

**Subject:** 2015 03 12 STATE 26614 Geneva climate change meeting delivers draft negotiating text for international climate agreement

**Caption:** SENSITIVE

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**Subject:** Geneva climate change meeting delivers draft negotiating text for international climate agreement

1. (SBU) SUMMARY: Parties to the UN Framework Convention on Climate Change (UNFCCC) met in Geneva from February 8-13, 2015, to make progress toward an international climate change agreement to be agreed in Paris in December 2015. The session fulfilled its mandate to agree on a draft negotiating text. The negotiating text is a compilation of all Parties' proposals, is lengthy and duplicative, and not one word is agreed. In the coming months, Parties will streamline the text, focusing on consolidating duplicative provisions and areas of agreement. Ultimately, the United States is seeking a concise agreement in Paris that provides a framework for action for years to come. Sessions will occur in Bonn in June, August and October before the Conference of the Parties meets in December in Paris. A number of important informal meetings occur between now and June. In parallel to the text negotiations, Parties are starting to submit their post-2020 emission reduction contributions (i.e. "intended nationally determined contributions" or "INDCs"); we are encouraging Parties to bring forward ambitious and transparent INDCs by June 2015, if at all possible. END SUMMARY.

#### **Draft negotiating text and the process for 2015**

2. (SBU) The 195 Parties to the UNFCCC are negotiating a climate change agreement applicable to all Parties, to be agreed in Paris in December 2015, and go into effect from 2020.

3. (SBU) At the Geneva UNFCCC negotiation session, February 8-13, 2015, the Parties accomplished the session's mandate of delivering a draft negotiating text before May 2015. The negotiating text –

which contains no agreed language – is a lengthy compilation of all Parties' proposals (about 90 pages), and contains many provisions that are contradictory or duplicative. While the text includes the United States' proposals, as well as other proposals that we could accept, it also contains a large number of proposals that we would not be able to accept. In the coming months, Parties will streamline the text, focusing on consolidating duplicative provisions and areas of agreement. Ultimately, the United States is seeking a concise agreement in Paris that provides a framework for climate change action for years to come.

4. (SBU) There are four more formal UNFCCC negotiating sessions in 2015: in June, August, and October in Bonn, Germany, and the Conference of the Parties (COP) in December in Paris. Discussions at the June session will focus on streamlining the text, and we expect to have specific substantive discussions on how to resolve differences on all major issues.

5. (SBU) In addition to formal sessions, Parties will meet informally throughout 2015. The United States will convene the Major Economies Forum on Energy and Climate (MEF) in April - as well as later in July, September, and possibly November – to bring together leading developed and developing countries. Further, the President, the Secretary, and senior U.S. officials will raise the negotiations and countries' plans to reduce their emissions post-2020 (see para 6) as a priority matter in bilateral meetings with key counterparts. In addition, the Peruvian COP Presidency and incoming French COP Presidency will host a number of informal meetings throughout the year on yet-to-be-announced issues related to the agreement.

### **Countries' emissions reduction contributions**

6. (SBU) In parallel to the negotiations, in accordance with decisions at COPs in Warsaw and Lima, Parties will by the end of March begin to submit their post-2020 emission reduction contributions (i.e. "intended nationally determined contributions" or "INDCs"). The INDCs will indicate the efforts Parties are planning to take to reduce emissions under the agreement starting in 2020. The December 2014 Lima COP decision reiterated a call for all countries to come forward with their INDCs "well in advance of" the Paris COP in December 2015 (see reftel B). The United States is encouraging Parties to bring forward their INDCs by June 2015, if at all possible. We will need a sufficient number of countries, and particularly all major emitters, to put forward timely and ambitious INDCs to build momentum for the final round of negotiations, and to ensure that Paris is seen as a significant and sufficient step in the effort to achieve deep global emission reductions in this century. The European Union and Switzerland have submitted their INDCs, and the U.S., Norway, and Mexico will submit by March 31, 2015. We understand that China is seeking to submit its INDC as early as possible in the second quarter of 2015 and that India is aiming to submit in June. Most other major economies will likely submit by summer 2015. A number of progressive Latin American countries, including Peru, Chile, and Colombia, have indicated their intention to submit in the first half of 2015, and Vietnam and Philippines have indicated their intention to submit in May and June, respectively. This is just a sample of the countries planning to submit. For information on a country not listed, please contact (b)(6) ((b)(6))@state.gov).

### **Hurdles and main issues**

7. (SBU) We face a number of hurdles to reaching a successful agreement in Paris (see reftel A), including satisfactorily resolving: (1) the differentiation of efforts among countries; (2) finance; and (3) the legal nature of the provisions of the agreement. These issues will continue to dominate the negotiations, and reaching an understanding with other Parties on them is essential to success in

Paris.

### *Differentiation*

8. (SBU) On the issue of differentiation of efforts, the key U.S. objective is to ensure that the agreement does not perpetuate an approach to addressing climate change based on rigid categories that split the world into lists of "developed" and "developing" countries based on 1992 era lists. We have advocated for self-differentiated commitments among Parties based on national circumstances and capabilities in order to capture evolving emissions and economic trends. Countries' contributions would therefore lie along a spectrum. Many developing countries continue to push to maintain the approach of using rigid categories in the new agreement.

### *Finance*

9. (SBU) The role of finance in the agreement is particularly contentious, with a number of developing countries pushing for large new financial commitments from developed countries. The United States is committed to mobilizing climate finance, but an agreement must reflect provisions that are durable for decades to come, including an expanded donor base.

### *Legal Form*

10. (SBU) There are two open issues regarding the legal nature of the agreement. One involves the overarching "legal form" of the agreement; for example, whether it is technically a "protocol" to the Convention, another kind of legal instrument, etc. The other, more significant issue is the extent to which various provisions under the agreement create legally binding obligations. While some Parties favor a fully legally binding set of obligations, others do not. New Zealand, for example, has proposed a "hybrid" approach under which certain provisions would be legally binding (for example, putting forward an emission reduction contribution, reporting and accountability provisions) but Parties would not be legally obligated to achieve the contribution. We find this approach attractive and favor an agreement that has some legally binding provisions along these lines. Publicly, we are not saying we want a "legally binding agreement." This would be misunderstood by countries to indicate we want a fully legally binding set of obligations.

### **Post's engagement in 2015**

11. (SBU) The United States is committed to reaching an inclusive and ambitious agreement in Paris that the United States can join. In 2014, Posts provided valuable information and made many helpful interventions on climate change with host country counterparts. We anticipate that Washington will have more requests for Posts' assistance as we head toward Paris. We have an outstanding request to Posts to report information learned about their host country's INDC to (b)(6) (b)(6) in the Department's Climate Change Office (OES/EGC). The related matter of a request for provision of support in preparing INDCs remains a significant issue (see refel B). If Post receives a request for support from the host country, please contact (b)(6) (b)(6) immediately. In Geneva, the Global Environment Facility reported that donors and institutions are supporting over 90 countries. So far, the United States has been able to respond to all requests received either through the provision of direct support, or by recommending the country request assistance from another country or agency.

16. (SBU) We have provided talking points for Posts use below. To the extent questions go beyond

these points, we ask that Posts contact (b)(6) in OES/EGC.

### 17. (U) Talking points:

- President Obama and Secretary Kerry are committed to achieving real action on climate change, including through strong measures at home and internationally.
  - We are on track to meet our 2020 commitment of reducing our emissions in the range of 17% below 2005 levels by 2020.
  - In President Obama's second term, the United States has issued a landmark proposed rule that will cut emissions of existing U.S. power plants 30% by 2030 and another proposed rule to require new power plants to meet rigorous emissions standards.
  - We have moved at a rapid pace to issue tough efficiency standards for the equipment and appliances that make buildings run; announced the planned extension of heavy duty vehicle standards beyond 2018; and announced a broad strategy to reduce emissions of methane, our second leading greenhouse gas.
- 2015 presents a real opportunity for ambitious international climate change action. We're looking for an agreement that is ambitious, so that it can start to put us on the track that science counsels; inclusive, because we cannot meet our objectives without broad participation; durable, because our mission now is to negotiate an agreement for the decades, not for five or ten years; and fair, so countries feel their needs are respected.
- Parties of course have a wide range of views on many issues. We hope we can work with your delegation this year to ensure that we focus on areas where we can converge, so as to enable Paris to succeed in finalizing an ambitious and inclusive agreement.
- The United States will submit its ambitious intended nationally determined contribution (or "INDC") by March 31, so as to contribute to a successful outcome in Paris. We are encouraging all Parties to communicate their intended nationally determined contributions well before Paris, in line with decisions in Lima and Warsaw.

**Signature:** Kerry

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