



ESCWA


United Nations Economic and Social Commission for Western Asia

# Guide on Climate Change Negotiations for Representatives and Negotiators from Arab Countries

*Background and Current Status of Climate Change Negotiations on the UNFCCC Convention and Kyoto Protocol*

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The header banner features a row of 15 circular icons representing various national flags, including those of Iraq, Jordan, Saudi Arabia, Kuwait, Egypt, Lebanon, Syria, Iraq, Jordan, Saudi Arabia, Kuwait, and Turkey. To the right of the flags is the ESCWA logo, which consists of a globe and the acronym 'ESCWA'.

## Outline

- 1. Climate Change and its Implications**
2. Long-Term Strategy
3. The UNFCCC in the International Context
4. The Doha Climate Gateway
5. UNFCCC : Shared vision for long-term cooperative action
6. Key Pending Issues

# Weather and Climate



1

- Weather: Short time scales (Day)

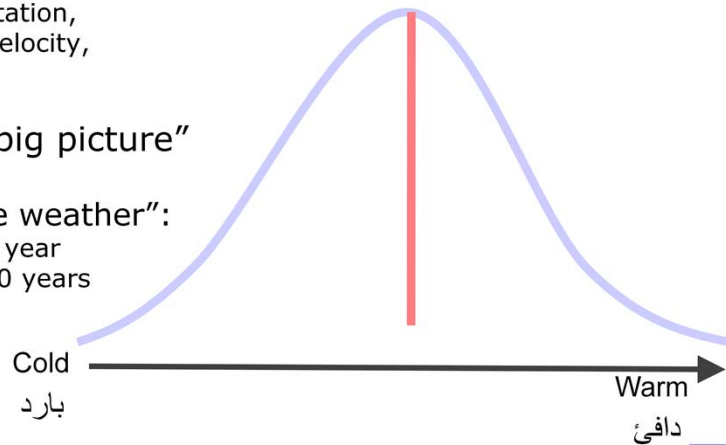
- Atmospheric statistics:

- Temperature,
- Precipitation,
- Wind velocity,

- Climate: “big picture”

- “Average weather”:

- Over a year
- Over 30 years

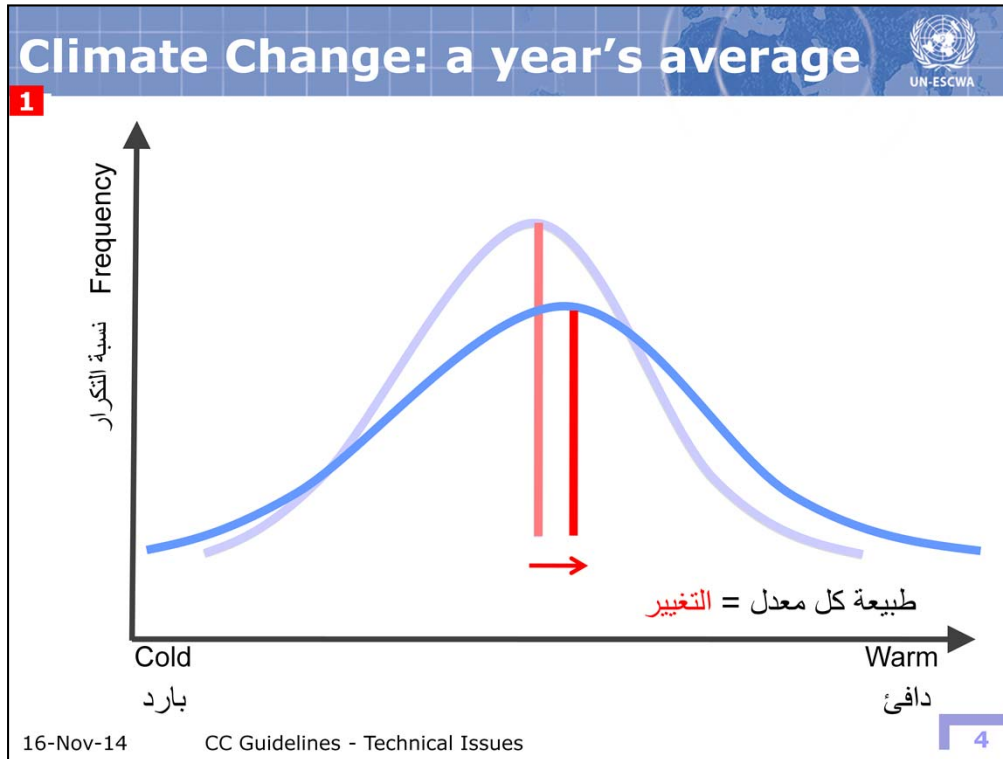


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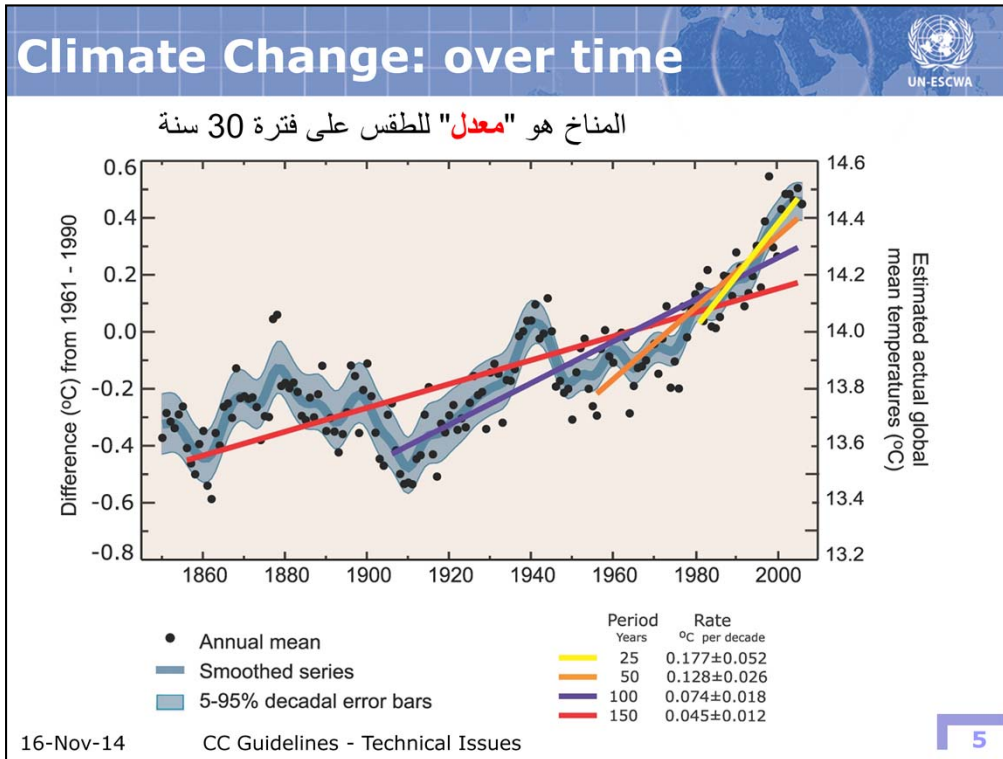
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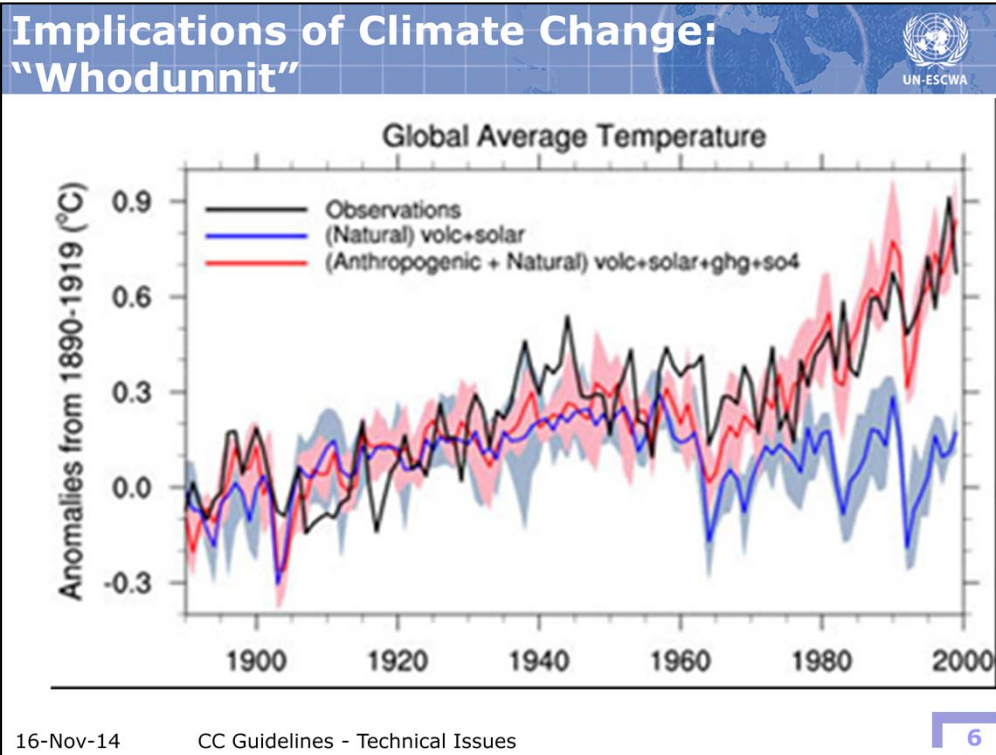
To obtain this bigger picture, the year-to-year chaotic variation in weather is largely eliminated by averaging atmospheric statistics over consecutive 30-year time periods to create climate patterns. Those patterns define “Climatological Standard Normals”, computed over 1901-1930, 1931-1960 and 1961-1990. They highlight a cyclical aspect to climate, and show that, before the middle of the 20<sup>th</sup> Century, the climate appeared to “oscillate” in a relatively stable manner, with little variation from cycle to cycle.



Those oscillations reflect the Earth's “energy balance” between the incoming solar radiation and earth’s outgoing infrared radiation. Over time, the Earth system maintains a balance between this influx of energy and the outflow, and the atmosphere adjusts dynamically as the system moves towards equilibrium. In a “static” equilibrium, climate variables would be stable, reaching an average value that reflects this “energy balance” between inflows and outflows. However, because the earth is ever evolving, the equilibrium is dynamic; rather than stabilizing, climate variables “oscillate” around the average value that would correspond to a static equilibrium. The “energy budget” changes with the inflows and outflows; when energy inflows outweigh the outflows, the “average” moves up, the slope of the oscillation moves up, and the climate warms. Then, Climatological Standard Normals shift upwards.



Climate is a cycle that essentially results from the natural interaction between the sun, the atmosphere, and the oceans, as well as increasingly important human factors. In more technical terms, the climate cycle is described by atmospheric statistics such as temperature, precipitation, and wind velocity. Since the dawn of civilization and until the industrial age, those parameters generally varied in a relatively cyclical manner, and climactic patterns followed a 30-year cycle that defines “Climatological Standard Normals” (CSN). The current Climatological Standard Normals are computed over 1901-1930, 1931-1960 and 1961-1990.



Before any “forecasting” is carried out, the validity of GCM’s is verified by making sure they can “backcast” and replicate the past behaviour of Earth. This “backcasting” is done by running simulations against existing records of the past climate, using past emission data.

This is what established the role of human emissions in the current climatic change. Temperature records of the past 150 years could only be replicated when the increased atmospheric concentrations of GHG’s were taken into account. Because most of those GHG’s are result from industrial emissions, it is now well established the ongoing climate change is “largely the result of human activities” which have “very likely caused most of the observed global warming over the last 50 years” regardless of the influence of all other factors.

This verified increase led to Article 2 of the United Nations Framework Convention on Climate Change committing signatory nations to stabilizing greenhouse gas concentrations in the atmosphere at a level that “would prevent dangerous anthropogenic interference (DAI) with the climate system. In order to help identify those DAIs, the 3<sup>rd</sup> Assessment Report (TAR) of the Intergovernmental Panel on Climate Change (IPCC) identified key “reasons

for concern” (RFC). The reasons for concern were further updated for later assessment reports. UNFCCC, 1992.



**Implications of Climate Change**

**1**

The Arab region is likely to be deeply affected by climate change

Category	Description
<b>Temperature</b>	By 2100, increases of 3°C to 5°C in mean temperatures <sup>7</sup> .
<b>Precipitation</b>	By 2100, a 20% decline in precipitation <sup>7</sup> , with water run-off projected to drop by 20% to 30% by 2050 <sup>8</sup> . Reduced stream flow and groundwater recharge might lead to significant reduction in water supply by 2050, by 10% or greater, as in the case of the Nile Basin (40% to 60% reduction in flow <sup>9</sup> ).
<b>Climatic Variability</b>	Greater seasonal temperature variability, leading to more severe weather events, such as droughts and floods. An increase in storms is also expected, particularly in the Indian Ocean and the Gulf.
<b>Environmental Degradation</b>	A 1.5°C warming would cause Mediterranean biomes to shift 300-500 km northward. A warmer climate may also expand the range of carriers of vector-borne diseases such as malaria, yellow fever, dengue fever, and may help increase agricultural and household pests.
<b>Sea Level Rise</b>	The Mediterranean and the Gulf is predicted to rise between 30 cm and 1 m by 2100 <sup>10</sup> .
<b>Land Degradation &amp; Desertification</b>	As climate models predict warmer temperatures and more variable rainfall, desertification and loss of productive land is expected to accelerate. As higher temperatures leads to increased soil erosion, it may also result in increased dust storms.

REF: IPCC; (2007-b): Climate change 2007; Synthesis Report, Intergovernmental Panel on Climate Change (IPCC), IPCC Plenary session XXVII Valencia, Spain, 12-17 November 2007, Cambridge University Press, Cambridge, England  
 Strzepek, K.; Yates, D.N.; Yohe, G.; Tol, R.J.S.; Mader, N.; 2001: Constructing 'not implausible' climate and economic scenarios for Egypt. Integrated Assessment 2, 139-157. In Conway, D. 2003, From headwater tributaries to international river: observing and adapting to climate variability and change in the Nile basin/ Global Environmental Change, PP16

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The Arab region includes 22 countries. The region is generally poor in water resources and arable land, but remains very diverse both geographically and socio-economically. The Arab region extends from the Atlantic coast to the Persian Gulf, and has a great diversity of geographic and climactic regions.


There are large socio-economic variations among those countries; with the GDP per capita (PPP) ranging from \$2,500 in Yemen to over \$41,800 in the United Arab Emirates, and with generally large income disparities within any given country. The region is also characterized with high urbanisation, and is expected to double its current 320 million by 2050.

However, despite those large differences, the countries of the Arab region do share some similarities, most notably their overall arid to semi-arid climate, and their water scarcity. The key Environmental Problems of the region are water scarcity, land degradation and desertification, and the resulting environmental degradation. Those problems will likely be exacerbated by a changing climate and increased climatic variability.

For this reason, in the water scarce countries of the Arab Region, the fact that changes in climate will cause local changes in the water cycle is very



critical. Even if other regions may be able to withstand temperature increases, it is highly unlikely that the arid regions of the Arab world may be able to cope with even marginal temperature changes. The continuing changing climate is therefore likely to “cause major societal and environmental disruptions through the rest of the century and beyond, by exacerbating “the risk and vulnerability to [...] poverty-related health threats are compounded by hunger, malnutrition and environmental threats, especially the lack of clean drinking water and sanitation.



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- Successful climate policy:
  - “consist of a dual approach focusing on both short-term targets and long-term goals”.
- **Policy implications for Mitigation**
- **Policy implications for Adaptation**

In climate science, it is more important to stress **Accuracy**, the degree of veracity, over **Precision**, the degree of reproducibility. While Veracity defines how close a measured or calculated quantity is to its actual/true value, Precision is only a measure of reproducibility or repeatability, or the degree to which measurements or calculations show similar results. In scenario building, the goal is to forecast as closely as possible the system's future state (Accuracy). The same applies to climate science.

Any successful climate policy must “consist of a dual approach focusing on both short-term targets and long-term goals”, covering both adaptation and mitigation measures. Therefore, for purposes of policy making, this has two important **policy implications** for both adaptation and mitigation

## Long-term strategy: Mitigation



2

- Successful climate policy:
  - “consist of a dual approach focusing on both short-term targets and long-term goals ”.
- **Policy implications for Mitigation**
  - Under the Kyoto Protocol, Arab countries are **not required** to have any commitments to contribute to global mitigation efforts
  - It is in the interest of the Arab Region’s governments to call for “rapid, sustained, and effective mitigation based on coordinated global and regional action ”,
- **Policy implications for Adaptation**

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The policy focus for the Arab Region is to ensure that priority is given to mitigation measures undertaken by the greatest emitters of GHGs. This is especially the case since agreeing on weaker targets for emission limitations has not only little benefit to the region, but it also greater deferred costs, since will increase future costs of adaptation and mitigation, especially since “the overall costs and risks of climate change will be equivalent to losing at least 5% of global GDP each year, now and forever”. This is recognized implicitly by the UNFCCC, as article 2 defines the ultimate objective of the Convention and any related legal instruments such as the Kyoto Protocol to be the stabilization of GHG concentrations in the atmosphere at a level that would prevent dangerous climate change, and therefore mitigate anthropogenic interference.

It is in the interest of the Arab Region’s governments to call for “rapid, sustained, and effective mitigation based on coordinated global and regional action,” especially since any mitigation action will take some time to have an effect because of the inherent inertia of climate.

It should be noted that, under the Kyoto Protocol, Arab countries are not

required to have any commitments to contribute to global mitigation efforts. Consequently they are free to devote resources with a primary focus on sustainable development, such as the promotion energy efficiency, or the development of economically viable renewable energy solutions

## Long-term strategy: Adaptation

2



- Successful climate policy:
  - “consist of a dual approach focusing on both short-term targets and long-term goals ”.
  
- **Policy implications for Mitigation**
  
- **Policy implications for Adaptation**
  - Principle of “**equity**” through “**common but differentiated responsibilities**”.
  - In it is the interest of the countries of the Arab Region to ensure that the principle of “differentiated responsibility” be honoured as industrialized countries owe an “adaptation debt” to the developed world.

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Therefore, for purposes of policy, the task ahead is to determine how best to ensure that the Arab Region can best adapt to climate change, and thus obtains the adequate assistance and support. This is supported by the UNFCCC's principle of “equity” through “common but differentiated responsibilities”. In it is the interest of the countries of the Arab Region to ensure that the principle of “differentiated responsibility” be honoured as industrialized countries owe an “adaptation debt” to the developed world.

## Long-term strategy

2



- Various Mechanisms in Support of Adaptation Efforts.

Mechanism	Description
CDM: The Clean Development Mechanism	Established by COP 3 in 1997. The CDM allows countries to meet part of their emission-reduction commitments by investing in GHG emissions reduction projects, to be evaluated and operated by national authorities in the host countries.
NAPA: National Adaptation Programme of Action	The NAPA is a <u>frameworks</u> to prioritize <u>adaption</u> needs, and are often supported by the Global Environment Facility (GEF).
GEF: Global Environment Facility	The mechanism for the UNFCCC provision, under Article 10, for financial support to developing countries and Economies In Transition (EIT) in implementing the Convention.
Other financial resources:	Special Climate Change Fund (SCCF); Least Developed Countries Fund (LDCF); the Adaptation Fund.

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As part of the COP negotiations, it remains necessary to secure a time frame sufficient to ensure that not only are adverse impacts are mitigated, but also that the economic development of the Arab Region could continue to proceed in a sustainable manner.





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## UNFCCC : International Context



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United Nations Framework Convention on Climate Change (UNFCCC) is a type of Multilateral Environmental Agreements (MEAs).

### 1. Geographically defined.

- Global: Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention),
- Regional: Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Waste within Africa (Bamako Convention).

### 2. Appendix-driven or Annex-driven;

- Lists specific items that are subject to different degrees of regulation;
  - Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
  - International Convention for the Prevention of Pollution from Ships (MARPOL) that address specific types of pollutants.

### 3. Framework Convention:

- "All-inclusive" agreements.
- Can be designed to anticipate the adoption of further protocols or agreements.
  - the 1992 UN Framework Convention on Climate Change (UNFCCC)
  - is designed to be completed by later agreements, such as the 1997 Kyoto Protocol.

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MEAs are a type of international agreement, distinguished by their focus on “environmental issues, their creation of binding international law, and their inclusion of multiple countries”. In general, MEAs can be classified in three general forms;

1- Agreements that are geographically defined. This can be global, such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention), or regional, such as the Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Waste within Africa (Bamako Convention).

2- Appendix-driven or Annex-driven conventions that list specific items that are subject to different degrees of regulation. An example is the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) that lists animal and plant species in different categories of endangerment, or the International Convention for the Prevention of Pollution from Ships (MARPOL) that addresses specific types of pollutants.

3- Framework conventions, which are often “all-inclusive” agreements. However, Framework conventions can be designed to anticipate the adoption of further protocols or agreements. This is the case of the 1985 Vienna Convention on the Protection of the Ozone Layer, which set the stage for the 1987 Montreal Protocol to sets timetables for the phase-out of ozone-depleting substances. Similarly, the 1992 UN Framework Convention on Climate Change (UNFCCC) is designed to be completed by later agreements, such as the 1997 Kyoto Protocol

## UNFCCC : Agreement Structure



3

- Starts from a focus on the single sector of climate and the atmosphere.
- Takes on a more holistic aspect, due to the broader impacts of climate change on ecosystems, food production and sustainable development.
  - Particularly following the United Nations Conference on Environment and Development (UNCED), known as the June 1992 “Earth Summit” of Rio de Janeiro.
  - Representatives from about 180 states,
  - The “three Rio Conventions”;
    - UN Framework Convention on Climate Change (UNFCCC),
    - UN Convention to Combat Desertification (UNCCD),
    - Convention on Biological Diversity (CBD).

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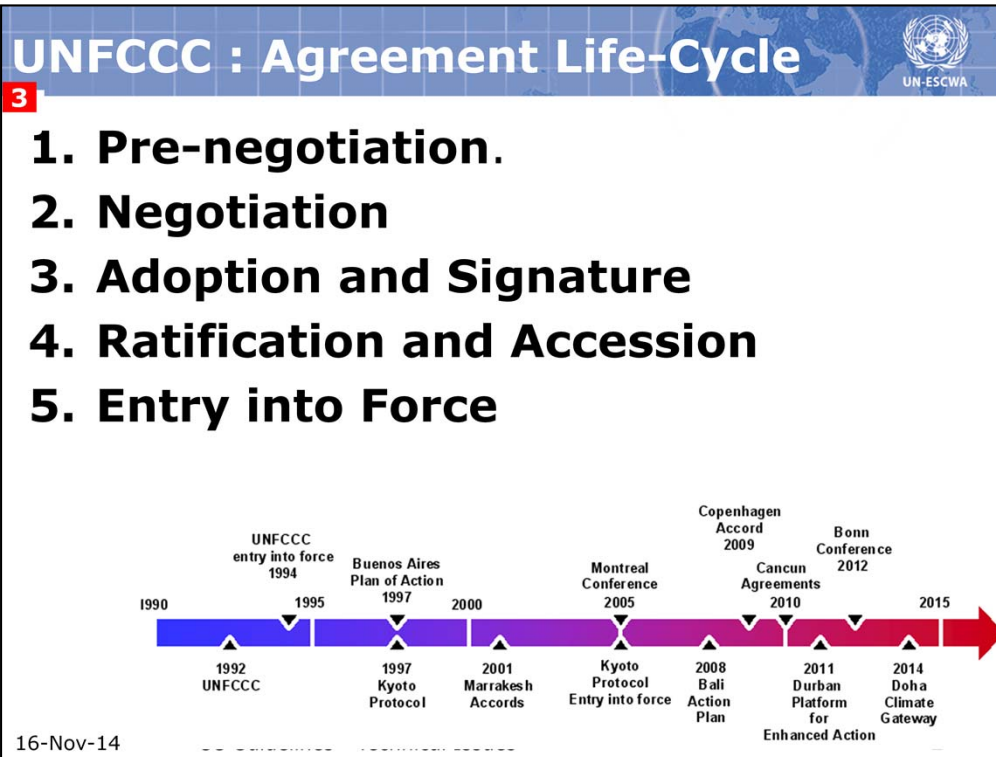
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In general, the structure of MEAs has evolved from a narrow focus on single issues, use-oriented, and specific economic sectors, to a more “holistic focus on sustainable development, including a sustainable use of natural resources”, as in the case of the UNFCCC.

Narrowly focused agreements were primarily concerned with the preservation and use of specific natural resources, such as the 1971 Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention), the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter (London Dumping Convention), and the 1973 International Convention for the Prevention of Pollution from Ships (MARPOL). By focusing specifically on wildlife, air and the marine environment, the early MEAs set out principles for dealing with specific threats.

More recently, there has been a trend to more “holistic” MEAs, particularly following the United Nations Conference on Environment and Development (UNCED), known as the June 1992 “Earth Summit” of Rio de Janeiro. The conference involved government representatives from about 180 states, and led to the “three Rio Conventions”; in addition to the UN Framework

Convention on Climate Change (UNFCCC), it led to the UN Convention to Combat Desertification (UNCCD) and the Convention on Biological Diversity (CBD) UNEP-FIELD, 2009, p.2009.



Strictly speaking, the UNFCCC starts from a focus on the single sector of climate and the atmosphere. However, the UNFCCC takes on a more holistic aspect as it recognizes the broader impacts of climate change on ecosystems, food production and sustainable development.

The formulation of any protocol to the UNFCCC generally follows a specific process with recognisable stages from its pre-negotiation to its entry into force. The Implementation of the agreement or protocol begins once it “enters into force”, and gains legal effect. Then, as the implementation moves forward, the UNFCCC institutions and mechanisms cannot remain static. They would need to constantly adapt to either changes in science and knowledge, or to progress in the negotiation of new decisions, amendments, annexes, appendices or protocols

Each one of those stages has a specific characteristics and leads to distinct outcomes. For this reason, while approaching a specific session for a protocol negotiation, it is necessary for negotiators to determine which phase of the agreement’s “life cycle” they are in.

Is this the pre-negotiation stage or at the negotiation stage?

Has the agreement or protocol entered into force? If so, is the negotiation focused on:

Decisions that will take forward the work?

Ways to adapt the agreement or protocol?

Addressing new concerns?

Will the negotiating session be negotiating an entirely new Protocol or Annex?

The formulation of any protocol to the UNFCCC generally follows a specific process with recognisable stages; pre-negotiation, negotiation, adoption and signature, ratification and accession, and entry into force.



### 1. Pre-negotiation:

- A decision is made as to whether (1) there is a need for action, (2) joint action is feasible.
- Independent scientific analysis provided by the Inter-governmental Panel on Climate Change (IPCC), and its "Assessment Reports"

### 2. Negotiation

### 3. Adoption and Signature

### 4. Ratification and Accession

### 5. Entry into Force

**Pre-negotiation.** As a first step of this stage, a decision is made as to whether (1) there is a need for action, and (2) joint action is feasible. This is carried out first through Informal or formal consultations at various levels, based on the results of scientific analysis. In the context of the UNFCCC, independent scientific analysis concerning the rising threat of climate change is provided by the Inter-governmental Panel on Climate Change (IPCC). It is the IPCC's findings, set out in its "Assessment Reports", that provide the scientific basis for the negotiation of the UNFCCC protocols

## 1. Pre-negotiation

## 2. Negotiation:

1. PrepComs: Preparatory committees to address specific logistical and procedural issues.
2. INC: Intergovernmental Negotiating Committee, convened by the United Nations.
  - ad hoc conference: May be organized by the INC, both “formal” and “informal” negotiations
    - Formal negotiations take place primarily in the “plenary” body, in the presence of all the parties and with their participation.
    - Informal negotiations have a more limited focus and audience, and thus with smaller groups of key players, and are generally not public.

## 3. Adoption and Signature

## 4. Ratification and Accession

## 5. Entry into Force

**Negotiation.** This process may be initiated by first establishing preparatory committees to address specific logistical and procedural issues. After those PrepComs conclude their work, an Intergovernmental Negotiating Committee (INC) is convened by an international body such as the United Nations. The INC may then organise an ad hoc conference for the purpose of negotiating a specific agreement or protocol. Both “formal” and “informal” negotiations take place in the ad hoc conference

Formal negotiations take place primarily in the “plenary” body, in the presence of all the parties and with their participation.

Informal negotiations have a more limited focus and audience, and thus with smaller groups of key players, and are generally not public.

## 1. Pre-negotiation

## 2. Negotiation

## 3. Adoption and Signature:

- Formal adoption and signing of a UNFCCC protocol: either a diplomatic conference of the parties, or a conference of plenipotentiaries.
  1. An “enabling decision” is adopted by the convening body and details the purpose, date, and venue of the adoption and signature conference
  2. In practice, such a conference take places **some time after** the conclusion of negotiations,
    - Afford time for to prepare necessary documents,
    - Allow negotiators to report the negotiation results to their governments.

## 4. Ratification and Accession

## 5. Entry into Force

**Adoption and Signature.** The formal adoption and signing of a UNFCCC protocol may take place at either a diplomatic conference of the parties, or a conference of plenipotentiaries. First, an “enabling decision” is adopted by the convening body and details the purpose, date, and venue of the adoption and signature conference. In practice, such a conference take places sometime after the conclusion of negotiations, both to afford time for to prepare necessary documents, and to allow negotiators to report the negotiation results to their respective governments.

## 1. Pre-negotiation

## 2. Negotiation

## 3. Adoption and Signature

## 4. Ratification and Accession:

- The protocols can be signed by countries “subject to ratification”.
  - Formally, this is to ensure that country representatives have not overstepped their authority in negotiating the agreement.
  - In practice, it affords governments the time to take further into consideration internal factors.
    - A country “ratifies” the agreement by depositing an “instrument of ratification” in which it formally declares its consent to be bound by the agreement’s terms.
  - Accession is similar to Ratification.

## 5. Entry into Force

**Ratification and Accession.** Under the UNFCCC, the protocols can be signed by countries “subject to ratification”. Formally, this is to ensure that country representatives have not overstepped their authority in negotiating the agreement.

In practice, it affords governments the time to take further into consideration internal factors. A country “ratifies” the agreement by depositing an “instrument of ratification” in which it formally declares its consent to be bound by the agreement’s terms. The details of the actual ratification process may vary from country to country, as each country has its own specific internal process for ratifying international agreements.

Accession is similar to Ratification. This process is used when there is a formal time period during which an agreement remains “open for ratification” by signing governments. Then, a country can still “accede” to the agreed protocol in case when it decides to make a formal commitment after the expiration of the allotted time frame.

1. Pre-negotiation
2. Negotiation
3. Adoption and Signature
4. Ratification and Accession

### 5. Entry into Force:

- The entry into force of protocols have increasingly been linked with the mandatory participation of certain specific parties.
  - For example, the Kyoto Protocol was linked with the mandatory participation of certain parties; it required (1) ratification by at least 55 Parties to the UNFCCC; and (2) ratification by developed countries, identified as “Annex I” Parties.

**Entry into Force.** This part will be implemented based on rules agreed upon by the parties during the pre-negotiation or negotiation phases. In the case of the UNFCCC, the entry into force of protocols has increasingly been linked with the mandatory participation of certain specific parties. For example, the Kyoto Protocol was linked with the mandatory participation of certain parties. Indeed, for its entry into force, the Kyoto Protocol required (1) ratification by at least 55 Parties to the UNFCCC; and (2) ratification by developed countries, identified as “Annex I” Parties.



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Current Status of the Negotiations	
Item	Description
<b>Amendments to the Kyoto Protocol.</b>	<ul style="list-style-type: none"> <li>• Setting the length of the second commitment period to 8 years, so as to continue as of 1 January 2013 and avoid any legal gap after the end of the first commitment period.</li> <li>• Countries that are taking on further commitments under the Kyoto Protocol have agreed to review their emission reduction commitments at the latest by 2014, with a view to increasing their respective levels of ambition.</li> <li>• A continuation of the Kyoto Protocol's Market Mechanisms; the Clean Development Mechanism (CDM), Joint Implementation (JI) and International Emissions Trading (IET).</li> </ul>
<b>Durban Platform: Global agreement to be finalized in 2015 and endorsed by 2020.</b>	<ul style="list-style-type: none"> <li>• Meetings and workshops are to be held in 2013 to prepare the new agreement and to explore further ways to raise ambition and close the pre-2020 ambition gap.</li> <li>• Elements of a negotiating text to be available no later than the end of 2014, so that a draft negotiating text would be available before May 2015.</li> </ul>
<b>Climate finance and technology, and completion of related infrastructure</b>	<ul style="list-style-type: none"> <li>• Endorsing the selection of the Republic of Korea as the location of the Green Climate Fund and the work plan of the Standing Committee on Finance. The Green Climate Fund is expected to start its work in <u>Songdo</u> in the second half of 2013, and will launch activities in 2014.</li> <li>• Confirming a UNEP-led consortium as host of the Climate Technology Center (CTC), the implementing arm of the <u>UNFCCC's</u> Technology Mechanism, for an initial term of five years. The board of the CTC has also been agreed upon.</li> </ul>

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The 2014 **Lima COP 20/MOP 9** is set to open in Lima, Peru, from December 1<sup>st</sup> to 12<sup>th</sup>. As with other conferences, COP 20 will try to achieve meaningful progress and reach effective agreement on the reduction of CO<sub>2</sub> equivalent. This happens in an international context where the Kyoto protocol may have lost momentum. Some countries are now opposed to Mandatory emission targets, while others are looking smaller-scale multilateral or regional agreements.



## Current Status of the Negotiations



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Item	Description
<b>Long-term climate finance</b>	<ul style="list-style-type: none"> <li>A reiterated commitment to deliver on promises to continue long-term climate finance support to developing nations, with a view to mobilizing 100 billion USD both for adaptation and mitigation by 2020.</li> <li>Continuing a work programme on long-term finance during 2013 under two co-chairs to contribute to the on-going efforts to scale up mobilization of climate finance and report to the next COP on pathways to reach that target.</li> <li>Concrete financial pledges by Germany, the UK, France, Denmark, Sweden and the EU Commission for the period up to 2015, totaling approximately 6 billion USD.</li> </ul>
<b>Adaptation</b>	<ul style="list-style-type: none"> <li>A pathway towards concrete institutional arrangements to provide the most vulnerable populations with better protection against loss and damage caused by slow onset events such as rising sea levels.</li> <li>Ways to implement National Adaptation Plans for least developed countries, including linking funding and other support.</li> </ul>
<b>Support of developing country action</b>	<ul style="list-style-type: none"> <li>A registry to record developing country mitigation actions that seek recognition or financial support. The registry will be based on a flexible, dynamic and web-based platform.</li> <li>A new work programme to build capacity through climate change education and training, create public awareness and enable the public to participate in climate change decision-making has been agreed upon in Doha.</li> </ul>

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The United States and Canada are both calling to substitute Mandatory emission targets for “Voluntary Emissions Reduction” schemes. The United States rejected ratifying the Kyoto Protocol on the grounds that it has yet to cover developing countries such as India and China, who are now amongst the largest emitters. Canada has also withdrawn from the Kyoto Protocol on the grounds that it would expose it to wealth transfers out of the country.

Japan had also stated in 2010 that it will not sign up to a second Kyoto term because it would free from restrictions the competitors to its manufacturing sector in developing countries such as China, India and Indonesia. Similar indications were given by New Zealand at the 2012 conference. Russia, Ukraine, Belarus and Kazakhstan have made similar indications.

Some countries are focusing on more limited activities whose regulation is not as fraught with wide economic impacts and opposition. An example is the Climate and Clean Air Coalition to Reduce Short-Lived Climate Pollutants.

## Arab views on Current Status



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- Considered that Decisions taken in Doha represented hope for the future of multilateral action on climate change,
- Noted the success achieved on the start of the second commitment period and looked forward to full and continuous implementation of the decisions.
  
- However, they also noted:
  - Disappointment with the lack of ambition in outcomes of Annex I countries.
  - A hope that implementation of the decisions reached at the COP would begin immediately, with fewer theoretical workshops and discussion meetings.
  - The need to adhere to a clear implementation time table, and develop effective and practical means of implementation of these decisions.

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Following the conclusion of the Doha COP 18/MOP 8, Arab Group and developing countries considered that decisions taken in Doha represented hope for the future of multilateral action on climate change, and noted the success achieved on the start of the second commitment period and looked forward to full and continuous implementation of the decisions.



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## UNFCCC : Shared vision for long-term cooperative action



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### 1. Adaptation and Means of Implementation

- "action to reduce the vulnerability and build the resilience of ecological and social systems and economic sectors to present and future adverse effects of climate change".
- Tacit acknowledgment that some "adaptation actions" will "have trans-boundary implications."
- Key Issues regarding "particularly vulnerable developing countries":
  - Agreement by the industrialized world to provide Financial support "to all developing country Parties, especially those that are particularly vulnerable". But not **mandatory**.
  - There is no sufficiently clear distinction between adaptation in **developed** and **developing** countries
  - No clear "metrics" or means to measure adaptation.

### 2. Mitigation

### 3. Financial Resources and Investment

### 4. Transfer of Technology



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It appears that tacit acknowledgment was made that some "adaptation actions" will "have trans-boundary implications. This, in itself, appears to be a progress over the proposed UNFCCC, but the G77/China and the African group consider this to be insufficient. The discussions, made some progress on "type of adaptation activities and support, institutional arrangements, a mechanism to address loss and damage" but it still considered insufficient and "cannot serve as basis for further discussions" as it "does not reflect the commitment of developed countries to provide support for adaptation in developing countries and does not provide a sufficiently clear distinction between adaptation in developed and developing countries"

**UNFCCC : Shared vision for long-term cooperative action**

**5**

**1. Adaptation and Means of Implementation**

**2. Mitigation**

- Baseline year
  - At Barcelona, it appears that there was “widespread preference for **1990** as the base year”.
- Commitment period

**3. Financial Resources and Investment**

**4. Transfer of Technology**

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The key aspects of Mitigation are related to commitments by industrialized countries, the need for clear and unbiased data, the choice of a base year, and the length of the commitment period. The Barcelona discussions covered all four of them.

The level commitment by industrialized countries is defined as “**ambition**”. In Barcelona, both the African Group and the G77/China agreed that their level of ambition was “unacceptable”, and expressed the preference for “Measurable, reportable and verifiable nationally appropriate mitigation commitments shall be expressed as ‘Quantified Emission Limitation and Reduction ObjectiveS’ (QELROS)” that are “expressed as a reduction in 2020 compared to total reported emissions falling within limits set by the Kyoto Protocol”.

Any agreement so far appear confined to the need to adopt “nationally appropriate mitigation commitments or action”, without the obligation of them being “legally binding” (NP50, p.1/9). This was more in line with one proposed option of the draft UNFCCC that suggests that “levels of ambition expected of Parties will necessarily evolve over time as their respective national circumstances allow”.


Some progress was still made in this regard at Barcelona, as “Japan highlighted the recent increase of its target to a 25% reduction from 1990 levels by 2020” and the EU suggested that they “could increase their emission reduction target from 20% to 30% below 1990 levels by 2020” provided other countries undertake similar measures. As a result, there was agreement on a quantified emissions limitation / reduction commitments, as evidenced by the various proposed changes and additions to Annex B in p.76 of the UNFCCC.



**UNFCCC : Shared vision for long-term cooperative action** 

**5**

- 1. Adaptation and Means of Implementation**
- 2. Mitigation**
- 3. Financial Resources and Investment**
  - **Climate change fund** to finance implementation of mitigation and adaptation activities, programmes and measures;
  - **Adaptation fund** to finance adaptation projects and programmes in the most vulnerable developing countries;
  - **Green enabling environmental fund** for financing enabling environment and capacity-building activities
- 4. Transfer of Technology**



The allocation of financial resources needs to focus on two areas; adaptation and mitigation costs, and technology investments. There appears to be still little agreement on clear mechanisms for **funding** adaptation and mitigation costs, which the EU estimates to “amount to €100 billion by 2020”. However, one of the outlines of the funding mechanism could be based on three types of funds, as proposed by Japan:


A climate change fund to finance implementation of mitigation and adaptation activities, programmes and measures. The Global Environment Facility (GEF) recognises funding for projects that reflect the synergy between adaptation and mitigation.

An adaptation fund to finance adaptation projects and programmes in the most vulnerable developing countries.

A green enabling environmental fund for financing enabling environment and capacity-building activities. The Green Climate Fund aims at identifying linkages between adaptation and mitigation in the outcomes and results areas that are currently under development, but the issue remains of




developing a formal definition of “Green Economy”, a key related concept.

**UNFCCC : Shared vision for long-term cooperative action** 

**5**

- 1. Adaptation and Means of Implementation**
- 2. Mitigation**
- 3. Financial Resources and Investment**
- 4. Transfer of Technology**
  - Need a clear and unambiguous definition of what constitutes “green technologies”,
    - Is corn-based ethanol is mislabeled as “green” in spite of being simply a “fossil fuel which is later converted into another fossil fuel”



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An essential element of technology transfer is **information** that defines the types of technologies that are best adapted to the goal of climate change mitigation. This can be done partly through a “global database including [...] technologies and best practices for mitigation and adaptation”. Some aspects of technology transfer are:

The G-77/China and several other developing countries called for focus on actions that will lead to the development and transfer of adaptation technologies. This was reflected in NP47.

It is not clear how the delegates considered the possibility that the option of implementing REDD, may affect (weaken?) mechanisms for technology transfer whose provisions are included in the alternative option (NP39, 2.11.a-Option 2, p.5/8). In addition, it is not clear how this will affect some of the provisions proposed by NP47.

Specific provisions for technology transfer to agriculture were agreed upon that cover the establishment of a work programme on the agriculture sector under Subsidiary Body on Scientific and Technological Advice (SBSTA), as

described by NP49 UNFCCC, Annex V.A., p.161



## Outline

1. Climate Change and its Implications
2. Long-Term Strategy
3. The UNFCCC in the International Context
4. The Doha Climate Gateway
5. UNFCCC : Shared vision for long-term cooperative action
- 6. Key Pending Issues**

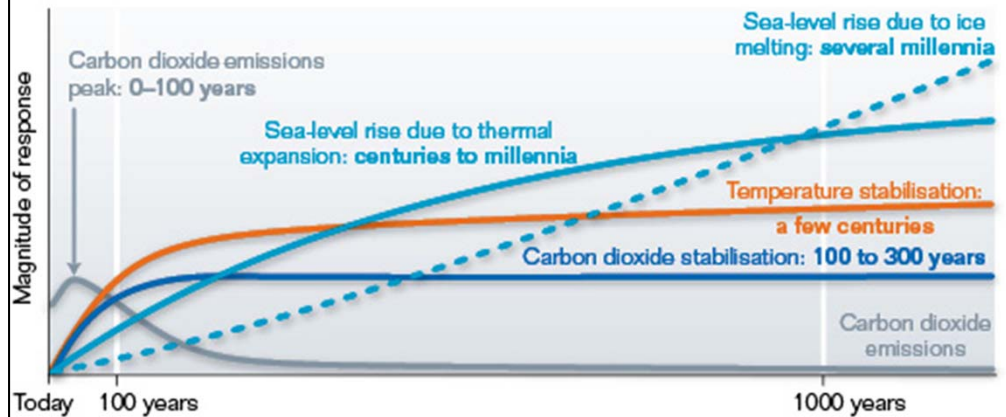


## Climate "Inertia"

6

Keeping warming under 2°C: **technically** attainable?

- G-8 countries maintained their 2009 agreement to a global emissions reduction target of 50% by 2050.
- No long-term emissions **target**
- No **date** when global emissions should **peak**.



The focus of the negotiations would therefore cover the key areas of regulatory approach, level of ambition, legal form, process, differentiation, and the final status of the Kyoto Protocol and the application of the Bali Action Plan:

The **Regulatory approach** will determine the approach to emissions reductions of the post 2020 regime.

It is not yet clear if it will be based on absolute emissions reduction targets as in the Kyoto Protocol.

In this respect, the relation of the Durban Outcome to the Kyoto Protocol needs to be clarified in the post 2020 period. It remains to be seen if the Kyoto Protocol be subsumed by the new instrument and terminate, or if it will continue to exist in some other manner.

The **level of ambition** that the Durban Platform negotiations would seek to achieve. This depends on whether the target of limiting warming to 2 °C is still considered technically and economically attainable.

At the present time, G-8 countries have maintained their 2009 agreement to a global emissions reduction target of 50% by 2050.

However, the parties to the UNFCCC have yet to agree on either long-term emissions target or the date when global emissions should peak. This apparent lack of consensus is reflected in the Durban Platform, which does not refer to “shared vision” for those key issues in the AWG-ADP work plan.

The final **legal form** of the Durban Platform outcome agreement has yet to be defined. Concerning the nature of the final agreement, the Durban Platform has a vague formulation, calling for an “agreed outcome with legal force” as a third alternative to a “treaty” or “another legal instrument” that is “applicable to all Parties”.

On one hand, it is not clear whether the Durban Platform outcome will be legally binding under domestic laws of countries or under international law. This possibility for the Durban outcome to derive its “legal force” from domestic law of countries is suggested in the Indian submission regarding the AWG-ADP work plan.

On the other hand, the language in the preamble of the Durban Platform calls for the need to strengthen “the multilateral, rules-based regime under the Convention”.

The **process** that defines commitments by parties to the convention has to be established. It could take the form of either international agreement, as in Kyoto, or unilateral national decision-making, as in Copenhagen

## Key Issues for Negotiations



6

- Various issues related to “*mitigation, adaptation, finance, technology development and transfer, transparency of action, and support and capacity-building*”
- The focus of the negotiations:
  - Regulatory Approach, Level of Ambition, Legal Form, Process, Differentiation among countries,
- How do we apply:
  - Principle of Equity, Common But Differentiated Responsibilities and Respective Capabilities (CBDRRC),
- Commitments, could vary by:
  - Type, nature, stringency...
- Final status of the Kyoto Protocol.

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The “Durban Platform for Enhanced Action” remains a very significant document, not least because it makes allowances for “a treaty, another legal instrument or an agreed outcome with legal force”. However, its silence on various other topics gives it even more significance. Aside from process issues, the Durban Platform is not very specific and makes little mention of key substantive issues that previous agreements had previously discussed.

The Durban Platform makes no reference to either the Principle of Equity, or the principle of Common But Differentiated Responsibilities and Respective Capabilities (CBDRRC).

The principles of Equity and CBDRRC are only *implicitly* incorporated in the Durban Platform; in the statement that the outcome will be “under the [...] Convention”, but no *explicit* reference to these principles is made. This, in itself, may signal a significant shift.

It does not reiterate the UNFCCC’s call for developed countries to “take the lead” in combating climate change.

Furthermore, the Durban Platform makes no reference to the UNFCCC’s classification of Annex I or non-Annex I parties, neither to “developing” nor “developed” countries in the context of climate-

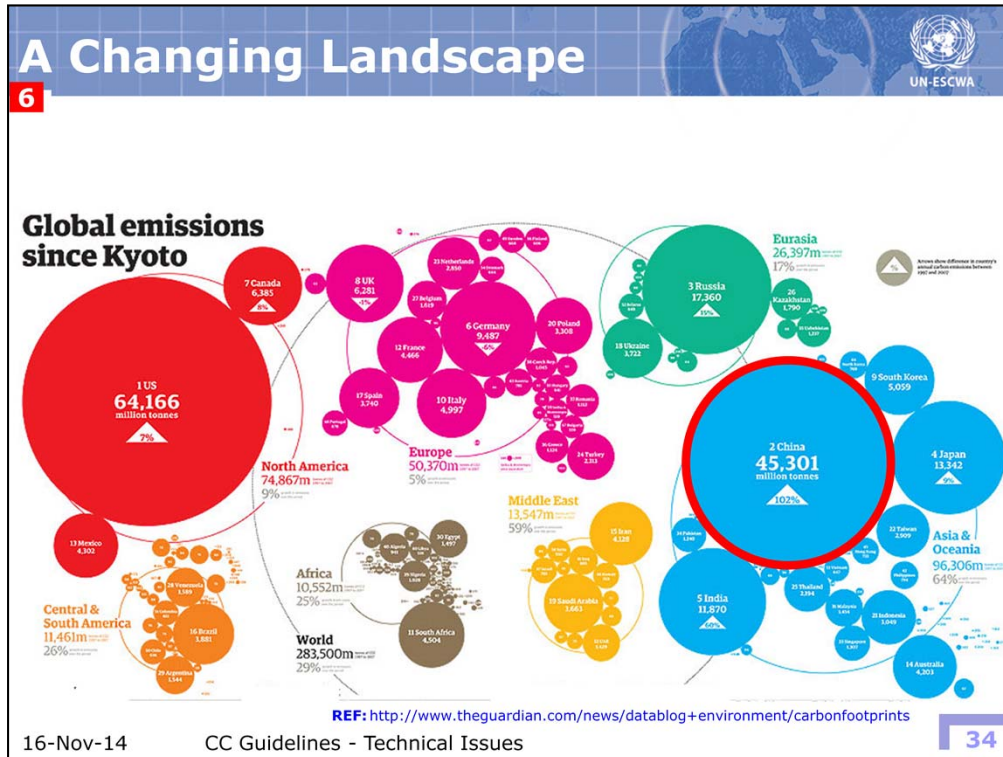
change regime. In this aspect, it may well be the first COP decision in the history of the climate-change regime not to refer to these categories.

It makes no reference to the 2007 Bali Action Plan (BAP) and its dual negotiation tracks that differentiated between developed and developing countries.

It provided for the termination at the end of 2012 of the existing Ad Hoc Working Group on Long-Term Cooperative Action (AWG-LCA) that was established at the Bali COP-13. It established the Ad Hoc Working Group on the Durban Platform for Enhanced Action (AWG-ADP) to succeed it. This may signify a “reset” rather than a continuation of the COP-13 Bali Action Plan (BAP) process.

In general, while it generally addresses process issues, the Durban Platform “is almost completely silent about the substantive content of what is to be negotiated”, and there are concerns among legal experts that it risks becoming “an empty vessel that can be filled with whatever content the parties choose”.





In the post-2015 era, the internal dynamics of some coalitions are shifting rapidly as the various economies are following diverging economic trajectories. This is especially true of the G77 and China, which is witnessing greater diversion in the positions of Least Developed Countries (LDCs) and China, Brazil, India, and South Africa.

In general, LDCs are continuing to prioritise Climate Equity and adaptation financing in the climate context. In addition, however;

LDCs are generally focusing increasingly on the need for higher levels of ambition on the mitigation from all high emitters, be they developed or developing countries like China or India.

Different LDCs have different priorities; while most continue to prioritize Official Development Assistance (ODA), others are more focused on a successful conclusion to the Doha trade round. Such countries as Bangladesh, Zambia, and Malawi, prefer to prioritize trade agreements and the related opportunities in investment, migration, and remittances.

To the key emerging economies of China, Brazil, India, and South Africa, increased levels of ambition are viewed as a threat to economic progress.

In the climate context, those countries tend to favour “pledge-and-

review” based approaches rather than mandatory emission cuts. However, such voluntary pledges that were proposed under the Copenhagen Accord imply higher long term climate warming (6 to 5.3 °C).

China appears to follow a dual approach; ambitious at the national level, but expressing scepticism, at the global level, about global monitoring, reporting, and verification.

These divergences have implications for some core demands of the G77 group. For example, the Principles of Equity, and Common But Differentiated Responsibilities and Respective Capabilities (CBDRRC) were already potentially weakened as they were merely *implicitly* incorporated in the Durban Platform, as noted above.



## **Thank you for your attention**

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