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Environmental and
Energy Study Institute

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What's on the Table for the Negotiations? What Congress Needs to Know About COP28

Tuesday, November 07, 2023

About EESI



Non-partisan Educational Resources for Policymakers

A bipartisan Congressional caucus founded EESI in 1984 to provide non-partisan information on environmental, energy, and climate policies

Direct Assistance for Equitable and Inclusive Financing Program

In addition to a full portfolio of federal policy work, EESI provides direct assistance to utilities to develop “on-bill financing” programs

Commitment to Diversity, Equity, Inclusion, and Justice

We recognize that systemic barriers impede fair environmental, energy, and climate policies and limit the full participation of Black, Indigenous, people of color, and legacy and frontline communities in decision-making

Sustainable Solutions

Our mission is to advance science-based solutions for climate change, energy, and environmental challenges in order to achieve our vision of a sustainable, resilient, and equitable world.

Polycymaker Education

Briefings and Webcasts



Live, in-person and online public briefings, archived webcasts, and written summaries

Climate Change Solutions



Bi-weekly newsletter with everything policymakers and concerned citizens need to know, including a legislation and hearings tracker

Fact Sheets and Issue Briefs



Timely, objective coverage of environmental, clean energy, and climate change topics

Social Media (@EESIOnline)



Active engagement on Twitter, Facebook, LinkedIn, and YouTube



COP28/CMP18/CMA5

Dubai, UAE | 30 November – 12 December 2023



EESI Briefing,

What's on the Table for the Negotiations?

November 7, 2023 | Rayburn Gold Room

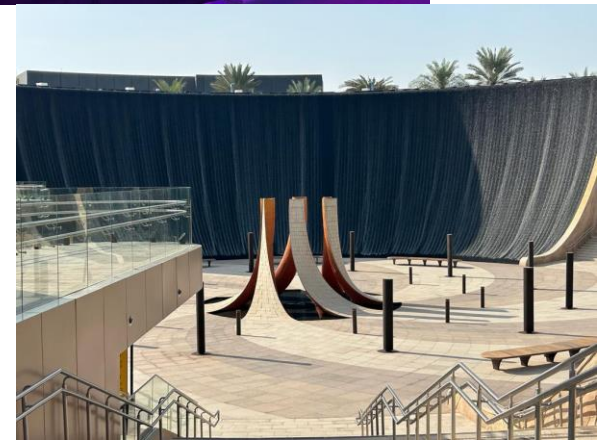
Professor Tracy Bach

Lecturer, Tuck School of Business at Dartmouth

Co-Constituency Focal Point, RINGO
(Research & Independent NGOs)

COP28

- **Week 1 – technical work of SBs**
 - **30 Nov: Opening plenaries** of COP/CMP/CMA and SBI/SBSTA
 - **30 Nov → Negotiations** in contact groups, informals, and informal/informals, mostly of SBI and SBSTA
 - **Mandated events/workshops**, like Multilateral Assessments, Youth Forum Dialogue
 - **Presidency events**, like HLS/World Climate Action Summit (WCAS), on UAE national holiday
 - **Other high-level events**, like HL event on NAPs, High-Level Ministerial Dialogue on NCQG
 - **6 Dec: Closing plenaries** of SBI/SBSTA



COP28

- **Week 2 – political work of COPs**
 - **8 Dec:** Resumed HLS
 - Mandated events like HL Ministerial roundtable on pre-2030 Ambition, HL Ministerial Dialogue on Climate Finance, GCA High-Level event
 - Bilaterals and closed sessions where Parties look to find convergence on COP/CMP/CMA decision texts
 - **12 Dec: Closing plenaries** of COP/CMP/CMA



COP28 UAE Presidency Goals

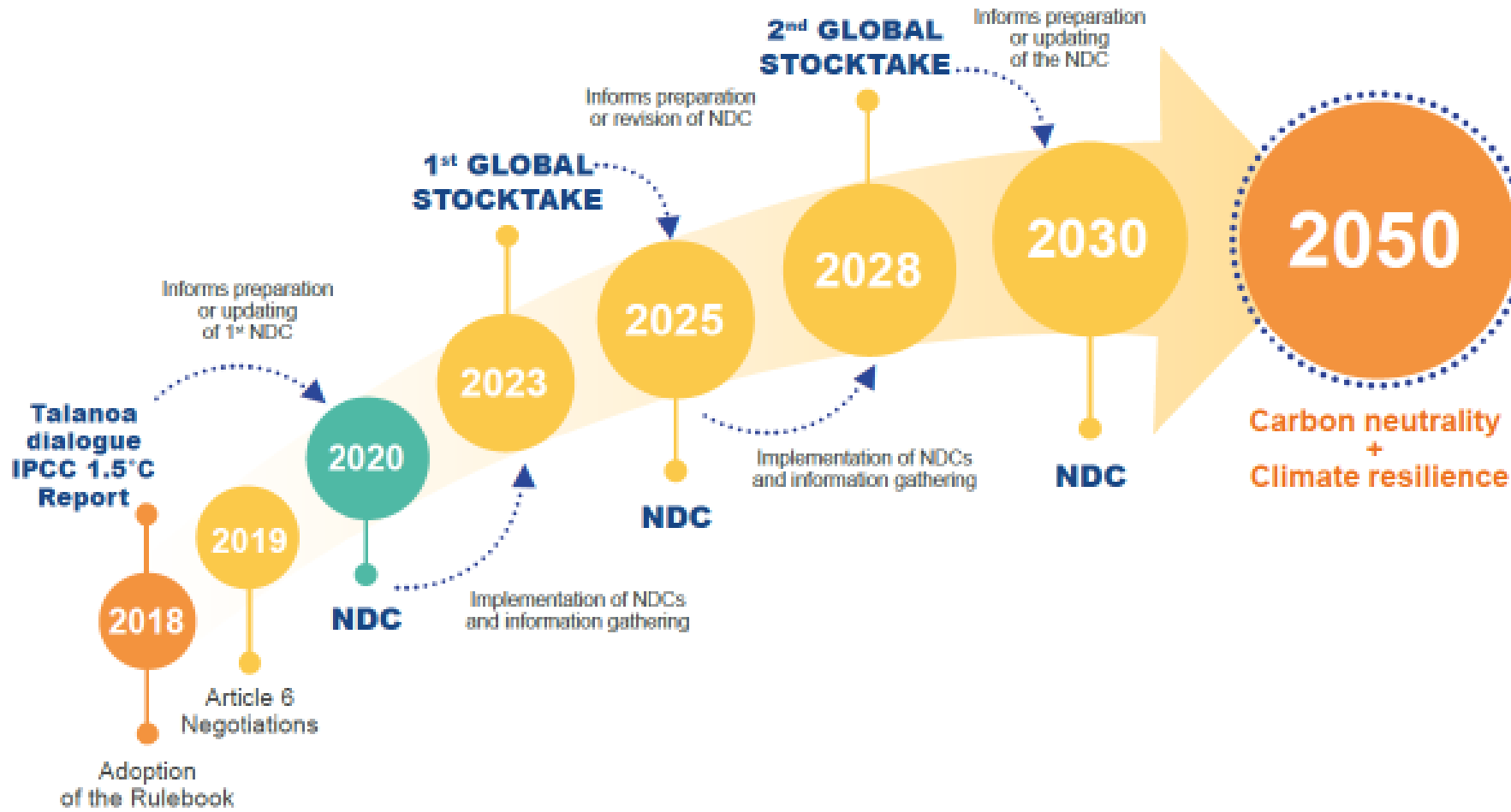
Nov 30	 Opening	Dec 6	 Multilevel Action, Urbanization and Built environment / Transport
Dec 1	 World Climate Action Summit	Dec 7	 Rest
Dec 2	 World Climate Action Summit	Dec 8	 Youth, Children, Education and Skills
Dec 3	 Health / Relief, Recovery and Peace	Dec 9	 Nature, Land Use, and Oceans
Dec 4	 Finance / Trade / Gender Equality /Accountability	Dec 10	 Food, Agriculture and Water
Dec 5	 Energy, Industry / Just Transition / Indigenous Peoples	Dec 11-12	 Final Negotiations

- **Legacy:** Implementation of Paris Agreement, GST1, delivering on cli fi, broader diplomacy
- **Thematic days:** highlights strengths, topics not on negotiation agenda
- **Focus on ministerial consultations** since SBs, preCOP – to move hard lines
- **Declarations:** Seeking 3x RE, 2x EE, 3x Adaptation Finance ...
- **“Just transition” of a FF-dependent economy?:** “unabated” fossil fuel “phase down”

COP28 key issues

- **Global Stocktake:** GST1 moving from technical to political phase, backwards vs forwards looking, text dec v cover dec, political declaration, annex
- **Loss & damage:** Political momentum from provisional COP27 agenda item 8F to COP27 decision; action on Transitional Committee report
- **Climate finance:** Negotiations on new collective quantified goal (NCQG) to replace the existing \$100b/year
- **Adaptation:** Global Goal on Adaptation (GGA), anchored in Art. 7 of the Paris Agreement
- **Mitigation:** Mitigation Work Programme (MWP) to increase ambition

GST and NDC Ambition



What's on the Negotiating Agenda for COP 28?



International Institute for Sustainable Development

CHINA

SAUDI ARABIA

MOROCCO



Official COP 28 Agenda Items

- Global Stocktake under the Paris Agreement (GST)
- Global Goal on Adaptation (GGA)
- Mitigation Work Programme
- New collective quantified goal on climate finance (NCQG)
- Loss and Damage (L&D)



COP 28 Presidency's Action Agenda

- Fast Track the Energy Transition
- Fixing Climate Finance
- Putting Nature, People, Lives and Livelihoods at the Heart of Climate Action
 - Declaration on Sustainable Agriculture, Resilient Food Systems, and Climate Action
 - COP 28 Declaration on Climate and Health
- Mobilizing for an Inclusive COP

An introduction to Loss and Damage in the climate negotiations

Zoha Shawoo

zoha.shawoo@sei.org





The average estimated cost per household is \$52,113, but each household received an average amount of \$380, with a few exceptions receiving as low as \$76 and, in some instances, \$3,800 for the reconstruction of houses. This leaves a substantial residual gap of \$51,733 per household.

What is loss and damage?

- Loss and damage (L&D) refers to **impacts of climate change** that cannot (or have not) been avoided through mitigation or adaptation.
- This includes losses and damages from both **slow onset events** (sea level rise, desertification) and **sudden onset events** (floods, cyclones)
- Recent IPCC report finds that L&D would increase with increasing global warming, that L&D is that limiting warming to 1.5°C would limit but not eliminate L&D, and that even effective adaptation **cannot eliminate all L&D**
- Poor and vulnerable communities, who are least responsible for climate change, are **already facing** the brunt of its impacts and losing their homes, lives and livelihoods
- **Financing for L&D** is essential to enable vulnerable countries and communities to deal with the climate impacts they are already facing, to protect development gains in poorer regions of the world and to rebuild and recover
- By 2030, the economic costs in developing countries are expected to reach **US\$290–580 billion per year** (Markandya and González-Eguino 2019)

L&D in climate negotiations: key milestones

1991

Vanuatu (on behalf of AOSIS) proposes an insurance mechanism to be included in the UNFCCC, with a specific request for “industrialised” nations to pay for the “loss and damage” that would harm vulnerable small island nations as a result of rising sea levels. This ultimately does not make it into the convention.

2013

Warsaw International Mechanism on Loss and Damage (WIM) established, with functions to boost loss-and-damage understanding, strengthen collaborations and enhance “action and support”. However, the decision only “requests” that developed countries provide financial assistance.

2015

Article 8 of the Paris Agreement dedicated to L&D, introducing language of “averting, minimizing and addressing”. Article states that it “does not provide a basis for liability or compensation.”

2019

No progress on L&D finance despite G77 demands. Decision establishing the Santiago Network to provide technical support directly to developing countries.

2021

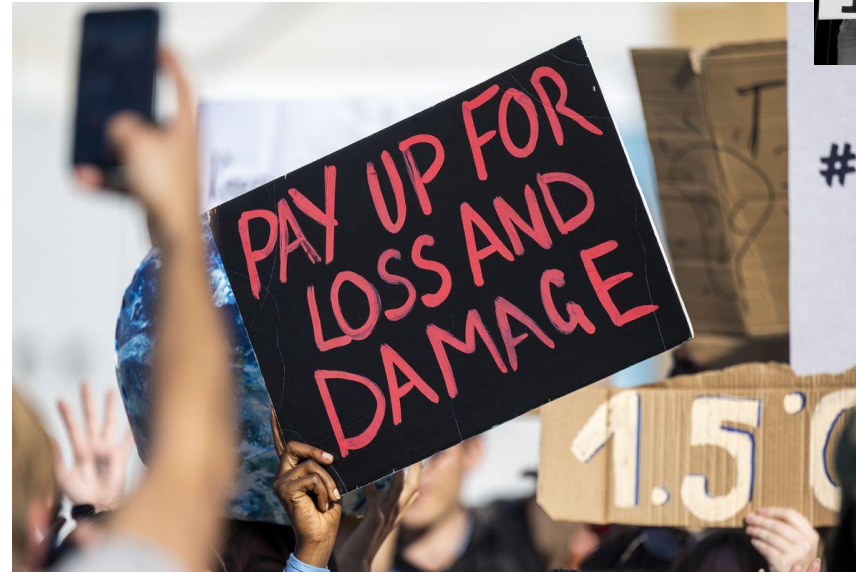
G77 proposal for L&D fund doesn’t make it into final decision. Instead, Glasgow Dialogue established to discuss funding arrangements for L&D. Scotland becomes first country to explicitly pledge bilateral finance for addressing L&D (2 million pounds).

2022

L&D finance on the official agenda for the first time. Agreement to establish a L&D fund. Continued bilateral pledges of support for L&D.

COP27: a breakthrough decision after decades of advocacy

2. *Decide* to establish new funding arrangements for assisting developing countries that are particularly vulnerable to the adverse effects of climate change, in responding to loss and damage, including with a focus on addressing loss and damage by providing and assisting in mobilizing new and additional resources, and that these new arrangements complement and include sources, funds, processes and initiatives under and outside the Convention and the Paris Agreement;
3. *Also decide*, in the context of establishing the new funding arrangements referred to in paragraph 2 above, to establish a fund for responding to loss and damage whose mandate includes a focus on addressing loss and damage;



Transitional committee set up to discuss operationalization

Key points of contention:

- Where should the fund be hosted
- Who will pay into the fund, and who will be eligible to receive funding
- Scope of the fund: extent to which it will be narrowed down
- Governance: how civil society and affected communities will be involved in decision-making over use of funds
- Accessibility requirements: how to move away from GCF / AF model + relevance of trigger-based systems
- Instrument of funding: only grants based?
- Mechanisms for reaching most vulnerable communities on the ground: EDA vs national govt
- Relationship between the fund and the funding arrangements, and how the fund will relate to broader mosaic of solutions



Loss and damage negotiations at COP28

1. The Loss and Damage Fund
2. Global stocktake
3. New Collective Quantified Goal (NCQG)
4. Santiago network and the Warsaw International Mechanism

In 2023 we've seen climate destruction in real time, yet rich countries are poised to do little at Cop28

Saleemul Huq and Farhana Sultana

Countries deadlocked on 'loss and damage' fund as UN climate summit nears

By Valerie Volcovici

October 23, 2023 5:42 PM EDT · Updated 7 days ago



Western nations are on the cusp of usurping Loss and Damage Fund. This could derail COP28

Tensions soar over new fund for climate 'loss and damage' ahead of COP28

By Megan Rowling

October 23, 2023 8:04 AM EDT · Updated 11 days ago



What COP28 should consider

1. Adopt alternative eligibility requirements
2. Adopt a flexible, grants-based approach
3. Ensure that finance reaches the local level
4. Adopt participatory and representative decision-making processes
5. Adopt comprehensive, full-spectrum approaches



Thank you!

Read our reports:

- <https://www.sei.org/publications/operationalizing-loss-and-damage-fund/>
- <https://www.sei.org/publications/operationalizing-loss-and-damage-fund-for-beneficiaries/>
- <https://www.sei.org/publications/operationalizing-the-loss-and-damage-fund/>

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AMERICA IS ALL IN

U.S. Stakeholders at COP28
Ryan Finnegan, World Wildlife Fund

Role of U.S. Stakeholders at COP

- **Influence Negotiations**
- **Strengthen Relationships**
 - Track II and III Diplomacy
- **Share Announcements/Expertise/Progress Points**
- **Programming and Events**
- **Bilateral/Multilateral Meetings**
- **Advocacy, Activations, etc.**



Tracking U.S. Stakeholders at COP

- **National Congress of American Indians, Tribal Nations Leadership**
- **2 U.S. Governors, Dozens of State Employees**
- **20+ U.S. Mayors and Elected City Leaders**

Wisconsin, Texas, Florida, New Mexico, Nebraska, Mississippi, Georgia, California, Massachusetts, Minnesota, Connecticut, Colorado, etc.

- **100+ Academic Reps from Dozens of U.S. Colleges and Universities**
- **Large and Small Businesses, Investors**
- **Faith Groups, Health Care Organizations, Cultural Institutions, etc.**
- **NGOs, Community Organizations, Youth Groups, etc.**



A framework agenda from November 30 to December 12:

Two-Week Thematic Program

Nov
30



Opening

Dec
6



Multilevel Action, Urbanization
and Built Environment/Transport

Dec
1



World Climate Action Summit

Dec
7



Rest

Dec
2



World Climate Action Summit

Dec
8



Youth, Children, Education and Skills

Dec
3



Health / Relief, Recovery and Peace

Dec
9



Nature, Land Use, and Oceans

Dec
4



Finance / Trade /
Gender Equality / Accountability

Dec
10



Food, Agriculture and Water

Dec
5



Energy, Industry, and Just Transition

Dec
11-12



Final Negotiations

CROSS-CUTTING THEMES

Technology
and innovation



Inclusion



Frontline
communities



Finance



COP28 Local Climate Action Summit

- **Transforming Local Climate Finance:** Strengthen sustainable financial mechanisms to mobilize the trillions of dollars in public and private investment
- **Integrating Local Contributions to Enhance Global Action:** Incorporate local implementation into national and international climate policy design and determine how best to factor subnational action into future climate goals
- **Fast-tracking the Local Energy Transition:** Propel rapid advancements across pivotal sectors and surface new strategies to deliver ambitious results locally.
- **Strengthening Local Resilience and Adaptation:** Protect residents and infrastructure from immediate and future climate risks.
- **100+ International Governors and Mayors**
- **Hosted by COP28 Presidency and Bloomberg Philanthropies**



AMERICA IS ALL IN

Action Center

#AllInAtCOP28

Select Events - America Is All In

- **Dec. 2nd - U.S. Subnationals Event at U.S. Center**
- **Dec. 2nd - Local Climate Action Summit Breakouts**
- **Dec. 3rd - America Is All In Air Quality Report Launch**
- **Dec. 3rd - U.S. Climate Alliance Event State Action**
- **Dec. 4/5th - Town Hall for U.S. Stakeholders with USG**
- **Dec. 5th - Business Solutions and IRA/IIJA**
- **Dec. 5th - International *Alliances for Climate Action* events**



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Gender Equality / Accountability

Dec
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Food, Agriculture and Water

Dec
5



Energy, Industry, and Just Transition

Dec
11-12



Final Negotiations

CROSS-CUTTING THEMES

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and innovation



Inclusion



Frontline
communities



Finance



Other Resources

- **Official Presidency Programme**
 - <https://www.cop28.com/thematic-program>
- **UN Climate Change Conference Side Events & Exhibits**
 - https://seors.unfccc.int/applications/seors/reports/events_list.html
- **World Climate Summit - The Investment COP**
 - <https://www.worldclimatesummit.org>
- **COP28 Ocean Pavilion**
 - <https://oceanpavilion-cop.org>
- **We Mean Business Pavilion**
 - <https://www.wemeanbusinesscoalition.org/cop28-business-pavilion>
- **WWF Panda Hub**
 - https://wwf.panda.org/discover/our_focus/climate_and_energy_practice/cop28/

Other Resources

Financial Times Op-Ed: It's time to admit that our health and climate crises are one - Gina McCarthy, America Is All In Managing Chair

- <https://www.ft.com/content/c4b22913-8b88-4399-a8f9-07839c32f46b>

COP28 U.S. Non-Federal Delegation Tracker (Submission Form):

<https://forms.gle/FMB8bN19FHwB2dGR7>

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Upcoming Briefings in this Series



What Congress Needs to Know About COP28

4

**Congress and
International Climate Finance**

**What's on the Table for the
Negotiations?**

The First Global Stocktake

Recording Available

Nov 7 @ 12:30 PM EDT

Nov 27 @ 2:00 PM EDT

**Signup for our COP newsletter here: eesi.org/signup
Briefing RSVP here: eesi.org/cop28**



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