

FINAL DRAFT 22 NOVEMBER

The Katowice UN Climate Change Conference: What's at stake for COP 24?

The [24th Conference of the Parties \(COP 24\)](#) of the United Nations Framework Convention on Climate Change (UNFCCC) will convene in Katowice, Poland, on Sunday 2 December, two years, 11 months, and 20 days since COP 21 president Laurent Fabius gavelled down the historic [Paris Agreement](#) to the cheers of delegates from 196 state parties who adopted it by consensus.

This short briefing paper gives an overview of the state of negotiations and key issues at stake for COP 24. It puts the UN climate talks into a broader context of climate diplomacy and climate science and summarizes the state of play with regard to some specific issues that are of major interest and concern to the Heinrich Böll Foundation and its partners.

Part 1: Where do we stand three years after Paris?

Overview of the Paris Agreement

The purposes of the Paris Agreement are:

- (a) Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels.*
- (b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and*
- (c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.*

The Paris Agreement was successfully adopted on 12 December 2015 largely because finalizing the technical details necessary to make it “operational” was postponed until COP 24. The Agreement states basic obligations for all countries – a milestone – and introduced new procedures in its articles and decisions, which are the negotiating tracks of the [Paris Agreement Work Programme](#) (PAWP) – the so-called “Paris Rulebook.”

The obligations for all countries outlined in the PAWP include long term goals and commitments on:

- Mitigation (lowering greenhouse gas emissions through nationally determined contributions [NDCs] for all countries);
- Cooperative approaches (market and non-market);
- Adaptation communication;
- Finance (from developed countries to developing countries, including information on finance to be provided in advance and accounting of finance provided)
- Technology development and transfer
- Enhanced Transparency Framework (to provide accountability on progress)
- Global Stocktake (to measure progress every five years)
- Implementation and compliance; and
- Possible additional matters.

What has happened since Paris

Six sessions of the three UNFCCC bodies (FOOTNOTE) charged with the on-time delivery of the PAWP have convened since the adoption of the Paris Agreement. What has progressed, where are we now, and what are the chances for the successful adoption of the Paris Rulebook in Katowice?

[FOOTNOTE: Ad Hoc Working Group on the Paris Agreement (APA), Subsidiary Body for Implementation (SBI), and Subsidiary Body for Scientific and Technical Advice (SBSTA)]

Despite constant pleas for delegates to “accelerate their work on the PAWP,” the [compilation document of Rulebook text](#) issued after the negotiating session in Bangkok in early September totals 307 pages. After Bangkok, the presiding officers of the three bodies created a “[joint reflections note](#)” to identify “ways forward, including textual proposals that would be helpful for advancing Parties’ deliberations.” That document and its nine addendums total 243 pages. Not very helpful.

Length of text is one reason why negotiations have been unbearably slow. Another is ensuring balance across the negotiating tracks – all PAWP items must be at a “comparable level of maturity.” Balance is a core political disagreement between developed and developing countries. Developed country parties want more negotiating time on complex issues, while developing country parties call for equal time on all items. The current perceived lack of balance threatens the adoption of a Paris Rulebook package in Katowice.

Linkages, or cross-cutting issues across all PAWP items and the three bodies, are yet another stumbling block. Progress on one track is often dependent on the progress of another. While the joint reflections note concedes that “there is no silver bullet for all linkages,” the lack of solutions on complicated linkages has also slowed progress and could threaten a COP 24 package on the Paris Rulebook.

Part 2: What is on the agenda for COP 24?

Completion of the PAWP Package -- The Paris Rulebook

COP 24 is mandated to deliver all parts of the PAWP package for adoption in Katowice. Is that goal practical, considering the issues of length, balance, and linkages described above?

One of the [addendums attached to the joint reflections note](#) provides a hint on a possible way forward. An opening paragraph is surprisingly explicit:

Which of the many information elements currently identified... are in fact necessary for making the Paris Agreement operational?

The chairs are asking Parties for their opinions on what needs to be decided at COP 24, and what can be delayed. The Addendum separates textual proposals into two sections, half for negotiation in Katowice, and half that could be delayed. Whether this suggestion is applied to the entire PAWP package is speculation, since that can only be decided by the consensus of Parties.

But recent sources indicate that a COP 24 outcome may be to agree solely on foundational elements and a roadmap for finalization, rather than a complete Rulebook comprising technical details. But if the Rulebook will set the Paris Agreement in motion, how much technical detail is required for it to do so?

Climate Finance in the Paris Rulebook

A successful COP 24 outcome will depend on progress in negotiations on climate finance. This is the overarching political battle which has hovered over nearly every COP. Developing countries must be assured that developed countries are willing and sincere to provide sufficiently detailed quantitative and qualitative information on public finance – in advance, and after it is provided – in order to enhance predictability and accountability.

Predictable and accountable climate finance will build trust and confidence in the post-Paris regime and provide developing countries with the certainty they need to plan and implement their ambitious NDC commitments, many of which are conditional on additional finance provided by developed countries.

But this issue – and it's a very technical procedural issue – may prove to be the biggest roadblock to a successful outcome at COP 24. The Paris Agreement contains a [procedure](#) for developed countries to provide information on the financial support they provide to developing countries, *after they do so*. But it does not contain a procedure for developed countries to submit information, *in advance*, on how much and what kind of support they plan to provide.

This means that there is nothing in the Paris Agreement Work Programme linking information on public finance *to be provided* by developed countries to information on finance *actually provided*. Developing countries are demanding such a link, since advance information on how much and what kind of finance they will receive is crucial to whether they will be able to implement and how they will implement their commitments under the Paris Agreement. This is of particular importance since developing countries are being urged, in the name of raising overall climate ambition, to further increase their levels of commitment, which, as noted above, are conditional on additional finance provided by developed countries.

Developed countries maintain that there is no mandate in the Paris Agreement to create a procedure to indicate the projected levels of financial resources they will provide to developing countries. They view this as a purely technical communication exercise to be discussed elsewhere in the UNFCCC, and later.

Further, in the absence of an agreed definition of climate finance, countries continue to disagree on what can be counted under reporting on finance. While it is in the interest of developed countries to widen the categories to include, for example, non-financial efforts such as capacity building measures and technology transfer, or finance provided as commercial loans, developing countries want to keep the focus on reporting of new and additional financial resources provided on top of official development assistance.

Heated discussions will also continue at COP 24 about when to start work on a new quantified collective goal on finance to be set by 2023 to scale up from the (still nowhere near close to being achieved) USD 100 billion per year by 2020, first proposed in 2009 at the disastrous COP 15 in Copenhagen, and which serves as the current baseline.

Climate Finance in the Green Climate Fund

Although not formally on the agenda, COP 24 will also see behind-the-scenes talks on whether developed countries, especially the European Union, Japan, and Canada, are able and willing to provide ramped up pledges for the first formal replenishment of the [Green Climate Fund](#) (GCF), which kicked off at its [21st Board Meeting in Manama, Bahrain](#) in late October.

As the GCF is the main multilateral fund under the financial mechanism of the Paris Agreement, early indications of increased support for the GCF's next implementation period will be seen by developing countries as a litmus test of how sincere developed country promises from Paris really are. This could also help advance UNFCCC finance negotiations.

Human Rights in the Paris Rulebook

One of the most significant victories of the Paris Agreement was the inclusion of language on human rights in its [preamble](#), although such language is not anchored in the articles of the Agreement. The preamble contains specific references to poverty alleviation, rights of Indigenous Peoples, public participation, gender equality and women's empowerment, food security, just transition for workers and decent work, intergenerational justice, and ecosystem integrity.

While a broad group of civil society advocates and a few country delegates push for the integration of human rights language in the Paris Rulebook, it is clear that many delegates have no understanding of the relevance of human rights to climate action, including [how they relate to climate finance](#). More outreach and capacity building remains critical.

Campaigners continue to demand explicit language on human rights in various negotiating tracks of the PAWP including in the guidance for NDCs, and in adaptation planning and monitoring. Some references to the social dimensions of climate action appear in the text on the enhanced transparency framework, but they must be further articulated and defended, especially gender responsive processes in the allocation of financial and technological support to developing countries. The global stocktake text contains references to “efforts to eradicate poverty, food security, job creation, and social justice in developing countries, climate refugees and displaced people” which, if retained at COP 24, would greatly increase the consideration of human rights related aspects of climate action.

Civil society advocates are hoping their advocacy efforts might be helped by the symbolism of the 70th Anniversary of the adoption of the [Universal Declaration of Human Rights](#) (UDHR) during the second week of the COP. The preambular language of the Paris Agreement refers to obligations which countries already have under the UDHR so the moral weight of these obligations might facilitate some progress in Katowice.

Issues which are not part of the PAWP

There are many ongoing agenda issues to be further elaborated at COP 24 but which are not part of the Paris Agreement Work Programme. They include the Warsaw International Mechanism for Loss and Damage; the Local Communities and Indigenous Peoples Platform; the Koronivia work on agriculture; emissions from fuel used for international aviation and maritime transport; Gender and climate change; and the political phase of the Talanoa Dialogue.

Don't expect significant progress on these issues at COP 24. The joint reflections note states bluntly that “some non-PAWP-related items might not need to be completed in Katowice or might not need an in-depth consideration at this session.” Nevertheless, we provide comments on a few of these issues which are of core interest for the work of the Heinrich Böll Foundation and its partners.

Loss and Damage

Loss and damage refers to irreversible loss (lives and livelihoods, land, cultural heritage) and recoverable damage (mainly infrastructure such as roads, buildings, power lines) related to the impact of events likely caused by, or made worse by climate change, including extreme weather and slow onset events. It is one of the most sensitive issues at the climate change talks and again, the [lack of financial resources provided and mobilized from developed countries to developing countries](#) is the missing link.

While enshrined as an [article](#) in the Paris Agreement, loss and damage is not formally part of the Paris Agreement Work Programme. At Bangkok, however, the issue made a surprisingly strong appearance. One group of developing countries urged that the PAWP must include the need to identify information on loss and damage in the rules of the enhanced transparency framework. Expect developing countries, especially the small island developing states, to also push for commitments to address loss and damage in finance item of the Paris Rulebook.

With devastating extreme weather such as hurricanes, typhoons, flooding, and wildfires, and the related destruction and loss of lives a constant drumbeat in worldwide news coverage over the past years, and since the proposed [focus so far on insurance solutions](#) is too narrow and insufficient, the pressure will be mounting in Katowice to address this issue as part of the finalization of the Paris Rulebook.

Gender and Climate Change

COP 24 will see some further action on gender and climate change. Last year's Fiji COP in Bonn established a UNFCCC [Gender Action Plan](#), so Parties, as mandated under the plan, will conduct a workshop on a wide range of information. The focus will include: sex-disaggregated data and gender analysis on the differentiated impacts of climate change on women and men, with special attention paid to local communities and Indigenous Peoples and on the integration of gender considerations into adaptation, mitigation, capacity-building, action for climate empowerment, technology, and finance policies, plans and actions. It will also seek to encourage further progress on enhancing gender balance in national climate delegations.

Talanoa Dialogue

The Paris Agreement and Decisions mandated the COP to convene a "[Facilitative Dialogue](#)," a test run for the "[Global Stocktake](#)" which all countries will conduct every five years starting in 2023 to assess and strengthen their nationally determined contributions (NDCs) and global progress toward reaching the goals of the Paris Agreement.

The facilitative dialogue was rebranded by Fiji as the [Talanoa Dialogue](#), derived from "tala" meaning "talking or telling stories," and "noa" meaning "zero or without concealment," and jointly prepared by Fiji and Morocco, the COP 22 presidency. It was launched in January 2018 under the leadership of Fiji and Poland, the COP 24 presidency. The preparatory phase was structured around three topics: "Where are we?", "Where do we want to go?", and "How do we get there?" A total of 220 inputs were uploaded into an online platform by 2 April, the vast majority by Non-Party stakeholders. An [Overview of Inputs](#) was published on 23 April and a [Synthesis of the Preparatory Phase](#) was issued on 19 November. A wrap-up of the preparatory phase will be held on 6 December.

Information and insights gained from the preparatory phase will assist the presidencies to prepare for the political phase, scheduled for 11 December. There, high-level representatives and ministers will take stock of the collective efforts of Parties, and engage in roundtables and bi-lateral discussions. The presidencies will provide a summary of key messages at the closing meeting of the political phase on 12 December.

The potential outcome of the Talanoa Dialogue was a topic of the Pre-COP 24 meeting in Kraków on 23-24 October. While its [Summary Note](#) lists possible forms of the outcome, it summarizes that:

The vast majority of Parties presented no will to have a negotiated outcome, so that negotiators in Katowice can be focused on Paris Agreement Work Programme. The idea of the Presidencies' declaration, statement or report with an option to have an additional paragraph on TD in a COP decision resonated with many.

That would be a weak outcome for a process with high expectations.

Part 3: Expectations from Poland

Polish Presidency – Priorities for COP 24

COP 24 President Michał Kurtyka, the Secretary of State in Poland's Ministry of Environment, has a generally positive reputation within the country and in international circles. Internal tensions in the Polish government, as in many governments, however, are between economy and ecology. In particular, the Polish Ministry of Energy, which stresses Poland's sovereignty in defining its energy mix and the role of the technologies that would allow the use of fossil fuels in an effective and climate friendly way, could potentially block his ambitious agenda in Katowice.

At the Pre-COP 24 meeting in Kraków on 23-24 October, Kurtyka called for more climate ambition and for completion of the PAWP implementation rules, noting that the recently-released IPCC *Special Report on Global Warming of 1.5°C* (see analysis below) is aimed to be a catalyst for scaled-up investment in green

technologies, and for a rapid phase-out of coal. Climate change is a global challenge, said Kurtyka, and there is no room for arbitrarily chosen local or national policies.

While Kurtyka echoes the presiding officers of the UNFCCC that the COP 24 priority is finalizing the Paris Rulebook, it may lead to a situation where the focus on finalizing may obstruct achieving more environmentally-ambitious goals.

Several participants at the Pre-COP meeting also singled out the recently-launched process on the replenishment of the Green Climate Fund as a key element for enhancing trust among Parties, especially in light of US withdrawal of funding to the GCF and continuing concerns about its agenda.

Polish Presidency – Messages for Public

The Polish Presidency has defined the three key messages which it considers most important in the Polish context to COP 24. They are summarized under “Man, Technology, Nature” – standing for Just Transition, electromobility, and climate neutrality. These are important topics for the Polish energy and climate debate (especially Just Transition and smog, and electromobility is a potential driver of economic development) and it is a positive sign that the government is addressing them. The question, however, is what – in practical, real terms – will result from these ideas.

During the Social COP 24 that took place in August, Kurtyka said, “It is our task to ensure a just and joint transition that will allow us to protect climate and maintain the economic development and workplaces at the same time. Development should be responsible in the economic, social, environmental, and climate dimensions.” On 3 December, Polish President Andrzej Duda will convene a Summit of the Presidents and Prime Ministers to focus on Just Transition. It is expected to result in a document, the “Solidarity and Just Transition Silesia Declaration,” which will conclude that social requirements must be included in energy transition to achieve broad acceptance for policies that aim to reduce emissions.

How to achieve a balance between emissions and removals (from forests and soils) will be another important topic for Poland, which wants to emphasize the key role of sinks in achieving the objectives of the Paris Agreement. A leaked version of the planned “Ministerial Katowice Declaration on Forests for Climate,” however, has caused considerable concern among civil society forest campaigners. It suggests, among other things, that it should be easy to balance GHG emission sources and removals by sinks (forests), which is simply a recipe to offset continued GHG emissions from fossil fuels.

During COP 24 Poland will also demonstrate a technique for absorbing CO₂ by soil and forests in its “Forest Coal Farms” project.

Electromobility is one of the pillars of the Poland’s “Responsible Development Strategy” (Package for Clean Transportation) and the government will launch the “Driving Change Together Partnership on Electromobility” at the COP, in partnership with the UK. It will welcome nation states, cities, and NGOs to join the partnership, which intends to organize a yearly forum on electromobility in Poland and to stimulate legal, economic, social, and cultural conditions for the development of clean transport.

The issue of fighting smog will also be present during COP 24. A “Clean Air” program was launched in Poland in June to improve energy efficiency of buildings and reduce pollution.

Polish perspective - civil society

In the lead-up to COP 24, Polish civil society has issued calls for a comprehensive phase-out of coal; a just transition strategy that would be prepared in a broad social dialogue; support for renewable energy and energy democracy; measures for energy efficiency and the improvement of air quality, and an ambitious declaration on cuts in greenhouse gas emissions. The Polish climate movement has gained strength in the past months and, in fact, didn’t exist until recently. Attempts to create movements occurred at the time of the two previous Polish COPs (COP 14, Poznan, 2008 and COP 19, Warsaw, 2013) but disappeared

thereafter. In July, the first Polish climate camp hosted more than 400 people (a large number for Poland) from a broad range of grassroots movements. Numerous Catholic climate initiatives have also arisen, a potentially important advance for climate change awareness in a society where the Catholic Church is dominant and influential.

Polish civil society has appealed to Prime Minister Mateusz Morawiecki to ensure the success of COP 24, and to include civil society as a strong partner in the COP 24 process, as was promised at the COP 24 presidency's briefings at the Bangkok negotiating sessions in September. It has been critical about the special COP 24 Bill (issued in January) which provides additional mandates to police to collect private information on COP participants and prohibits any spontaneous demonstration in Katowice during the entire two-week period. The bill was not opposed by any political party, however, and Polish NGOs perceive it as less problematic than international NGOs (since these are typical rules introduced during large international events, not just in Poland). The International March for Climate in the Katowice city center on 8 December has been approved by authorities.

NGOs will have significant space at COP 24 – created by them and for them – with a range of stakeholders and much stronger coordination than during the previous Polish COPs, for instance, at the Greenpeace Climate Hub. It should also be mentioned that Katowice is much smaller than Warsaw, and, despite having little experience with large international gatherings, it aims to use COP 24 to engage people in the climate debate, including at a pavilion in the market square.

Part 4: Impact on COP 24 of the IPCC Special Report on Global Warming of 1.5°C

In its decision on the adoption of the Paris Agreement, the UNFCCC invited the Intergovernmental Panel on Climate Change (IPCC), the UN body that assesses the science related to climate change, to create a special report in 2018 on the impacts of global warming of 1.5°C above pre-industrial levels.

The report, [Special Report on Global Warming of 1.5°C](#), released on 8 October, is clearly one of the most important scientific assessments conducted in the IPCC's 30-year history. Its [key messages](#) are surprisingly unwavering: limiting temperature increase to 1.5°C is feasible if radical emissions cuts, transformative pathways and the protection and restoration of natural ecosystems are implemented. But also: 1.5 is absolutely vital in order to contain the impacts of climate change and the risks for humans and ecosystems that are associated with it.

Based on most recent scientific estimates, the report finds that warming of 1.0°C (+/- 0.2°C) has already occurred and that climate change impacts resulting from this warming are already being felt in many regions. Global warming of 1.5°C, therefore, is a real danger for millions of people around the world and requires comprehensive adaptation measures as well as financial and technological support on the part of those historically responsible for climate change.

Due to the great risks and potentially irreversible impacts of global warming of 1.5°C and beyond, the report opts for a rigorous interpretation of the 1.5°C target and focuses on mitigation scenarios that minimize or avoid overshoot (warming beyond 1.5°C) altogether. To that end, the report issues a clear call for radical emission cuts: global greenhouse gas emissions need to be reduced by around 45 percent by 2030 (compared to 2010 levels), and reach zero by around 2050.

The IPCC's recommendations for achieving those emission cuts? A faster and more comprehensive phase-out of fossil fuels, faster electrification, lowered energy demand, changes in consumption and dietary patterns, and protecting and restoring natural ecosystems.

[“Missing Pathways to 1.5°C: The role of the land sector in ambitious climate action,”](#) released one week after the IPCC report by the [Climate, Land, Ambition & Rights Alliance](#) (CLARA), shows how greater ambition to secure land rights, restore forest ecosystems, and move toward more sustainable food systems can help to limit global warming to 1.5°C by reducing global emissions by 23 gigatonnes of CO₂-equivalent per year by 2050, eliminating the need for geoengineering technologies.

An HBF publication, "[Radical Realism for Climate Justice. A civil society response to the challenge of limiting global warming to 1.5°C](#)", brings together the knowledge and experience of a range of international groups, networks and organizations with which the Heinrich Böll Foundation has worked over the past years, who, in their political work, research and practice, have developed the radical, social, and environmental justice-based agendas for political change needed across various sectors to limit warming to 1.5°C.

The political messages coming out of the IPCC report and these civil society reports are precisely what the world needs to hear. It is possible to limit global warming to 1.5°C, and it is necessary to contain the impacts of the climate crisis. Essentially, 1.5°C is the new 2°C, but it requires fast and spirited climate action and deep emissions cuts.

Will COP 24 delegates hear the messages and accelerate their actions to finalize the Paris Rulebook so that countries can implement and, eventually, strengthen their national determined contributions? Will the urgency of the IPCC report result in increased ambition on lowering greenhouse gas emissions and provisions for ramping up financial resources? Will the world finally understand that non-existing geoengineering technologies to return to 1.5°C after a temperature "overshoot" are too risky and uncertain to bet on?

Let's hope so, because there is no formal process for the IPCC report to feed into the UNFCCC. Except for a three-hour "special event" to be hosted jointly by the IPCC and a UNFCCC subsidiary body on 4 December, the only other opportunity would be for it to feed into the Talanoa Dialogue. But, as our analysis above suggests, the maximum expectation for the Talanoa Dialogue at COP 24 is a declaration, statement, or report by the COP presidencies and, perhaps, one paragraph in a COP decision.

Part 5: What is the likely outcome for COP 24?

Nearly three years ago, 196 nations committed to negotiate the elements of the Paris Agreement Work Programme and complete the Paris Rulebook by COP 24. All envisioned a complex and time-consuming process, so enough time was allotted. But the time for excuses has come and gone.

Countries are attempting to re-negotiate the Paris Agreement and employing a myriad of delaying tactics to avoid decisions on the core political issues, which are long-standing and obvious. This is unacceptable. Civil society will form a united front in Katowice and around the globe to hold the nations of the world accountable to their commitments and to increase their climate ambition as a matter of urgency, as has been forcefully underscored by the IPCC *Special Report on Global Warming of 1.5°C*.

Climate diplomacy moves slowly and in circles. Since diplomats are apparently not capable of the necessary progress, it is increasingly clear that the task must be taken up, in courtrooms, by ordinary citizens of the world. Two ongoing cases provide hope.

In the Netherlands on 9 October, the Hague Court of Appeal upheld a 24 June decision in the case of [Urgenda v. The Netherlands](#), filed by the Urgenda Foundation and 886 Dutch citizens against the Dutch government. The court affirmed that the government must reduce its emissions by at least 25 percent by 2020 compared to 1990 levels, and that reductions of a lesser amount would be a violation of the rights of Dutch citizens as protected by the European Convention on Human Rights. It is the first lawsuit ever filed by citizens to hold their government accountable for contributing to climate change. On 16 November, the Dutch government announced its intention to appeal the judgment. The Netherlands, which often prides itself as a climate leader, has missed an opportunity to prove it.

In [Family Farmers and Greenpeace Germany](#), three families and the environmental campaign organization have sued the German federal government for its failure to reduce greenhouse gas emissions. Since 2007, the German government has promised to reduce GHG emissions by 40 percent by 2020 compared to 1990 levels, but the environment ministry's own calculations estimate that it will miss that goal. The

three families, all organic farmers, claim they are already experiencing the impacts of climate change. The lawsuit contends that Germany has encroached their fundamental rights to life and health, property, and occupational freedom as provided in the German Constitution. This is the first climate lawsuit to refer to the IPCC Special Report on 1.5°C.

There is a risk that the COP 24 result will be out of sync with wider developments. Much is happening in the global climate space with scientists, citizens, and, especially, small developing countries strongly pushing the 1.5°C degree message. But the UN climate change talks continue to drag on with a distinct business-as-usual flavor, as negotiators are unable and often, it would appear, unwilling to move technical work forward, thus decreasing the space and time needed for important discussions about the increases of ambition needed to reach 1.5°C degrees. If the updates on national determined contributions to be prepared in 2019-2020 prove to be mere paper exercises or indeed show ambition slipping due to intransigence by the USA and other large emitters, more radical strategies will become the norm – and those strategies could point in in many directions, both good and bad.

DRAFT