



## MEETING MINUTES

### Vanuatu UNFCCC COP21 Delegation Training

13, 14 & 16 October

Ministry of Climate Change Conference Room

For More Information contact [COP21Delegation@gmail.com](mailto:COP21Delegation@gmail.com)  
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## Contents

Welcoming Remarks .....	3
UNFCCC Background .....	3
Vanuatu Historical Engagement in Negotiations .....	4
Vanuatu Obligations .....	5
Key Negotiation Issues Paris 2015 .....	5
- Mitigation, Compliance & Timelines.....	6
- Loss and Damage .....	7
- Adaptation .....	9
- Climate Finance.....	10
- Gender & Traditional Knowledge .....	11
- REDD+ & Agriculture.....	11
- Human Rights.....	12
Delegate Recap and Questions from Day 1 .....	13
Draft Adaptation Positions for Vanuatu .....	14
Draft Mitigation and Temperature Goal Positions for Vanuatu .....	14
Draft Finance Positions for Vanuatu .....	15
Draft Traditional Knowledge, Agriculture & Human Rights for Vanuatu.....	16
Engaging in the Text.....	16
Delegate Recap and Questions from Day 2 .....	17
Updating the Vanuatu National Position Statement .....	18
Mitigation Discussions .....	18
Mock Negotiation Exercise .....	19
Delegate Terms of Reference .....	19
Closing Function Remarks.....	20
Meeting Background, Objectives and Agenda.....	21
Training Participant List .....	24

## Welcoming Remarks- Director of Energy Jesse Benjamin

- Thanks to facilitators from SPREP, PIFS, SPC, USP and GIZ
- All distinguished delegates
- Past delegate trainings from COP19
- Development of Vanuatu positions is a critical objective- developed collectively
- Training for delegation to understand what COP21 will be like



## UNFCCC Background – Espen Ronneberg (SPREP)

- Adopted convention in 1992 (at Rio)
- Entered into force until 1994 (1<sup>st</sup> COP in 1995)
- Kyoto protocol
  - o result of SIDS push to achieve convention emissions reduction purpose: add legally binding commitments (AOSIS protocol 20% reduction level; whereas Kyoto was 5-7% reduction). Had a double trigger to come into force: XX countries and XX amount of emissions (last country over hump was Russia-pushed by EU).
  - o Only 5-year commitment period, needed further commitments (amendment not yet ratified)
  - o Need longer term commitment from developed and developing countries (even if developed reduced to zero emissions, still not enough)
- Conference of the Parties (supreme body of convention)
- Meeting of the Parties (MP)- related to Kyoto
- Subsidiary body
  - o SI- finance, operations
  - o SBSTA- scientific issues, reporting guidelines, technology advice etc.
- Ad Hoc Working Groups (AWGs)

- Durban Platform – new Paris agreement
- Expert Bodies
  - Adaptation Committee
  - Finance
  - Least Developed Country Expert Group
  - Warsaw Mechanism on Loss & Damage
- Finance Mechanisms
  - Green Climate Fund
  - LDC Fund
  - Adaptation Fund
- Copenhagen COP
  - disaster, misread mood, backroom deal – not participatory
  - fast start finance was established in Copenhagen
- Current Problem: we don't have an agreement on the form/format of what will be adopted in Paris (but working ADP working group has been working hard)
  - Several meetings in 2015- started by collecting textual proposals
  - 200 pages-> now 90 pages with country scrutiny for co-chairs to streamline
  - Sept 2015 and Oct 2015 smaller negotiations on the new text, until Paris meeting (text will be semi finalized by next week)
  - Expect that negotiations will go beyond the allocated time for negotiations

## Vanuatu Historical Engagement in Negotiations – Espen Ronneberg (SPREP)

- distinguished role in negotiations over years
- asked by President of Maldives to be first chair of AOSIS (Vanuatu Ambassador to UN) with much support from other Pacific island nations. Held this post until 1994.
  - Vanuatu in charge of submitting textual proposals to UNFCCC
- Vanuatu was on the bureau and board of INC (intergovernmental negotiation committee), small islands got a special seat (this group decides on agenda, timing and dates of meetings etc.)
  - Vanuatu coordinated with other groups and built strong bridges
- Vanuatu proposed an insurance mechanism in 1991 (not accepted), but has resulted in current mechanism on Loss & Damage
- Vanuatu was critical to form the LDC group under the convention, under Vanuatu coordination was improved and that special support be given to this group (secured special funding for adaptation, and special status).
- At present, Vanuatu continues to make substantial contributions (have served as spokesmen on AOSIS issues, representation on panels etc.)



### Vanuatu Obligations – Diane McFadzien (SPREP)

- National Communications
- Biennial Update Report (including financial report) – countries are using the obligations for their own benefits, and there are funding opportunities available to do this.
- Intended National Determined Contribution, Vanuatu already submitted by end of Sept 2015 (Vanuatu makes its commitments conditional to external support). Based heavily on National Energy Roadmap, 100% renewable by 2030.
- NAP funding is available
- When in Paris, there are potential obligations that may arise... and review of the agreement should include consideration of the obligations that may affect Vanuatu. The language should be clear and be comfortable to Vanuatu so that it is realistic to meet. Some leeway may be required for countries like Vanuatu, or additional support (finance etc.).
- Many of these obligations require the establish National Designated Authorities (NDAs) and so there is an opportunity to strengthen these institutions.

### Key Negotiation Issues Paris 2015 - Espen Ronneberg (SPREP)

- Some higher-level pacific issues and aspirations:
  - o Legally Binding Protocol (not voluntary) as shown by experience
  - o Strong Targets (to drastically raise emissions ambition) to reach 1.5 target and sustainability and survival of SIDS
  - o Support for Adaptation (technical and financial)
  - o Operationalize Loss and Damage within new agreement
  - o Calls for Mitigation support (finance and technical) around renewables and energy efficiency). Has been expressed in INDCs
  - o Special needs of small island developing states must be catered for (and explained to developed countries)

- E.g. finance cannot access what has been made available, not taking advantage of full range of resources, lack of access to information, human capacity for project development. Lack of personnel and capacity to meet deadlines in time
- Technology considerations around size of countries and size of economies... fit for purpose technology.
- Capacity – targeting the skills that exist and understanding public service constraints. Upper limits on staffing.
- All country groups will want special considerations... why small islands?
  - Strong compliance system (not Kyoto “name and shame system”) including sanctions
- Headlines and sections of negotiating text (agreement comes into effect in 2020)- approx. 20 pages (follows same format of Kyoto protocol)
  - Geneva text- includes all options from all parties, only official text
  - ADP co-chairs (US & Nigeria) have developed a new text- based on consultations
  - Bonn meeting next week- open for all parties for comments, and there will be an updated text by end of October 12, 2015
  - Preamble- sets the scene, opening remarks, short but includes key issues
    - Special concepts:
      - equity (survival versus development pathways)
      - historical responsibility (past versus current growth)
      - common but differentiates responsibilities and respective capabilities (no-longer a clear split among developed versus developing countries, donors versus recipients of aid). “new: parties in a position to do so...” Very hard to talk about economic status and trends for many countries
      - “in fulfilment of the...versus in pursuant of...” The Berlin mandate
  - Objective- what is the ultimate objective of this document, and the relationship of this objective to the overall convention objective
    - (only 20-30% of global climate finance has been focused on adaptation)
- [Mitigation, Compliance & Timelines](#) – Espen Ronneberg (SPREP)
  - Introduces intended nationally determined contributions (INDCs), process to convert these statements to NDCs...tangible commitments by when...
    - Will commitments be included as an annex? Or put commitments on website?
  - Variety of types of mitigation commitments; difficult to understand aggregate emissions effect, and difficult to combine into a single text
    - Some countries set hard targets of emissions reductions: 30% of 1990 levels by XX year (tons or carbon)
    - Implement policies to enable emissions reductions or with a target of 50% renewable by XX year (estimated/guestimated)
    - Conditionality attached to targets (external resources)...allowed or not? How reflected in agreement?
      - Kiribati has states can do XX emissions with own resources, XX with funding for planned projects, and XX reductions with additional funding

- Compliance and account rules – how to follow implementation of commitments
    - Small islands will struggle if there are complex compliance and accounting rules... balance between making our own obligations as simple/realistic as possible, but holding others to account
  - Technology Transfer – most parties agree on this issue
  - Capacity Building
    - Use existing institutions or create new capacity building mechanism (but is a new international mechanism needed or appropriate for all country/regional contexts?)
  - “Transparency of Action” (MRV) – monitoring Reporting and verification
    - Measuring what is being done, report on it and verify that it is accurate
    - We want to be able to hold countries to account (spent CC finance money on own national consultants or writing reports versus doing adaptation on the ground).
    - Vanuatu will have commitments to do reporting and monitoring, but should there be different conditions for capacity-constrained countries? donors want rigid reporting requirements on their aid money.
    - Is there differentiation among countries? Should transparency requirements apply to all sections or will there be provisions for national circumstances
  - Time frames
    - Timeframe of commitment period (some countries want longer time horizons; past: 5 years under Kyoto)
    - Longer commitment period gives Government a chance to send stronger signal to private sector and economic direction BUT if the target is weak, you are locked in for a longer time with poor outcomes... (you could include a review at shorter periods)
    - Timeframe cycle applied to adaptation? Most adaptation projects don’t show results immediately (may take 4-5 years for implementation, actual results not seen many years later).
    - When to review countries commitments: ongoing or after commitment period?
  - Compliance & enforcement
    - One party under Kyoto flouted its obligations, nothing could be done
    - Consequences must be a part of compliance mechanism if a party fails in its implementation: purchase credits? Make a financial contribution to GCF?
    - Vanuatu will also have compliance obligations and requirements... but if a country is given flexibility in implementation, then there should be flexibility in compliance... but if too many exemptions, then the whole compliance mechanism may lose its effectiveness.
- **Loss and Damage** – Diane McFadzien (SPREP)
- Very little on L&D in new text on loss and damage
  - There is no agreed definition within UNFCCC framework b/c countries have not yet agreed on this

- USA/Australia/NZ- believe that L&D can fit well under adaptation, doesn't require a separate text
- AOSIS- L&D goes "beyond adaptation" (e.g. temperature thresholds for some species, sea level threshold for habitation of low-lying islands, slow onset events SST, ocean acidification. Suffer permanent losses
- Slow onset- sea level rise, temp, ocean acidification: impacts ground water salination, loss of biodiversity
- At COP19 adopted Warsaw Mechanism on L&D (Vanuatu was spokesperson for AOSIS on this issue) – international approach versus national approach
- There is a 2-year work program looking at elements of L&D to enhance understanding
  - What are losses?
  - Non-economic losses (livelihood losses?) permanent loss of species, loss of cultural heritage losses.
  - Relocation
  - Need to introduce actions and solutions to address problems
  - There is an executive committee for L&D, and has a permanent rep from SIDSs (Tuvalu is rep)
- Timing is difficult because we have just begun the work program
- Strong call for separate L&D section, article 5 in current text of agreement draft
- How to reflect L&D?
  - Stand alone, additional to adaptation (some developed country parties will try and push this back into adaptation in Bonn)
- Institutional arrangements: should we expand existing institution mandates? Or create new?
  - Warsaw mechanism
  - Adaptation committee
  - LDC expert group
- AOSIS Proposal: goal to PREVENT loss and damage
  - Support adaptation and build resilience to prevent loss
  - Risk sharing – regional insurance
  - Compensation mechanism "rehabilitation fund"
- LDCs proposal
  - Support AOSIS, with additional elements:
    - More detail on new institutions to be established (financial technical panel – manage risk and compensation actions etc.), climate displacement facility (migration and relocation), clearing house for risk transfer
- Current text
  - Doesn't spell out what international cooperation will entail
  - Some institutional arrangements mentioned, but in brackets (need to argue that bracketed text stays in)
  - Adaptation and mitigation state that developing country parties will be eligible for support to implement their obligations, could be added into L&D texts...no action in this paragraph

- Draft decision, para 43 on L&D- only recalls previous decisions, placeholder
- Pacific Roundtable in 2013
  - Vanuatu called for a working group on L&D, Brian Philips is coordinator
  - There was a capacity assessment on Vanuatu
    - Initially when asked, people don't see work in this area, but when consider CCA and DRR, this is related to L&D
    - People don't understand how to value losses on TK, livelihoods
    - Not enough understanding of acidification etc.
- **Adaptation** – Diane McFadzien (SPREP)
  - Mentioned throughout Geneva text, in mitigation, capacity building etc.
  - Section 5 in Article 4 (11 paragraphs) in current text and draft decision
  - Open questions
    - Global goal on adaptation? (e.g. 1.5 temp limit, emissions limit). Paris text has a suggested a global goal: finances? Adaptation frameworks developed? Sharing best practices?
    - Brackets: a commitment, an action, or a contribution (careful on commitments to make sure that you don't create a burden on yourself)
    - Previous protocols were mitigation focused (1997), need to raise political status of adaptation...legal part of text or just covered in decisions?
    - Cancun agreement COP16- Cancun framework on adaptation, adaptation committee. Many developed countries feel that it has been well dealt with already, but others feel that there is a need for additional support
    - How to ensure parity/equality among adaptation and mitigation on finance? GCF's Special climate fund, Adaptation Fund, GCF has stated 50% for adapt (and 50% of these set aside for LCDs). But these funds are not well resourced... countries waiting on pipeline... need some kind of guarantee of these funds.
  - Provisions for adaptation support...subsets of countries that are considered more vulnerable than others... "most vulnerable": land locked, SIDS, mountainous, glacier countries, LCDs etc. For SIDS is not just vulnerability but also capacity issues to access support
  - Recognition to enhance national planning processes: country driver approaches versus conditionality. Should we be following prescriptive guidelines?
  - M&E for Adaptation-
    - Onus on developed countries to prove that adaptation finance has been spent/given
    - Asking developing countries to validate results achieved...a "results-based" approach to show that funds are being used efficiently.
    - Should countries report on their adaptation outcomes "adaptation communications"... or is this just too much reporting obligation?
  - Draft decision:
    - Process to formulate NAPs ; "not a prerequisite for support."- useful. Maybe Vanuatu has its own processes for adaptation planning.
    - Proposal for adaptation to be prioritized and published for donors

- Nairobi- information sharing platform

- [Climate Finance](#) – Exsley Taloiburi (PIFS)



- Without Finance, very difficult to meet commitments under UNFCCC process
- GCF
  - Many modalities for accessing climate finance (loans, concessions, etc. not just grants)
  - NIE accreditation at national level... but no NIE approved yet
  - Regional Implementing entity is SPREP (only one)
  - Multilateral implementing entities
  - National Designated Authorities –
  - 10.2 billion at COP21 pledged (6 billion has been signed, others need to be pushed)
  - Board meeting next month- to approve 1<sup>st</sup> batch of readiness projects.
- Key concepts
  - New and additional (no agreed definition); difficult to identify if it is repackaged ODA
  - Most pacific effort is focused on multilateral funds... we could focus on bi-lateral funds
  - Only 2% of fast start finance reached the Pacific; 80% went to mitigation
  - 100 billion target, but now only relying on voluntary reporting... hard to verify if they are scaling up.
  - No internationally agreed definition on “Climate Finance”
  - Difference between private and public finance, needs clarification
  - Predictability on financial mobilization... not clear or sure what sources will be used
- Key Positions
  - AOSIS + Pacific

- Finance is a means to an end- support vulnerable countries to implement adapt and mitigation but also limit temperature increase to 1.5 Celsius (link finance to temp goal) (or link to emissions goals)
- Like minded developing countries (don't want finance linked to 1.5 goal... they see this as an externally imposed obligation)
- Finance for loss and damage
- Post 2020 100 billion per year by 2020, but what about beyond... we should build on 100 billion mark as a floor (supported by all developing countries) or keep it non-qualitative
- Financial mechanism- no need to establish new
- Grants-based finance for Pacific (not reimbursable grants, or loans, concessions loans, equity or other banking-sector ideas)
- Simply procedures for accessing support
- Adaptation is missing in draft text?
- Vanuatu delegation may have to separate in order to follow all aspects of finance; in Kyoto, in L&D, in adaptation etc.
- Successful outcomes
  - Get clarity on how developed countries will mobilize 100 billion
  - Have GCF projects approved from Pacific
  - MRV on climate finance mobilization (differentiated stringency for developing countries)
  - New sources, innovative sources of finance... need to be clearly identified
  - Simplification of climate finance access; Pacific needs improved access.
- **Gender & Traditional Knowledge** – Diane McFadzien (SPREP)
  - Having men and women in CC decision-making critical, including at COP
  - Technology and capacity building- gender balance and access
  - Currently- strong gender lobby group within COP ( at COP18 gender decision) , gender workshop at COP19, at COP20 decision for additional workshops (June 2015 – gender, mitigation and technology)
  - Paris Gender Day at COP21 (info to be posted), gender report available on flash drive on how UNFCCC bodies are gender balanced
  - Gender is specifically mentioned in Paris text (e.g. adaptation section)
  - TK workshop held in 2014 and report- reviewed best practices from around the world
- **REDD+ & Agriculture** – Espen Ronneberg (SPREP)
  - REDD+ texts have been agreed generally and will be adopted in Paris
  - The rules for REDD+ may be too complex for Pacific, some countries will not participate for this reason
  - Agriculture has a role in mitigation and adaptation (difficult to get onto the agenda for this reason); types of agriculture very different (nomadic agriculture versus concentrated stationary farms)
  - Agriculture included in land use change negotiations (NZ and other ag countries want a separate agenda item and separate treatment in new agreement)

- **Human Rights** - Margaretha Wewerinke (USP)
  - Moral. Legal and Institutional Relevance- human beings have equal entitlement to minimal standards (food, water, health, self-determination, statehood, etc.)
  - Human rights law: human rights treaties (ratified by different sets of treaty)
  - Universal declaration of HR, charter of UN, article 103...the charter prevails
  - UN Rights Council (part of General Assembly of UN) mainstream HR in UN including UNFCCC
  - OHCHR- office of high commissioner of human rights (Fiji field office) ; supporting pacific with some CC related work
  - All treaties give parties some legally binding obligations (countries must make maximum efforts)
  - Obligations are ambiguous under UNFCCC... and UNFCCC does not have strong enforcement mechanisms (but there are many case law examples of sanctions of human rights)
  - Climate change can be framed in human rights terms...can establish legal responsibility in this way
  - Pacific islands, making links between CC & HR (in 2007 Mala Maldives declaration on human impacts of CC- human rights council to address CC. Then in 2008 HR council released report on HR and CC.)
  - Vanuatu has highlighted impacts of CC on human rights in its Reports to Human Rights council.
  - AOSIS raises HR concerns within UNFCCC activities (in Cancun 2010, decision that CC actions respect human rights)
  - Opportunity: use rights language in interventions to strengthen our position (most calls/demands can be framed as HR issues... give a legal and moral basis)
  - Opportunity: secure explicit HR language in agreements, to clarify that the CC obligations of parties under new agreement will be “maximum effort” obligations, possibly even using International Court of Justice for compliance/enforcement
  - Risk:
    - inconsistency between ambition and maximum effort... for example, more could be done than 2C
    - could create conditionality for accessing finance (evidence of HR conditions being met)
    - HR language at UNFCCC may suggest that parties are bring HR issues to venues outside of HR forums
  - Vanuatu could:
    - Global goal- because of parties’ obligations to take maximum efforts to protect HR, we have to do “whatever we can” setting highest ambitions to protect life and HRs
    - Lobby for special finance
    - Loss and Damage – everyone has a right to a remedy to a violation of HRs... if your HRs are at risk of being affected by CC, you must have an adequate and

effective support to remedy. Those responsible for the violation must bring you as close as possible back to normal. But CC is hard to attribute responsibility.

- Including a pledge to uphold HR obligations in preamble or objectives of article 2 (many parties in Bonn called for this language, but co-chairs didn't add it)
- Vanuatu could call for a HR coalition in UNFCCC
- Use HR to state that "all parties" have responsibility towards remedies to loss and damage, and those with greater responsibility have greater responsibility to remedy HR violation (L&D)
  - May need a disclaimer that existing rights (internationally agreed) are not waived by this agreement
- Switzerland, Germany and Norway are in favor of including HR aspects of UNFCCC

## Delegate Recap and Questions from Day 1

- Key lessons and points of view from delegates
  - How can we in Vanuatu ensure climate action sustainability, without relying on external existence... perhaps we should expand our focus on agriculture & traditional knowledge to create ownership and local solutions
  - We need to work on GCF NIE accreditation
  - Gender considerations are critical
  - Good that Loss & Damage is a separate issue
  - Building coalitions, but also having our own national level priorities
  - Overcoming capacity constraint barriers, and taking advantage of support that is available
  - Challenge to access funds by SIDS
  - Good to learn the priorities for Paris
  - Long term versus fast track finance availabilities
  - Overwhelming how much is being done in this convention, how many parts and content
  - Political will is critical, and Vanuatu does not know what lies ahead towards Paris...it may be possible that no Ministers are able to travel, this should be considered by the delegation.
- Tips for Forming a National Position- Diane McFadzien
  - Must identify: national priorities for Paris, what we hope to gain and what are absolute "bottom line positions" and what are "bargaining chips" and what are "unacceptable red flags"
  - A strong national position gives you a "mandate" now speaking on behalf of your country (or a regional mandate). The larger blocks' positions hold most weight in negotiations.
  - There is a need to have national positions, but also be flexible
  - Need to communicate positions nationally and internationally
  - How to prepare a position:
    - Know the agenda of the negotiations
    - Read reports from previous sessions (ENB summaries in Bonn etc), follow the decisions in your area of negotiations (don't read all decision)

- Identify your national priorities
- Assign individuals to different issues
- Know the positions/mandates of other parties (from UNFCCC submissions or past meeting reports)
- Make an effort to reach out to countries with different positions (maybe they don't understand your point of view yet)
- Everyone will get somethings and yield somethings
- Don't show your fallback positions on 1<sup>st</sup> day, keep things private.
- Know your "redlines" to help with your bargaining
- Minister's should be aware of national positions, communication is very important
- Journalists may be sympathetic, but not fully understand the issue (e.g. compensation versus first two elements of L&D)
- Positions can change overnights, may need to regroup as a delegation daily (evolving contexts)
- NGOs and all delegates must be careful not to speak outside the official delegation positions.

## Draft Adaptation Positions for Vanuatu

- Adaptation is a critical issue for Vanuatu due to highly vulnerable nature (low lying, climate-related hazards)
- M&E include strict reporting from parties on how much financial support, technology transfer, governance, capacity building and M&E support that has been provided to Vanuatu
- Adaptation should be designed and implemented according to local contexts, including traditional knowledge and be locally driven
- The Paris Agreement must include a separate section on adaptation
- Technology transfer and technical assistance for adaptation should be explicitly reported, where it comes from and where it goes
- There should be a global adaptation goal of 50% CC finance allocated to adaptation.
- The agreement must include an obligation to share lessons learned from adaptation experience, so that all countries may learn from the implementation of others

## Draft Mitigation and Temperature Goal Positions for Vanuatu

- Mitigation efforts focused on limiting warming of 1.5, this if for our survival, we have allies in the EU, Umbrella Group and other PICs
- Funding must be made available to implement our INDC; implementation is conditional on this finance
- Much needed support for REDD+, Vanuatu must push forward in implementation to help meet the 1.5C goals
- Fair and equal contribution towards mitigation, must persuade diesel producers to play a part
- Vanuatu INDCs will require funding to implement all the planned activities

- Vanuatu wants to take voluntary action as a moral obligation, even though our net emissions are near zero, to show our ambition and willingness



## Draft Finance Positions for Vanuatu

- There must be higher clarity on financial sources of 100 billion by 2020, for Vanuatu to have some predictability in budgeting
- There should be a specific allocation for SIDS under financial mechanisms ( e.g. the special climate change fund; as under GEF there is only one adaptation window)
- Post 2020, there must be scaling up of financial flows, and 100 billion is a floor of acceptable finance. Plans for scaling up must be made explicit
- Legally binding agreement in 2015 should be long-term, with “new and additional” financing made explicit
- Should be a specific provision for finance for loss and damage (not a part of the 100 billion commitments)
- Adaptation Fund has not been mentioned in the draft agreement, but this should be explicitly recognized as a financial mechanism.
- There must be simplifications of procedures under GCF and Adaptation Fund (especially simplification of NIE accreditation processes)
- Currently no internationally agreed definition of “new and additional finance” and no mandatory reporting on climate finance by developed countries
- 2015 agreement must have financial provision for loss and damages means of implementation; technology, transfer, capacity building, resilience development, risk insurance etc (DO NOT USE TERM COMPENSATION). 67% GDP loss from TC Pam, loss of lives, impacts on livelihood (Relate to the losses to climate change)
- Simplifying procedures for accelerated and timely access of climate change finance for LDS and SIDS.
- Balanced allocation of finance between adaptation- mitigation must be 50/50. Example, historically, there is an imbalance between mitigation and adaptation allocation

- Needs flexibility on accreditation for NIE to the GCF for P-SIDS, and needs for ongoing readiness support
- Adaptation fund should be part of the financial mechanism of 2015 agreement and should focus specifically on adaptation in developing countries
- The need for replenishment of GEF-LDC funds as fund have been used to implement NAPAS.

## Draft Traditional Knowledge, Agriculture & Human Rights for Vanuatu

- Another paragraph should be added in preamble in draft agreement to link with HR and TK
- Reference in Article 2 on TK, recognizing this knowledge in a key part of the agreement
- Article 4.1 ...add “to protect people, traditional cultures, livelihoods and ecosystems”
- Paragraph 69B of decision... remove “party experts” as it doesn’t include ni-Vanuatu or indigenous peoples, change to “representatives of indigenous peoples and local communities”
- Add agriculture to the agreement
- In all pre-ambular language, there is reference to HR, this should be moved to the agreement. The need to protect traditional knowledge should be better articulated.

## Engaging in the Text

- The words are very important
- “decide” is very different to “welcome”
- As soon as the Saudis put up their flag, Marshall Islands would raise their flag to rebut this
- Know you allies, and know who you need to persuade
- Keep track of negotiations, know where to be to discuss your issue
- React to changes that countries have added or deleted
- Consult with other parties, NGOs on key issues to find common ground or areas for bargaining (and lock in your agreements in writing!)
- Late night meetings are critical
- Beware of slippery negotiation words (weaken text)
  - “conditional words” (as necessary, if) – degree of subjective judgment involved
  - “Consider”- adds a delay (e.g. decides to consider)
  - Shall versus Should (compulsory versus not)
  - May... makes something optional and at a party’s discretion
  - “where necessary/ where relevant” – allows loopholes
  - “towards” ... seems that you will never get to goal
  - “intent” – no certainty that things will happen
- Agreeing to hold “Workshops” may delay action



## Delegate Recap and Questions from Day 2

- National positioning and group work
- Gaps remaining: compliance-finance, loss and damage- adaptation, cross cutting
- Daily COP schedule and role of members of delegation
- Review of textual drafting and strengthening/weakening of texts
- Mock negotiation session: draft opening statement, contact group, divergent positions to achieve consensus conclusion
- Homework assignment: identify Vanuatu entry points
- Skills and key points learned on previous days:
  - Using words to drastically influence text, can change outcomes
  - Understanding the various committees and taskforces, using simple background information from these groups
  - Overwhelming information, in order to get productive negotiations, the delegation has to do background reading and understand the issue in a broader context, and also what has been done in other committees
  - Being aware of the bottom line in negotiations what can and cannot be negotiated
  - The power of negotiation is very strong... trying to influence countries in bilaterals and face to face defense and empathy
  - Linking what Vanuatu will be doing at COP and knowing which people to negotiate with and who to defend against
  - Delegates are able to speak at the most appropriate time that is relevant for this issue... not to remain silent when others are speaking, and to use the support stated for other positions to bring your position forward
  - Very important to have the mandate to speak, and the national position will help move this forward. Important not to miss an opportunity, and speak as soon as possible, and get other countries to support your statements.
  - The Vanuatu delegation has the technical know-how, and will need to make sure there is no fear to speak at the negotiations. It is possible to buddy-up and work with CROP agencies to provide support.

## Updating the Vanuatu National Position Statement

- The position should include both the major position, as well as a reference as to where it appears in the treaty & decision texts.
- An analysis should be undertaken for each textual point, including specific suggestions of wording to improve
- There should be an analysis of where this issue crops up in other meeting agendas (SBI, SBSTA, etc)
- Note should be made of what the positions of other countries is... (also highlighting regional statements or other party submissions etc)
- Facilitators asked to bring forward these key points
  - – agreement needs to be legally binding;
  - prioritization for Vanuatu and inclusion of agriculture and traditional knowledge
  - for future sustainable development, concerned over high dependency for donors, a need to create ownership;
  - Green Climate Fund approach of supporting NIEs is critical;
  - loss and damage is separate issue; climate change affects everybody;
  - what we need to look out for while also understanding the text, and bearing in mind national priorities,
  - complexity of the finance landscape;
  - common but differentiated responsibilities and legally binding agreement;
  - challenges in the complexity of accessing climate change funds;
  - importance of priority setting;
  - terminology in climate change finance; overwhelming amount of information.
- Noted that while it can seem overwhelming, you have a lot of support networks to rely on. Reiterated that there are no dumb questions.

## Mitigation Discussions

- Paragraph 10, INDC's should be made a commitment
- Paragraph 10-18 INDCs-Vanuatu's to consider making the INDC's as commitments
- Paragraph 18- Use option 1 and keep [decides] and delete [invites.....]
- Paragraph 22-30- Vanuatu to consider use of [commitment] instead of [contribution]
- Paragraph 29(a)-Vanuatu has submitted its INDC report
- Paragraph 34: Option 1: Vanuatu to support CMA to establish a mechanism to support Sustainable development and be made available....
- Vanuatu should ratify Doha amendment (NEEDS TO BE ACHIEVED BEFORE PARIS)
- Does the Topic arise in COP,CMP,SBI or SBSTA agendas?
- Note on Position of others-e.g. is it cover

## Mock Negotiation Exercise

- The delegates practiced their negotiation skills the rest of the afternoon was spent in a mock simulation exercise, where each delegate had to make an opening intervention into a mock Contact Group, on National Adaptation Planning (NAPs).
- Delegates then switched to a drafting exercise and each had to make direct drafting interventions into the UNFCCC SBI draft conclusions on NAPs (according to country briefs which were provided)
- For homework on Tuesday, delegates were asked to think about their key issue (for the policy positions) and identify the 'entry points' for where these issues would be negotiated in Paris (i.e. the COP body agenda items, or sections of the ADP draft, relevant to their items).

## Delegate Terms of Reference

- Comments were collected on Delegates TOR for Paris (based on a review of the Warsaw TOR):
- Key suggestions for a new TORs
  - a. Has to be flexible as delegates are assigned new roles, once at the COP21, to fill in as others get taken on other assignments.
- Questions on Reporting – what is the point of making a daily report, if no feedback is given to those of us sending in the daily report. This makes it hard to gauge the usefulness of our reports.
- Because the Vanuatu delegation number is small – when it comes to issues that go beyond 9pm at night if you are the only one following an issue, you will get exhausted. Even 2 delegates per issue is not enough – the shifts are too long. Partners should be established, and including reporting obligations
- Delegation needs to find a way to communicate while discussions are actually on going – i.e. send emails while you are in the negotiations, so that others can pick up and follow. These emails also make reporting easier. For e.g., emails on what was discussed, proposed amendments etc.
- Reporting is challenging when the back ground information is not clear or there is not a strong understanding of the context. Those attending the Bonn session need to let us know what is agreed there, as this will make it easier to pick up for Paris.
- Overall, the daily reporting is a useful tool, but could do with some adjustments. With the limited number of delegates, it is hard to commit delegates to just one particular issue.
- Reporting – delegates may get called to report on certain issues, but may not get feedback on their reports. The task force may wish to consider how timely feedback will be provided (by the person coordinating the reports), or what mechanism can be used, so that all other delegates can also get this information (i.e. google drive, drop box could be used as sharing mechanisms, so that the full delegation can access information).

- During Warsaw, there was a drop box for Vanuatu delegation, but the Head of Delegation had appointed a person to play the coordination role. The issue was on how to have a person familiar with all country positions and issues so that they can provide feedback to the person reporting. The original plan was that by mid way point, that a media release would be made from the COP to Vanuatu, but this was not done. Yet, we had a person who was tasked with compiling all the daily reports. Feedback needs to be based on the current state of play.
- SPREP advised the team here to also use the media personnel that SPREP will be bringing to Paris – Nanette Wooton is the SPREP lead on this – she can provide support to delegations on news stories, interviews and profiling your delegation in the news.
- Noted that it may be useful to have more than one person assigned to coordinate and provide feedback, it may be too large a task for one. Can also ask for CROP agencies to assist the delegation with this task (For e.g. there are CROPs accredited on the Vanuatu delegations).
- Next Steps: The meeting agreed that they would request the Chair of the UNFCCC Task force to circulate the TOR to all delegates by email, and provide the opportunity over a set number of days to finalize the TOR.

## Closing Function Remarks (DG Jotham Napat)

Directors and DG's, Distinguished Delegates, Expert Facilitators, Ladies & Gentlemen,

This week's training has been a very important milestone in Vanuatu's preparation for the upcoming UN Climate Negotiations to be held in Paris at the end of the year.

As you know, the time has come for a legally-binding global treaty on climate change which must include strong and verifiable measures to ratchet up ambition on green-house gas mitigation, enable adaptation, and prevent loss and damage.

Vanuatu has reformed its UNFCCC engagement approach since 2012, greatly expanding the caliber and capacity of its delegation to annual Conferences of the Parties, as well as opening the negotiation process to a wide group of stakeholders from Government and non-Government organizations.

COP21, to be held in Paris from November 30th to December 11<sup>th</sup> will be a crucial test for the Vanuatu delegation as they must achieve a new international agreement on the climate, applicable to all countries, with the aim of limiting global warming.

This training has been the first time our delegation has met as a team, and I am very impressed with what I have seen. Let me announce today that the Vanuatu delegation in 2015 will be the largest ever seen, with 18 official delegates approved.

Vanuatu has always had a special role in the UNFCCC and we have an important role in this COP21 negotiation as we seek to raise ambition on greenhouse gas mitigation, specifically to limit warming to 1.5C. Vanuatu also aims to ensure strong provisions and requirements around Loss and Damage are met, particularly as it proceeds down a long road of recovery and reconstruction after the devastation

caused by severe tropical cyclone Pam in early 2015. These and several other positions are now being pulled together in our 1<sup>st</sup> draft Vanuatu Negotiation Positions.

In addition to developing these positions, the purpose of this training was to build the capacity of our delegated, some of whom have been attending UN negotiations for years while others will attend for the 1<sup>st</sup> time this year.

I would like to thank our expert facilitators and organizers from SPREP, USP, SPC, and GIZ. You have given your knowledge and time to support our team to understand and build on the most recent negotiation issues. We look forward to working closely with you all at COP21 in Paris. Many thanks also to the German Government, specifically the GIZ global program on Loss & Damage, for the finance that has made this training possible.

Distinguished invitees, let me now take this time to invite you to meet and greet our delegation, and share your own climate aspirations.

Thank you all for your attendance, and thanks to our outstanding delegation for your commitment to negotiating on behalf of our nation. We look forward to seeing you all again at Fest Napuan where we will open the UN COP21 agenda to Vanuatu's public as the theme of this year's music festival.

## Meeting Background, Objectives and Agenda

Vanuatu has reformed its UNFCCC engagement approach since 2012, greatly expanding the caliber and capacity of its delegation to annual Conferences of the Parties, as well as opening the negotiation process to a wide group of stakeholders from Government and non-Government organizations.

COP21, to be held in Paris from November 30th to December 11<sup>th</sup> will be a crucial conference, as it must achieve a new international agreement on the climate, applicable to all countries, with the aim of limiting global warming.

Vanuatu has a special role in this COP21 negotiation as it seeks to raise ambition on greenhouse gas mitigation, specifically to limit warming to 1.5C. Vanuatu also aims to ensure strong provisions and requirements around Loss and Damage are met, particularly as it proceeds down a long road of recovery and reconstruction after the devastation caused by severe tropical cyclone Pam in early 2015.

### **Training Objectives**

This three-day training has the following objectives:

- 1) Develop and refine Vanuatu's core negotiating positions for further domestic consultation
- 2) Review key COP processes and identify entry points for Vanuatu in the lead up to COP21
- 3) Better understand the current negotiation context, and identify negotiation partners and strategic alliances

4) Expand delegate negotiation and textual comprehension skills through practical and hands-on experience

5) Enhance an understanding of the role of media and public engagement in the COP21 process before, during and after COP21

5) Further elaborate and plan for additional COP21 preparatory activities within Vanuatu, including the discussion and design of a major public event to draw attention to Vanuatu's climate plight.

### Training Outputs

- Draft Vanuatu Negotiating Position Statement
- Signed delegate TORs
- Finalized COP21 preparation plan, including public and partner engagement
- Press Release for domestic/international media highlighting Vanuatu's increased capacity

### Agenda

Date	Time	Topic	Description	Facilitator
12 October 2015	AM	Pre-Training Briefing	SPREP, PIFS, SPC meet with UNFCCC Taskforce to finalize logistics and meeting arrangements	Jesse Benjamin and Christopher Bartlett
13 October 2015	9:00am	Training Introduction	- Welcome by DG - Participant Introduction - Review of COP21 goals and timeline - Review of Training Objectives - Group Photograph	Jesse Benjamin
	10:30am	Morning Tea		
	11:00am	UNFCCC and Vanuatu	- background to convention, aims - bodies and how they work (with support from past delegates) - Vanuatu's historical engagement in UNFCCC - Vanuatu's obligations FNC, SNC, INDC, NAP, NAPA - current entry points for Vanuatu	Diane McFadzien, Espen Ronneberg, Brian Phillips
	12:30	Lunch		
	1:30	COP21 The issues	- Review of major issues of negotiation for upcoming COP <ul style="list-style-type: none"> <li>• Loss and damage</li> <li>• Adaptation</li> <li>• Finance</li> <li>• Mitigation</li> <li>• Gender</li> <li>• Agriculture</li> <li>• Traditional Knowledge</li> </ul> - Review of key documents with current positions from Vanuatu, region, negotiating blocks - Mapping of divergent positions and Vanuatu's potential role	Scott Hook, Exsley Taloiburi, Dean Solofa, Diane McFadzien, Espen Ronneberg
	3:30	Afternoon Tea		
	3:45	Group Work	- Ranking and discussing Vanuatu's priorities for upcoming COP21	

Vanuatu COP21 Delegation Training: SPREP, PIFS, SPC, USP & GIZ October 2015

	4:15	Position Identification	<ul style="list-style-type: none"> <li>- plenary review of the priorities and refinement of list of top negotiation areas for Vanuatu</li> <li>- initial assignment of delegate topical areas of responsibility</li> <li>- Homework: pre-prepared readings/questions on key topics</li> </ul>	
	5:30	Closing		
14 October 2015	9:00am	Group Work	- small group discussions on key negotiation areas, development of 1 <sup>st</sup> draft positions for each topical area (to be typed by minute takers and circulated next day for discussion)	
	10:30	Morning Tea		
	10:45	Roles of Delegates at COP	<ul style="list-style-type: none"> <li>- typical daily COP schedule</li> <li>- maximizing the effectiveness of the delegation as a whole</li> <li>- identifying Vanuatu delegate strengths and capacities (in addition to topical focus)</li> <li>- review TORs for delegates including individual roles</li> </ul>	Diane McFadzien, Espen Ronneberg,
	12:30	Lunch		
	1:30	Into the Text	<ul style="list-style-type: none"> <li>- Understanding Reading, writing decision text</li> <li>- a hands on activity for understanding textual language, document conventions and finding and using UNFCCC documents while at COP21</li> </ul>	Espen Ronneberg
	2:30	A Mock Negotiation	<ul style="list-style-type: none"> <li>- Practical exercise simulating a negotiation room around loss and damage text</li> <li>- concrete scenarios, contrary arguments and solidifying points of view</li> <li>- include bilaterals, plenary interventions and textual amendments</li> </ul>	Diane McFadzien, Espen Ronneberg
	3:30	Afternoon Tea		
	3:45	Mock Negotiation continues	<ul style="list-style-type: none"> <li>- continue exercise</li> <li>- use allies and negotiating blocks to Vanuatu advantage</li> </ul>	Diane McFadzien, Espen Ronneberg
	5:00	Closing		
15 October				
16 October	9:00	Debrief on Mock Negotiation	- delegates reflect on the processes experiences, challenges, solutions and strategies for real negotiation	
	10:30	Morning Tea		
	10:45	Negotiating Positions	Plenary review of 1 <sup>st</sup> Draft Negotiating Positions for Vanuatu	
	11:30	Engaging the Public	<ul style="list-style-type: none"> <li>- delegates review and revise UNFCCC Taskforce work plan on public engagement</li> <li>- roles and opportunities for engaging the domestic and international media (major publicity stunt brainstorming)</li> </ul>	
	12:30	Lunch		
	1:30	Next preparation steps	<ul style="list-style-type: none"> <li>- logistical arrangements (hotels, flights, venue, transport, accreditation)</li> <li>- financing for delegates</li> <li>- additional capacity development requirements and schedule</li> </ul>	Jesse Benjamin

			<ul style="list-style-type: none"> <li>- steps for consultation and finalization of on Vanuatu positions</li> <li>- briefings with Parliament and leaders</li> <li>- engagement with partners, negotiating blocks etc</li> </ul>	
	4:30	Closing Function	<ul style="list-style-type: none"> <li>- Signing of Delegate TORs</li> <li>- Closing remarks</li> <li>- Press conference</li> <li>- Cocktails and social event</li> </ul>	DG Napat

## Training Participant List

#	Participant Name	Position	Agency	Email
1	Diane McFadzien	Climate Change Adaptation Advisor	SPREP	dianem@sprep.org
2	Exsley Taloiburi	Climate Change Finance Advisor (Acting)	PIFS	exsley@forumsec.org
3	Espen Ronneberg	Climate Change Advisor	SPREP	espenr@sprep.org
4	Emil Samuel	Delegate	350 Vanuatu - Youth Representative	<a href="mailto:zonsamuell6@gmail.com">zonsamuell6@gmail.com</a>
5	Alain Simeon	Delegate	VBTC	simeon.alain@vbtv.vu
6	Dr. Margaretha Wewerinke	Delegate	USP	Margaretha.wewerinke@vanuatu.usp.ac.fj
7	Chris Tavoia	Delegate	State Law Office	ctavoia@vanuatu.gov.vu
8	Andrew Napuat	Manager	NAB	anapat@vanuatu.gov.vu
9	Johnety Jerette	Delegate	Department of Foreign Affairs	jjerette@vanuatu.gov.vu
10	Mike Masauvakalo	Delegate	Department of Foreign Affairs	mmasauvakalo@vanuatu.gov.vu
11	Glarinda Andre	Delegate	Live and Learn	Glarinda.andre@livelearn.org
12	Vano Esrom Marck	Delegate	Department of Women Affairs	evano@vanuatu.gov.vu
13	Anna Bule	Delegate	NAB Secretariat	<a href="mailto:abule@vanuatu.gov.vu">abule@vanuatu.gov.vu</a>
14	Dorosday Kenneth Watson	Delegate	Department of Women Affairs	ddkenneth@vanuatu.gov.vu
15	Roan Lester	Delegate	Prime Minister's Office	rlester@vanuatu.gov.vu

Vanuatu COP21 Delegation Training: SPREP, PIFS, SPC, USP & GIZ October 2015

16	Malcolm Dalesa	UNFCCC Taskforce	UNDP	<a href="mailto:malcolmdalesa@gmail.com">malcolmdalesa@gmail.com</a>
17	Melinda Fred	Admin	SPC/GIZ	<a href="mailto:jmelly23@gmail.com">jmelly23@gmail.com</a>
18	Collin B		DRU/GIZ	<a href="mailto:Ronnie.banga@gmail.com">Ronnie.banga@gmail.com</a>
19	Graham Sem		SEM LTD	<a href="mailto:gsem@xtra.co.nz">gsem@xtra.co.nz</a>
20	Jim Tabi	UNFCCC National Coordinator	SPC/GIZ	<a href="mailto:jtabivahka@gmail.com">jtabivahka@gmail.com</a>
21	Dr. Christopher Bartlett	Delegate	SPC/GIZ	<a href="mailto:Christopher.Bartlett@giz.de">Christopher.Bartlett@giz.de</a>