groups was built in to all the following meetings, and after some adjustments in the informal in May, the format was largely stabilised from the first ministerial informal in July onwards. An initial plenary chaired by the presidencies might discuss some issues directly, but the bulk of time was devoted to discussion in a small group setting to address the main topics for the meeting in depth. The number of groups corresponded to the number of topics to be discussed and all

parties got a chance to discuss all issues. For the July and September informal meetings, there were two parallel working groups with 25-30 participants each. For the pre-COP, there were four parallel groups with around 20 participants. There was a trade-off between having the optimal size of group (probably no more than 20 around the table) and keeping the meeting manageable.

The presidencies assigned parties between the groups, seeking a good balance between the different negotiating groups (at least one representative in each group), trying also to ensure that not all the “main players” should be in the same room (not have the US and China in the same group for example). Each party had one seat at the table in one of the groups. No party had a seat in more than one group, but the doors were open and there were seats behind so that experts could also be in the room, including the possibility to follow the group in which their party did not have a seat. Only the minister (or chief negotiator) occupying the seat at the table could take the floor.

Both in plenary, and even more in the small groups, parties were urged to keep their interventions short and to focus on identifying ways to increase convergence. A number of questions were formulated for each group to suggest issues that parties might like to think about, but they were not intended as a rigid format for the discussion and parties were encouraged to take them as a starting point for an open discussion. Above all, they were requested not to recall positions that already featured in the texts.

The presidencies invited two ministers to moderate the discussion on each topic. The moderators would then hold a session with each group in turn so that each group had a chance to discuss each topic. The moderators were negotiators in the May meeting and ministers in all the ministerial informal meetings. Each group was assigned a room so that its members did not have to move between sessions – instead, the moderators moved from room to room. When a minister agreed to help moderate a topic, their chief negotiator could occupy the country’s seat so as to participate in the discussion in one of the groups.

The moderators reported back to the final plenary on the results of the discussions with all of the groups. It proved important to allow enough time for the ministers and their teams, working with the presidencies, to prepare these reports. For example, in one of the meetings the groups finished their work in the morning and the reports were made to the session after lunch: the limited time over lunch proved insufficient to finalise good reports. For the pre-COP, the choice was therefore taken to finish the final groups at the end of afternoon, allowing the teams around the moderators the time needed to prepare structured reports in the evening to be delivered the following morning.

Dinners and lunches proved useful for presentations of issues such as transforming investment flows or technology cooperation, sometimes with outside interventions, rather than for pursuing the detailed exchanges around the content of the Paris Agreement.

#### **d) Choice of moderators**

Selecting moderators amongst negotiators was not too difficult because the presidencies already knew the negotiators well, had worked with them in many meetings, including in the negotiation rooms, and some of them were already assisting the ADP co-chairs as facilitators on the key topics. It was more challenging to choose the pairs of ministers to moderate the groups from July onwards. Some ministers had been involved for several years and knew the negotiation process well, but many others did not have such familiarity with the process or the details of the negotiations. Moreover, there was sometimes a “mismatch” between ministers and their negotiators: sometimes the most experienced

negotiators had ministers who were well suited to playing a moderator role; but that was not always the case, and sometimes a strong negotiator had a minister who was ill at ease with playing a moderator role, whilst some ministers who had the right skills to moderate discussions did not have such strong backup from their own teams. There was therefore a certain amount of “testing” going on during the informal meetings, seeing how they worked with each other, how well they understood the issues and positions on specific topics, and hence which ministers might be best able to help during COP21. That experience proved valuable when the COP21 presidency came to choose the ministers that would help facilitate negotiations in the final week of the conference.

The logic of the UNFCCC has traditionally been to pair one person from developed country with one person from a developing country when organising consultations. However, whilst the presidencies always sought a balance between the ministers chosen to facilitate the topics, several pairings brought together two developing countries. This decision by the presidencies did not provoke any push-back from participants and this practice was followed for some of the consultations during COP21.

A list of the ministers or vice-ministers who assisted the presidencies during the informal meetings and during COP21 is at Annex C.

#### **e) Support to moderators**

The presidencies each identified a correspondent for each working group. For the French presidency this involved a senior correspondent who could exchange directly with the ministers who were going to moderate the group, as well as several experts.

Each minister invited to play the role of moderator would usually have an advisor from their own delegation to assist them during the meeting. They would understandably ask for this advisor to be seated next to them, or immediately behind, during their moderation of the discussion.

A briefing was organised with the moderators before the session started. For the first ministerial meeting, this took the form of a lunch around Laurent Fabius. For other sessions, it involved the senior correspondents briefing the ministers on the process, topics, and looked-for outcomes.

The French presidency team provided several support services in the room. As well as providing suggestions to the moderators through their advisors, they also took extensive notes of the exchanges in the room. This was valuable for future analysis of the positions and concerns of parties, and for capturing some of the most interesting exchanges. This was also done for discussions in the plenary setting. Without waiting for the full report from the session, the presidency experts in each group shared their immediate read-out with the rest of the presidency team on the most important points to come out of each discussion.

The presidencies worked with the advisors of the ministers involved to prepare the reports back to the plenary. The reports were ultimately prepared under the responsibility of the moderators.

#### **f) Themes**

The themes addressed reflected the specific needs of the negotiation process in 2015 as parties moved towards the adoption of the Paris Agreement. The first informal meeting in Lima addressed the

expected outcomes in Paris, nationally determined contributions, adaptation, loss and damage, and the process towards Paris. The second informal meeting at negotiator level focused on a series of issues around ambition and in particular pre-2020 action, an ambition cycle, and possible long-term goals.

For the ministerial meetings, the presidencies identified seven clusters of key political issues on which ministers might want to give political guidance to their negotiators:

- The overall balance and general characteristics of the agreement,
- Differentiation – applied to transparency, contributions, and means of implementation,
- Ambition – the long-term direction, durability and dynamism of the agreement,
- Means of implementation – finance, technology and capacity building,
- Adaptation and loss and damage,
- Cooperation to raise ambition,
- Legal issues.

The ministerial meetings were organised around these themes:

- The July meeting dealt with the balance of the agreement in a general plenary discussion, then focused on differentiation and ambition in the small group format,
- The September meeting dealt with means of implementation in one small group, adaptation, loss and damage in another small group,
- The pre-COP in November revisited several key themes in small groups, including equity and differentiation, ambition, finance and pre-2020 action and support, and also allowed in a plenary format an exchange on legal issues and a more general stock-take of the state of negotiations a few weeks before the opening of COP21.

Background notes were produced by the presidencies and shared with all participants to inform the small group sessions and included some guiding questions, but they were kept short, they avoided any reference to the wording under negotiation, and the questions were intended to guide but not limit the exchanges.

The informal meetings did not seek to cover all the issues under discussion in the negotiations. For example, there was no specific discussion in the informal meetings of topics such as response measures, collaborative mechanisms, or forests, although parties sometimes indicated that these topics were important to them, raising them in general debates or indicating that they might be relevant to some of the issues under discussion.

Short briefings were also provided during the meetings on the development of the action agenda and a number of issues such as technology development were discussed informally during lunch or dinner events.

## g) Transparency and reporting

Although the presidencies sought to make participation representative and the meetings were open-ended, the informal consultations remained closed, limited participation events that took place under the Chatham House rule<sup>1</sup>. It was therefore important for the presidencies to ensure transparency for all parties, including those that had not been able to take part in the meeting. Transparency mattered too to ensure that the discussions did not “take place in a vacuum” and could inform and influence future negotiations.

The presidencies therefore prepared a report of each meeting. The Peruvian COP20 presidency provided an oral report of the first informal meeting held in Lima. Written reports were prepared for all subsequent meetings, which were sent to participants, but also published on the UNFCCC web-site, with a short oral report at the start of the following session of the negotiating group. Parties which had participated in the informal meetings were encouraged to share what they had heard and learnt from the discussions back to their negotiating groups.

The unfortunate use of the term “conclusions” during the closing of the second informal meeting in May provoked reactions from several parties which insisted that no decisions had been taken and that the outcome of the meeting could not bind any participants. As a result, the presidencies chose the more neutral term, “*aide-mémoire*,” which was used for the written reports from all of the informal meetings from then on. It was made clear that the *aide-mémoires* were drafted by the presidencies under their own authority and reflected their understanding of the broad lines of discussion.

Whilst the presidencies were careful not to impose their vision or reading of the discussions, there was a deliberate attempt in the *aide-mémoires* to avoid a purely descriptive “some said, others said” approach and to identify as far as possible where there were zones of convergence, or possible convergence, and where there were still important differences to bridge. The presidencies also sought to use their reports to signal issues that parties might like to consider further. The reports also contained information on the next steps in the process. In line with the Chatham House rule, no views were attributed to specific parties or groups in the *aide-mémoires*.

Apart from possible photo opportunities at the opening of the session, the meetings were closed to the press, although the presidencies would usually organise a press conference at the closing and journalists were sometimes able to mingle with party representatives in the coffee area. The background notes were not published before the meeting but were obtained by the press on at least one occasion requiring some explanation of the nature of the process, the press having a tendency to see every document as a draft text rather than as a simple support for a discussion seeking to identify and build convergence.

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<sup>1</sup> When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.

## **h) Involvement of the co-chairs and the secretariat**

The co-chairs of the ADP, Ahmed Djoghlaif and Dan Reifsnnyder, and the UNFCCC secretariat were key partners of the presidencies in preparing COP21 and they participated in all of the informal meetings.

It was clear throughout that the ADP, supported by the secretariat, was the only forum for preparing the draft text on the Paris Agreement for consideration by COP21. The informal meetings, on the other hand, were driven by the presidencies and focused on developing political understanding of the key issues and where convergence might be possible. They did not address specific drafting issues which were reserved for the ADP. This separation of roles was reflected in the organisation of the informal meetings which gave a space to the ADP chairs to provide an update on progress and expectations for the coming session but did not involve them in the management of the meeting although each had a seat at the table in one of the groups and was free to participate should they chose to do so.

Similarly, the UNFCCC secretariat had no role in running the meeting which was managed by the presidencies. There were, however, active and essential contacts in advance of the meeting to test ideas.

A meeting of the chairs, the presidencies and the secretariat would usually be held to draw some lessons for the next steps of the process.

## **i) Observers**

Participation in the meetings was strictly limited to representatives of parties, the UNFCCC and the UN Secretary General's representatives. Observers did not participate in the exchanges. A few observers were invited to make an intervention either in the opening (as the OECD in the May informal that they hosted) or over lunch or dinner on a specific topic.

The presidencies did, however, organise consultations with representatives of the major groups which structure the participation of civil society in the UN system in the margins of the informal meetings, usually just before the opening. Observers sometimes had the opportunity to mingle with party representatives over coffee.

## **j) Logistical issues**

The first negotiator informal in Lima was held in a hotel and the Peruvian COP20 presidency had only reserved the main plenary room and the lunch area. The second informal in May was held in the conference centre of the OECD in Paris, and as well as a large plenary room, several smaller rooms were reserved for smaller group meetings. All the ministerial meetings were held in the French Foreign Ministry's own conference centre, with a large plenary room (in a square table format for the July and September meetings, then with ministers in several rows facing each other in the pre-COP because of the high numbers) and smaller rooms for the break-out sessions. The presidencies had their own working rooms, and rooms were available for bilateral meetings.

The meetings in Paris were held with simultaneous interpretation in English and French for the plenary sessions. The French presidency usually intervened in French, but sometimes used English, especially when reacting to comments from the floor. Some ministers required interpretation in their own

language (Chinese, Russian, ...) and this was possible if they brought their own interpreters. Interpretation was not systematic for the smaller break-out groups, but facilities were provided in one room meaning that ministers who absolutely required interpretation would be put in the same group.

Dinners were organised during the consultations for ministers and other heads of delegation. The dinners were usually held in another location than the meeting.

Support was offered for least development countries and made available on a case-by-case basis for developing countries that asked for it. In practice that meant funding around 40% of the countries present, with a business ticket for the minister and an economy ticket for one advisor, plus hotels and subsistence. This was an important investment to ensure a balanced participation.

Other organisational costs included the room booking, interpreters, meeting staff, meals, etc.

The informal meetings in France were organised by the General Secretariat of the COP21 headed by Pierre-Henri Guignard, allowing them to demonstrate well ahead of the conference the efficiency that would become a hallmark of the organisation of COP21.

#### **k) Other meetings organised by the presidencies during 2015**

In addition to the informal meetings directly linked to the development of the Paris Agreement, the Peruvian and French presidencies also organised several other meetings in advance of COP21.

- The presidents of France and Peru and the Secretary General of the United Nations organised a lunch in New York on 27 September 2015 for a number of heads of State and government to reach a shared political understanding of the transformational, long term implications of a new climate change agreement. The meeting was not a negotiation or intended to substitute negotiations under the UNFCCC. The chairs of the meeting produced a set of non-negotiated conclusions highlighting the need for a Paris agreement to articulate a comprehensive long-term vision of a world freed of poverty through the social and economic opportunities created by the transition to a low-emission and climate resilient future; to be a turning point, and send a loud and clear signal to citizens and the private sector that the transformation of the global economy is inevitable, beneficial, and already underway; as well as the need for immediate, concrete and cooperative actions to turn this long-term vision into a reality.
- The Peruvian and French finance ministers organised an informal ministerial meeting in the margins of the annual meetings of the World Bank Group and the International Monetary Fund held in Lima on 9 October 2015. 50 ministers and 20 heads of international financial institutions took part. The meeting addressed the need for enhanced transparency towards meeting the 100 billion USD goal in 2020, with the presentation of a report on the levels of mobilised funding prepared for the COP20 and COP21 presidencies by the OECD in collaboration with the Climate Policy Initiative. There were also discussions on the perspectives for increased climate finance by 2020, the massive shift of capital required to transition to a low-carbon and climate-resilient development, and the role of national strategies and international cooperation to support low-carbon and climate-resilient growth. A number of countries and international financial institutions made announcements on new financial support for climate action. The co-chairs produced a set of non-negotiated conclusions.

Outside the scope of the informal consultations, as part of its diplomatic outreach, the incoming French presidency also held many bilateral meetings with key parties in the run-up to COP21. Some of these resulted in joint declarations or statements. Various events were organised in-country by French embassies.

## **l) Interaction with other processes**

Other informal meetings contributed to the wider debate on how to solve the key negotiation issues, but were not led by the COP presidencies:

- There were three meetings during 2015 of the Major Economies Forum (MEF): in Washington on 19-20 April 2015; in Luxembourg on 18-19 July 2015; and in New York on 29-30 September 2015. These meetings were organised by the United States, which consulted the presidencies on the agenda, although final decisions on their organisation were taken by the US. The US was invited to provide a brief report to the informal meetings on recent discussions in the MEF. The meeting in Luxembourg took place back-to-back with the first ministerial informal in Paris, with ministers travelling directly to Paris to continue the discussion in a wider format the following day. The New York MEF meeting included a session at Foreign Minister level chaired by John Kerry with Laurent Fabius.
- Germany organised the Petersberg Dialogue in Berlin on 17-19 May 2015. It was co-chaired by Germany and the incoming French presidency, which was consulted on the agenda, although the detailed planning was in the hands of the German Environment Ministry.
- Many other intergovernmental processes addressed the preparation of COP21, including significant conclusions from the German-led G7, more procedural outputs from the Turkish-led G20.
- A four-day international science conference, “Our Common Future Under Climate Change,” was held at UNESCO in Paris from 7-10 July 2015 with the support of the French government.
- Many events looking forward to COP21 were organised throughout the year by different parts of civil society such as business, local governments, etc.

## **m) Continuation after COP21**

Following the success of COP21, the French COP21 presidency and the incoming Moroccan COP22 presidency worked together to organise informal meetings in 2016 with a view to preparing COP22, with the Moroccan team taking over the lead role.

Subsequent presidencies have continued to make use of informal meetings in varied formats.

### 3. Conclusions

The preparation of COP21 was a multi-stranded affair and the informal meetings were only one of the strands that contributed to the successful adoption of the Paris Agreement on 12 December 2015. It is undoubtedly the case, however, that the meetings made a difference. They helped prepare the French presidency for its role, and they contributed to building the personal working relationships that are the basis for confidence and trust. As a result, the French presidency developed a much better understanding of what different parties really needed from a result in Paris, and this also fed back into the diplomatic activities of the presidency.

The informal meetings started a political process, involving ministers, run by the presidencies, that joined the formal negotiation track in the middle of COP21 when the negotiation text was transferred to the COP. That political process, engaging ministers on the detailed topics well ahead of the COP, helped make that transition easier to manage, and ensured that ministers were ready to engage in the final negotiations. On substance, they helped improve the understanding of parties of the possible outcomes and avoid unbridgeable differences of expectations. The meetings helped unravel some issues that were hindering progress (for example, the May meeting brought out the differences between ex ante, ex post, individual and collective reviews) and discussions focused thinking well before Paris on key issues such as how the agreement would build ambition and action over time, and how differentiation would be reflected throughout the final agreement.

Future presidencies will doubtless continue to organise informal meetings in the years to come. How any presidency organises informal work is for it to decide, taking account of the state of the process, the nature of the discussions, and new challenges that we did not face in 2015 such as the limits on international meetings the world has faced over the past year. There is no perfect way to do so and I doubt that any future presidency would find it appropriate to transpose directly the approach we adopted in 2015. I hope, however, that our experience may be helpful background.

## **ANNEX A - Informal meetings held in 2015 and 2016**

### **Informal meetings held in 2015 organised by Peru and France**

#### **Lima, 20-22 March 2015**

- Participation: Chief negotiators from around 40 countries, ADP co-chairs, UNFCCC.
- Topics included the expected outcomes in Paris, nationally determined contributions, adaptation, loss and damage, and the process towards Paris.
- Most of the meeting took place in a plenary format. An improvised session of small break-out groups on the main topics with no more than 10 people in each group allowed a more in-depth exchange (several topics were dealt with in more than one group) before a report back to the plenary.
- There was no written output but an oral report from Peru to the next meeting of the ADP.

#### **Paris, 6-8 May 2015**

- Participation: chief negotiators from 49 countries, the ADP co-chairs, UNFCCC.
- Topics focused on a range of issues that deal with different aspects of “ambition” under the Paris agreement: ways to raise ambition before 2020 including under the ADP work stream 2; the question of whether the Paris agreement would be a long-term agreement that would be regularly strengthened via a cycle which was grouped with the connected question of what sort of review process might be associated with a regular cycle so as to help strengthen and facilitate action; and setting long-term goals.
- The meeting tested further the use of small groups on the three main topics (pre-2020, an ambition cycle, and long-term goals), with a first discussion in very small groups (two per topic) which were then merged into larger groups for a second discussion before reporting back to the plenary.
- There was an awkward exchange on the issue of “conclusions” when parties made clear that the informal consultations had not resulted in any agreed output. The presidencies confirmed this understanding and produced an “*aide-mémoire*” under their own authority that was communicated to all participants and published on the UNFCCC web-site.

### **Paris, 20-21 July 2015**

- Participation, 46 parties, including 31 ministers or equivalent rank.
- After an initial plenary on the overall balance of the Paris outcome, work in two small groups was focused on ambition and differentiation.
- The meeting followed directly a meeting of the MEF in Luxembourg and there were some synergies between elements of the previous discussion, especially on differentiation and ways of capturing nationally determined contributions, which were brought to the informal consultations.

### **Paris, 6-7 September 2015**

- Participation: 57 parties, including 37 ministers or equivalent.
- The meeting continued the format of the previous meeting and examination of key issues for the negotiations, with most work taking place in two small groups focusing on means of implementation (finance, technology, capacity building), and loss and damage and adaptation.

### **Paris, 8-10 November 2015**

- This was the French pre-COP.
- Participation: 70 parties of which 60 at ministerial or equivalent level.
- Work in four small groups on the issues of equity and differentiation, ambition, post-2020 finance, and pre-2020 action and support.
- In addition to these topics, there was the possibility to take stock more broadly of the negotiations three weeks before the opening of COP21 and to raise other issues that were not discussed in the working groups, but which would be important to ensure that the Paris agreement will be an inclusive, comprehensive, balanced package facilitating ambitious action by all parties. Among the issues highlighted were the need for parity between adaptation and mitigation; the inclusion of loss and damage, including options for making permanent the Warsaw International Mechanism in the Paris outcome; the recognition of the challenge of tackling the impact of response measures and of the need for economic diversification; how the agreement might anchor arrangements for REDD+; and the need to base action and contributions on sound climate science.
- A number of important legal issues were also raised, including the relationship between the Convention and the Paris agreement, and in particular the way in which the principles of the Convention would apply. The incoming COP21 President also urged ministers and heads of delegation to give early consideration to the rules for entry into force of the Paris agreement.

## **Informal meetings in 2016 organised by France and Morocco**

### **Paris, 15-16 April 2016**

- Participation: Chief negotiators of around 50 parties, chairs of SBSTA, SBI, UNFCCC secretariat.
- The meeting was intended to provide a space to take stock after Paris and to prepare the road through Bonn to Marrakech and beyond to the entry into force of the Agreement and its application from 2020 onwards.
- It continued the format of 2015, with an initial plenary on the implementation of the Paris Agreement, followed by work in three small groups on delivering rules that facilitate action, delivering means of implementation, and delivering pre-2020 action.
- The two presidencies produced an *aide-mémoire* to report on the outcomes of the meeting.

### **Skhirat, 8-9 September 2016**

- Participation: Chief negotiators from around 50 parties, chairs of SBSTA, SBI, APA co-chairs, UNFCCC secretariat.
- The plenary sessions were dedicated to expectations for Marrakesh, the pre-2020 agenda and the implications of a possible rapid entry into force of the Paris Agreement.
- Small breakout groups exchanged views on capacity building, the implementation of nationally determined contributions, and the 2018 facilitative dialogue and the 2023 global stocktake.
- The two presidencies produced an *aide-mémoire* to highlight key takeaways and messages.

### **Marrakech 18-19 October 2016**

- This was the Moroccan pre-COP.
- Participation: Ministers and chief negotiators from around 70 parties, chairs of SBSTA, SBI, APA co-chairs, UNFCCC secretariat.
- It operated in a plenary format.
- The two presidencies produced an *aide-mémoire*.

## ANNEX B - Selected precedents from before 2015 and other processes

Previous presidencies had often organised informal consultations to help make progress towards their COPs.

- Almost all presidencies organise a pre-COP and the format has been relatively constant: they usually invite around 40 to 50 parties, at ministerial level, to a meeting a month or so ahead of the COP to give guidance on how the COP should be run and to address some of the key political issues to be solved. However, pre-COPs have rarely produced meaningful outcomes, most sessions being in a plenary format and far too ministers or chief negotiators limit their interventions to reading their speaking notes and recalling positions that already featured in the negotiating texts.
- Well before COP15, Denmark had launched the Greenland Dialogue that met once a year, in isolated locations, bringing together 30-40 ministers, usually with just one advisor, to discuss key negotiation challenges. Three meetings were held in 2009, the first in July in Greenland, the second in the margins of the General Assembly in New York, and the third in Barcelona in late October. The Danes did not explicitly seek a balanced participation in these meetings and several groups or parties were never represented. There were criticisms of the chair's summary of one of the meetings that was considered by some not to reflect an impartial summary of the discussions. In a separate track, part of the Danish presidency team organised informal discussions before COP15 amongst a small, non-inclusive group on a possible alternative text to that developed by the formal negotiating group. The leak of this draft as COP15 opened, together with information on the informal process, created tensions with the formal process and no doubt contributed to the degradation of trust in the presidency and the ultimate collapse of the conference.
- After the disappointment of Copenhagen, the incoming Mexican presidency of COP16 organised a series of informal meetings to pick up the process and prepare Cancún, in addition to their more traditional pre-COP. They provided a space to address key topics (mitigation, adaptation, finance, MRV) but were careful not to get into drafting (at the time in the hands of the Ad Hoc Working Groups for the Kyoto Protocol and for Long Term Cooperative Action). The format was same for each of the meetings: they invited around 40 countries to Mexico City, at chief negotiator level, seeking a balanced group with all the negotiating groups represented, the chairs of groups and some other key countries were invited to all of the meetings, but they also tried to ensure some rotation between other participants. However, each meeting was open-ended and any party that had not been invited could ask to take part and have a seat at the table. The chairs of the negotiating groups were also invited to take part in the discussion. There was a widespread sense that these meetings contributed to building trust in the Mexican presidency ahead of COP16.
- Peru did not organise a pre-COP because the deal within the Latin American and Caribbean group that decided who should host COP19 had agreed that Venezuela would organise the pre-COP. The Venezuelan meeting took the form of a "social pre-COP" not directly linked to the preparation of COP20. However, Peru did organise an informal meeting of chief negotiators in Lima which in many ways played the same role as a traditional pre-COP, but not at ministerial level. It adopted the approach pioneered by Mexico in organising the meeting.

Other informal meetings contributed to the wider debate on how to solve the key negotiation issues, but were not led by the COP presidencies:

- The Major Economies Forum (and in an earlier incarnation the Major Economies Meeting) was led by the United States. It originally included just the 15 major economies (excluding some members of the G20 like Argentina or Saudi Arabia) but its later editions saw observer countries like Saudi Arabia, Marshall Islands, Egypt, Singapore, Norway, Marshall Islands, New Zealand, and several others, increasingly integrated into the group and able to play an active role in the discussion. The MEF usually met two or three times a year. It was dormant under the Trump administration, although the Meeting on Climate Ambition led by Canada, China and the European Commission took over some of its former role.
- The Petersberg Dialogue has been organised every year since 2010 in the May-July period by Germany. It brings together 30-40 countries, mainly at ministerial level, for a discussion on key issues for the forthcoming COP, sometimes also addressing issues about implementation of climate action in the real economy. It is co-chaired by Germany and the incoming COP presidency and has traditionally been seen as a “handover moment” between successive COP presidencies and the incoming presidency starts to take a higher profile.
- The G7 and the G20 often also address climate change, some years with more success than others.

Occasionally other governments organise dialogue meetings. For example, Spain organised a dialogue on legal issues within the negotiations in November 2011 in conjunction with the incoming South African presidency of COP17.

Other organisations, such as international organisations, think-tanks, and academic structures, may organise informal events that can provide an opportunity for informal discussions between a number of negotiators.

## ANNEX C - Ministerial facilitators in 2015

The following assisted the presidencies during the informal consultations in July 2015.

- Ambition: Rene Orellana (Bolivia), Jochen Flasbarth (Germany)
- Differentiation: Izabella Teixeira (Brazil), Vivian Balakrishnan (Singapore)

The following assisted the presidencies during the informal consultations in September 2015.

- Means of implementation: Khaled Mohamed Fahmy Abdel Aal (Egypt), Amber Rudd (United Kingdom)
- Loss and damage and adaptation: James Fletcher (Saint Lucia), Pablo Vieira (Colombia)

The following assisted the presidencies during the pre-COP in November 2015.

- Equity and differentiation: Khaled Mohammed Fahmy Abdel Aal (Egypt), Rafael Pacchiano (Mexico)
- Ambition: Tine Sundtoft (Norway), Vivian Balakrishnan (Singapore)
- Post-2020 finance: Franck Emmanuel Isoze-Ngondet (Gabon), Jochen Flasbarth (Germany)
- Pre-2020 action and support: Hakima El Haïte (Morocco), Winston Garraway (Grenada)

During COP21, the following assisted the presidency in running informal consultations or *indabas*.

- Support: means of implementation (finance, technology, capacity building): Franck Emmanuel Isoze-Ngondet (Gabon), Jochen Flasbarth (Germany)
- Differentiation, in particular with regard to mitigation, finance, transparency: Izabella Monica Vieira Teixeira (Brazil), Vivian Balakrishnan (Singapore)
- Ambition, long-term objectives and periodic review: James Fletcher (Saint Lucia), Tine Sundtoft (Norway)
- Acceleration of pre-2020 Action, Workstream 2 excluding pre-2020 finance: Pa Ousman (The Gambia), Amber Rudd (United Kingdom)
- Adaptation and loss and damage: René Orellana (Bolivia), Åsa Romson (Sweden)
- Cooperative approaches and mechanisms: Catherine McKenna (Canada), Raymond Tshibanda N'Tungamulongo (Democratic Republic of the Congo)
- Forests: Daniel Vicente Ortega Pacheco (Ecuador), Doris Leuthard (Switzerland), Henri Djombo (Republic of the Congo)
- Response measures: Jan Szyszko (Poland), Khaled Mohamed Fahmy Abdel Aal (Egypt)
- Facilitating implementation and compliance: Rafael Pacchiano (Mexico)
- Preamble: Claudia Salerno (Venezuela)