

Request for inclusion in the Report of CMA2 – Record of Understanding of Latin American countries, with regards to the Informal consultations on behalf of the Presidency on the *special needs and circumstances of Africa* to be held at COP25/CMA2

Madrid, Spain. December 5th, 2019

To
Minister
H.E. Carolina SCHMIDT
COP25/CMP15/CMA2 President

Record of Understanding of Latin American countries, with regards to the Informal consultations on behalf of the Presidency on the *special needs and circumstances of Africa* to be held at COP25/CMA2

Your Excellency:

The following group of Latin American countries - Argentina, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, México, Panamá, Paraguay, Peru, Uruguay- present our compliments to the President Designate of COP 25/CMA2, and would like to assure the support of the region in advancing the work under the Convention and the implementation of the Paris Agreement.

Following the outcome of COP 21 and the adoption of the Paris Agreement, Latin America has consistently engaged and attended all consultations regarding “special circumstances”, so as to honor the outcome adopted in Paris and to reiterate its position that all developing country Parties in different regions of the world – and notably in Latin America– are highly vulnerable to the adverse impacts of climate change, especially, and in accordance with the terms of Article 4, paragraph 8 of the Convention, including:

- (a) Small island countries;
- (b) Countries with low-lying coastal areas;
- (c) Countries with arid and semi-arid areas, forested areas and areas liable to forest decay;
- (d) Countries with areas prone to natural disasters;
- (e) Countries with areas liable to drought and desertification;
- (f) Countries with areas of high urban atmospheric pollution;
- (g) Countries with areas with fragile ecosystems, including mountainous ecosystems;
- (h) Countries whose economies are highly dependent on income generated from the production, processing and export, and/or on consumption of fossil fuels and associated energy-intensive products; and
- (i) Landlocked and transit countries.

Further to this, Article 7, paragraph 2 of the Paris Agreement specifically recognizes that adaptation is a *global* challenge faced by *ALL*, “with local, subnational, national, *regional* and international dimensions and that it is a key component of and makes a contribution to the long-term global response to climate change to protect people, livelihoods and ecosystems, *taking into account the urgent and immediate needs of those developing country Parties that are particularly vulnerable to the adverse effects of climate change.*”

The Latin American region harbors countries with all of these unique conditions, which are testament to its very particular vulnerability to the adverse impacts of climate change and therefore to its specific needs

and special circumstances under the Convention and the Paris Agreement.

Our countries have engaged and attended such consultations so as to honor the outcome adopted in Paris and, in doing so reiterated the above-mentioned position. To achieve this outcome in Paris, our Parties made important sacrifices despite the special circumstances our countries face in the light of the impacts of climate change and the very specific demands that our region faces towards the transformation that is envisaged under the Paris Agreement.

To this end, and bearing in mind Rule 23, paragraph 3 of the Draft Rules of Procedure which recognizes that “*the President, in the exercise of the functions of that office, remains under the authority of the Conference of the Parties*”, we would like to record our understanding with regards to the Agenda of CMA2 as adopted in the Opening Plenary of Monday the 2nd of December 2019, and the understanding as presented by the President of COP25/CMA2 in the sense that, as stated by her:

“On the proposal from Egypt on behalf of the African Group regarding the special needs and special circumstances of Africa, under the Paris Agreement (item 11 (a) of the provisional agenda of CMA2), **a feasible proposal would be to not include the sub-item on the understanding that informal consultations will be held during CMA2 on the special needs and circumstances of Africa, and that I will report that the presidency in its consultations has urged Parties to the Paris Agreement to recognize the special circumstances and needs of African countries, in line with previous decisions of the COP.**”

We would like to respectfully request to the President of COP25/CMA2 to include in the report that is made with regards to these informal consultations, as well as in the report of this Session of the CMA in what pertains to both the announcement to launch these informal consultations, and with regards to the outcome resulting from such consultations as recorded in the final report for the Session, the following understanding as was stated by some of our countries during the Plenary session:

“With regards to the informal consultations that was announced were going to be held at CMA2 upon the adoption of the CMA2 agenda, regarding the special needs and circumstances of Africa, and the understanding stated by the President of COP25/CMA2 in the sense that “[I] will report that the presidency in its consultations has urged Parties to the Paris Agreement to recognize the special circumstances and needs of African countries, in line with previous decisions of the COP”, it is the understanding of Argentina, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, México, Panamá, Paraguay, Peru, Uruguay that such an action on behalf of the Presidency goes without prejudice to the outcome of such consultations.

Furthermore, the Parties reserve the right to present at any time, including in the context of these informal consultations, a request for the Presidency to also *urge Parties to recognize the specific needs and special circumstances of Latin America in accordance with article 4, paragraph 8 of the Convention, the Paris Agreement and previous decisions of the COP.*

We also understand, that what was indicated by the President of COP25/CMA2 in the sense that, “[it] will report that, in its consultation the Presidency has urged Parties to the Paris Agreement to recognize the special needs and circumstances of African countries, in line with previous decisions of the COP”, **will be done under the Presidency’s own responsibility and, in accordance with Rule 23, paragraph 3 of the Draft Rules of Procedure, does not imply a recognition by the COP of the special needs and circumstances of Africa, nor of any other region.**”

We would also respectfully request that the President makes this understanding known to the Parties in the manner she deems more appropriate to do so.

Additionally, and with regards to the Draft Rules of Procedure, we would like to underline that in declaring the opening and the closing of the session, the President should ensure the observance of these rules, including by the accord of the right to speak, and the exercise of a complete control of the proceedings and

over the maintenance of order thereat. In the plenary for the opening session of COP25/CMA2 and the adoption of the agenda, this control was not exercised, and in consequence, by closing the session, the Presidency left some of the countries here referred to, without the right to intervene in the discussion. This practice should not persist, if we aim to have an inclusive outcome on the issues dealt with at this COP/CMA.

Madam President, Latin America reiterates its support and cooperation to the COP Presidency as it works towards a successful outcome in Madrid so as to advance in the effective implementation of the Paris Agreement and its long-term goals, enabling the multilateral regime to deliver an ambitious response to the global threat of climate change.

We are willing to accept your proposed way forward and engage in the proposed informal consultations, provided that the above mentioned understanding on our behalf is taken into account and is reflected in the report as requested, having emphasized at all times in the consultations undertaken by you that any outcome on this matter must reflect an equal treatment for the Special Needs and Circumstances of Africa, Latin America and all other regions in the developing world that are highly vulnerable to the adverse impacts of climate change.

Please accept the assurances of our highest considerations.

Sincerely,

*C.C. H-E. Patricia ESPINOSA Executive Secretary, United Nations
Framework Convention on Climate Change*

Relevant Documents

Article 4.8 of Convention	
Article 7.2 of the Paris Agreement	
FCCC/CP/2016/10	Report of COP 22, para.155
FCCC/CP/2017/11	Report of COP 23, paragraph 34
FCCC/CP/2018/10	Report of Cop 24, paragraph 9(a), paragraph 34.