Negotiating the new International Climate Change Regime: building consensus or taking some time?’

Leonardo Massai

Monash Law Prato Program

28 May 2013
Contents

Background (UNFCCC and Kyoto Protocol)

Negotiating a Multilateral Environmental Agreement

Climate change post-2012 regime

Bali Action Plan

Copenhagen

Cancun, Durban and Doha

Way forward
Climate change and global warming

- Recognized as a global phenomenon by the scientific community

- Alteration of:
  - Global temperature
  - Sea level
  - Frequency of rains
  - Hydrological cycle

- Human influence on global climate through release of greenhouse gases in the atmosphere
Greenhouse effect

Solar radiation powers the climate system.

The Greenhouse Effect
Some of the infrared radiation passes through the atmosphere but most is absorbed and re-emitted in all directions by greenhouse gas molecules and clouds. The effect of this is to warm the Earth's surface and the lower atmosphere.

Some solar radiation is reflected by the Earth and the atmosphere.

About half the solar radiation is absorbed by the Earth's surface and warms it.

Infrared radiation is emitted from the Earth's surface.

FAQ 1.3, Figure 1

IPPC AR4 WGI (2007)
IPCC

Intergovernmental Panel on Climate Change
Established in 1998
Open to all members UNEP and WMO (EC not member) 130 countries
To assess on a comprehensive, objective, open and transparent basis the scientific, technical and socio/economic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts and options for adaptation and mitigation
IPCC 4th assessment report

WG I: Physical basis of climate change
   Anthropogenic influence on temperature rise since 1750 “very high confidence” “highly probable”
   Global warming “unequivocal”

WG II: Impacts, adaptation and vulnerability

WG III: Mitigation of climate change
   TR 2-2.4°C GHG emissions to be reduced 50-85% to current level by 2050
IPCC 4th AR WGI

Global surface warming (°C)

Year 2000 Constant Concentrations

20th century

B1
A1T
B2
A1B
A2
A1F1
Latest science data (NASA 2012)

Temperature anomalies

2012: 9th warmest year since 1880

10 warmest years since 1880 all occurred since 1998

2012 average temperature 14.6 degree Celsius, 0.55 C warmer than mid-20th century base period
 Convention

• United Nations Framework Convention on Climate Change (UNFCCC)

• Ultimate objective: achievement of the “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system ..

• Principles: common but differentiated responsibilities, equity, etc ..

• Differentiated commitments for Parties

• Institutions:
  • Conference of the Parties (COP)
  • Subsidiary Bodies
  • Secretariat
<table>
<thead>
<tr>
<th>Australia</th>
<th>Austria</th>
<th>Belarus</th>
<th>Belgium</th>
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<tr>
<td>Bulgaria</td>
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<td>Turkey</td>
<td>Ukraine</td>
<td>UK</td>
<td>USA</td>
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UNFCCC: bodies

Conference of the Parties (COP) / Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP)

Bureau

Permanent subsidiary bodies

Subsidiary Body for Scientific and Technological Advice (SBSTA)

Convention bodies

The Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP)

Adaptation Committee (AC)

Standing Committee (SC)

Technology Executive Committee (TEC)

Climate Technology Center & Network (CTCN)

Consultative Group of Experts on National Communications from Parties not included in Annex I of the Convention (CGNE)

Expert Groups

Least Developed Countries Expert Group (LEG)

Subsidiary Body for Implementation (SBI)

Kyoto Protocol bodies

Compliance Committee

Executive Board of the Clean Development Mechanism (CDM-EB)

Joint Implementation Supervisory Committee (JISC)

Adaptation Fund Board (AFB)

Financial mechanism

Global Environment Facility (GEF)

Green Climate Fund (GCF)

Special Climate Change Fund (SCCF)

Least Developed Countries Fund (LDCF)

Least Developed Countries Fund (LDCF)

Other financial arrangements

Adaptation Fund (AF)
Kyoto Protocol

• Legal instrument related to the Convention
• In force since 2005 (Russian Federation)
• Legally binding greenhouse gas emission reduction commitments (for developed country Parties)
• Flexible mechanisms (carbon market)
• Sinks (land-use, land-use change and forestry)
• Compliance regime
Kyoto Protocol: Annex B

- List of countries included in Annex I (no Turkey-Belarus) to the UNFCCC having assumed legally binding commitments for the period 2008-12 according to Article 3.1 KP
- Binding and differentiated reduction commitments (from -8% to +10%)

<table>
<thead>
<tr>
<th>Country</th>
<th>Target (1990** - 2008/2012)</th>
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</thead>
<tbody>
<tr>
<td>EU-15*, Bulgaria, Czech Republic, Estonia, Latvia, Liechtenstein, Lithuania, Monaco, Romania, Slovakia, Slovenia, Switzerland</td>
<td>-8%</td>
</tr>
<tr>
<td>US***</td>
<td>-7%</td>
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<tr>
<td>Canada, Hungary, Japan, Poland</td>
<td>-6%</td>
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<tr>
<td>Croatia</td>
<td>-5%</td>
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<tr>
<td>New Zealand, Russian Federation, Ukraine</td>
<td>0</td>
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<tr>
<td>Norway</td>
<td>+1%</td>
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<tr>
<td>Australia</td>
<td>+8%</td>
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<tr>
<td>Iceland</td>
<td>+10%</td>
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Determination of Parties’ compliance with the QELRCs

Source: UNFCCC (2007)
Kyoto Protocol: the flexible mechanisms

- Cost-effective reduction of GHG emissions:
  - Joint Implementation (JI)
  - Clean Development Mechanism (CDM)
  - Emissions trading (IET)
- Flexible mex expected to lower the cost of compliance with the agreed commitments
- Supplemental to domestic actions
Distribution carbon market

Multilateral Environmental Negotiations (I)

- **Actors**
  - Groups of states
  - Observers
  - Conference officers and facilitators
  - Secretariats
- **Formal and informal setting**
- **Contact groups** – A group formed during negotiations to reach consensus on an issue proving particularly contentious. It is open to all Parties and sometimes to observers.
- **Informal consultations** - Exchange of views among delegations which take place outside the formal setting of negotiations. Usually undertaken with the aim of identifying a compromise position.
- **High Level Segment** - Segment of a meeting composed of the highest-level representatives of State Parties attending the meeting.
Procedures (UNFCCC)

- Rules of Procedures: never adopted, rather applied

- Consensus on Decisions

- COP can adopt “decisions necessary to promote effective implementation” of UNFCCC (non formally binding)

- COP can adopt protocols (ratification is necessary)

- COP can adopt emendaments to UNFCCC with 3/4 majority
Multilateral Environmental Negotiations (II)

• Tools to assist negotiating agreements
  • Non-papers
  • Working papers
  • Conference room papers
  • Negotiating texts
• Outcome/results
  • Resolutions, treaties, declarations, decisions
• How to negotiate a treaty/decision
Negotiation Groups

• **5 UN Groups**: African States, Asian States, Eastern European States, Latin American and the Caribbean States, and the Western European and Other States

• **G77 + China**
  • African group
  • Alliance of Small Island States (AOSIS) 43
  • OPEC countries
  • Least Developed Countries (LDCs) 50
  • ALBA, ILAC, CfRN, LMNCs,

• **UE**: 27 Member States

• **Umbrella Group**: Australia, Canada, Japan, New Zealand, Norway, Russian Federation, Ukraine, USA

• **Environmental Integrity Group**: Mexico, South Korea, Switzerland

*Critical points*: different interests in large coalitions (G77 or EU)
Different Delegations:

Critical points:
- Strength of the delegation (number, mandat)
- Language issue
Type of meetings
The essential role of the Chair of a Working Group during negotiations of a draft MEA (i)

• The Chair may **exercise great influence** on the development of a negotiating text:

• The Chair, when sufficient views have been received from various countries, may propose to proceed with the drafting of a **negotiating text** that can serve as a **basis for negotiations**

• The negotiating text will be assembled by the Chair with the help of the **secretariat**, or may proceed based on a text put forward by a Party

• The Chair will then present and explain his/her approach to discussing the text to the plenary, and if the text was put forward by a Party, the Chair would normally ask that Party to explain their text
The essential role of the Chair of a Working Group during negotiations of a draft MEA (ii)

- Between and during negotiations, the Chair will hold informal consultations with the negotiating blocs and work to identify issues of concern and identify common ground among the various positions.
- In the final days of the negotiations, the Chair could intervene in small groups to get consensus.
- During the plenary, the Chair will hear various views on a specific issue and may put forward proposals (to delete brackets, eliminate text, suggest new wording for acceptance) when he or she feels that members are ready to compromise and finalize the text.
# Stages

## Box 8.1. Stages in the Treaty-Making Process

<table>
<thead>
<tr>
<th>Stages</th>
<th>Details</th>
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</thead>
<tbody>
<tr>
<td>Pre-negotiation</td>
<td>Framing of issue, formulation of national positions</td>
</tr>
<tr>
<td>Initiation of negotiations</td>
<td>Choice of negotiating forum, adoption of negotiating mandate</td>
</tr>
<tr>
<td>Negotiations</td>
<td>Structural issues: committees, coalitions, procedures: decision-making rules, transparency, access</td>
</tr>
<tr>
<td>Adoption and entry into force</td>
<td>Formulation of initial draft, adoption, national consent: signature and ratification, or accession, entry into force</td>
</tr>
</tbody>
</table>
Structure of a UNFCCC Negotiation Session:

- Plenary: COP/CMP, SBs, AWGs
- Contact group: Specific Agenda Item
- Informal consultations: Spin-off
- Drafting group: 20-30 negotiators
- Friends of the Chair: 5-10 negotiators

Negotiations take place in small groups, never in the Plenaries.

Open at NGOs, Press, Observers

Only Parties
## Sample day

<table>
<thead>
<tr>
<th>Time</th>
<th>Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 – 10:00</td>
<td>Country delegation meetings&lt;br&gt;Country group coordination meetings</td>
</tr>
<tr>
<td>10:00 – 13:00</td>
<td>Official UN meeting time, for example:&lt;br&gt;- Plenaries&lt;br&gt;- Working group meetings&lt;br&gt;- Contact group meetings</td>
</tr>
<tr>
<td>13:00 – 15:00</td>
<td>Country group coordination meetings&lt;br&gt;Informal consultations with other Parties&lt;br&gt;Lunch&lt;br&gt;Side events organised by the secretariat, Parties or observers&lt;br&gt;Press conferences by the secretariat, Parties or observers</td>
</tr>
<tr>
<td>15:00 – 18:00</td>
<td>Official UN meeting time</td>
</tr>
<tr>
<td>18:00 – 20:00</td>
<td>Country group coordination meetings</td>
</tr>
<tr>
<td>18:00 onwards</td>
<td>Extended formal meeting time&lt;br&gt;Side events&lt;br&gt;Press conferences</td>
</tr>
</tbody>
</table>
Negotiation issue

Start of the work by COP/CMP, SBI, SBSTA (Issue is put on the agenda)

Internal discussions: national positions

Submission of views on the issue to SBI, SBSTA or COP

Preparation of docs to support the negotiations

Discussions in regional groups and bilaterals

Preparation of a CONCLUSION / DECISION on the issue

Feedback from implementation

Discussion and negotiations on the issue at SBI, SBSTA or COP/CMP

Implementation of decision/Conclusion on the issue (by Parties and UNFCCC sec.)

Agreement of Parties on the issue and adoption of a CONCLUSION / DECISION

Monitoring of implementation

Issue resulting From implementation

By Parties

By Parties at national level

By Parties, IGO, NGO

By UNFCCC sec.

By Parties members of groups

By Parties with assistance of UNFCCC

By Parties at SBI, SBSTA, COP

By Parties with assistance of UNFCCC sec.

By Parties or UNFCCC sec.
Post-2012 negotiations

Source: UNDP (2011)
Post-2012 strategy

• Art. 3(9) KP: negotiations for future commitment periods KP shall start no later then 2005!

• CMP1 (2005): Ad-hoc Working Group on Further reduction commitments under the KP (AWG-KP)

• COP11 Dialogue Long-term Cooperative Action (LCA)
• 4+1 blocks


• COP13 Bali Roadmap
  • 2 years negotiations – 8 meetings
  • 2 tracks: AWG LCA and AWG-KP
Bali Action Plan BAP (COP13)

- Decision 1/CP.13
- Establishment AWG-LCA
  - Subsidiary body under the Convention mandated to elaborate the main issues identified in the Copenhagen Dialogue

- Identification 5 areas of negotiation
  - Shared vision for long-term cooperative action, including a long-term global goal for emission reductions
  - Mitigation
  - Adaptation
  - Finance
  - Technology and capacity-building
A shared vision for long-term cooperative action, including a long-term global goal for emission reductions, to achieve the ultimate objective of the Convention, in accordance with the provisions and principles of the Convention, in particular the principle of common but differentiated responsibilities and respective capabilities, and taking into account social and economic conditions and other relevant factors;
BAP: Mitigation (I)

• 1(b)(i) on mitigation by developed countries
• 1(b)(ii) on mitigation by developing countries
• 1(b)(iii) on reducing deforestation and forest degradation in developing countries, plus conservation (REDD plus)
• 1(b)(iv) on sectoral approaches
• 1(b)(v) on market-based approaches
• 1(b)(vi) on consequences of response measures
BAP: Mitigation (II)

(i) Measurable, reportable and verifiable nationally appropriate mitigation commitments or actions, including quantified emission limitation and reduction objectives, by all developed country Parties, while ensuring the comparability of efforts among them, taking into account differences in their national circumstances;

(ii) Nationally appropriate mitigation actions by developing country Parties in the context of sustainable development, supported and enabled by technology, financing and capacity-building, in a measurable, reportable and verifiable manner;

(iii) Policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries;

(iv) Cooperative sectoral approaches and sector-specific actions, in order to enhance implementation of Article 4, paragraph 1(c), of the Convention;

(v) Various approaches, including opportunities for using markets, to enhance the cost-effectiveness of, and to promote, mitigation actions, bearing in mind different circumstances of developed and developing countries;

(vi) Economic and social consequences of response measures;

(vii) Ways to strengthen the catalytic role of the Convention in encouraging multilateral bodies, the public and private sectors and civil society, building on synergies among activities and processes, as a means to support mitigation in a coherent and integrated manner;
BAP: adaptation

(i) International cooperation to support urgent implementation of adaptation actions, including through vulnerability assessments, prioritization of actions, financial needs assessments, capacity-building and response strategies, integration of adaptation actions into sectoral and national planning, specific projects and programmes, means to incentivize the implementation of adaptation actions, and other ways to enable climate-resilient development and reduce vulnerability of all Parties, taking into account the urgent and immediate needs of developing countries that are particularly vulnerable to the adverse effects of climate change, especially the least developed countries and small island developing States, and further taking into account the needs of countries in Africa affected by drought, desertification and floods;
(ii) Risk management and risk reduction strategies, including risk sharing and transfer mechanisms such as insurance;
(iii) Disaster reduction strategies and means to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change;
(iv) Economic diversification to build resilience;
(v) Ways to strengthen the catalytic role of the Convention in encouraging multilateral bodies, the public and private sectors and civil society, building on synergies among activities and processes, as a means to support adaptation in a coherent and integrated manner;
BAP: technology transfer

(d) Enhanced action on technology development and transfer to support action on mitigation and adaptation, including, inter alia, consideration of:

(i) Effective mechanisms and enhanced means for the removal of obstacles to, and provision of financial and other incentives for, scaling up of the development and transfer of technology to developing country Parties in order to promote access to affordable environmentally sound technologies;
(ii) Ways to accelerate deployment, diffusion and transfer of affordable environmentally sound technologies;
(iii) Cooperation on research and development of current, new and innovative technology, including win-win solutions;
(iv) The effectiveness of mechanisms and tools for technology cooperation in specific sectors;
(e) Enhanced action on the provision of financial resources and investment to support action on mitigation and adaptation and technology cooperation, including, inter alia, consideration of:

(i) Improved access to adequate, predictable and sustainable financial resources and financial and technical support, and the provision of new and additional resources, including official and concessional funding for developing country Parties;
(ii) Positive incentives for developing country Parties for the enhanced implementation of national mitigation strategies and adaptation action;
(iii) Innovative means of funding to assist developing country Parties that are particularly vulnerable to the adverse impacts of climate change in meeting the cost of adaptation;
(iv) Means to incentivize the implementation of adaptation actions on the basis of sustainable development policies;
(v) Mobilization of public- and private-sector funding and investment, including facilitation of carbon-friendly investment choices;
(vi) Financial and technical support for capacity-building in the assessment of the costs of adaptation in developing countries, in particular the most vulnerable ones, to aid in determining their financial needs;
Programme of negotiations

- COP14 & CMP4: Bali
- 2008: Bangkok, Bonn, Accra, Poznan
- 2009: Bonn I, II and III, Bangkok, Barcelona

- COP15 & CMP5: 7-18 December 2009 Copenhagen

- 2010: Bonn I and II, Tianjin
- COP16 & CMP6: Cancun

- 2011: Bangkok, Bonn, Panama
- COP17 & CMP7: 28 Nov – 9 Dec Durban

- 2012: Bonn, Bangkok
- COP18: 26 nov – 7 dec Doha

- 2013: Bonn (I, II, III?) e COP19 in Warsaw (Poland)
Copenhagen
Copenhagen Summit

High Level Segment
(Ministri e capi di Stato e di governo)

COP 15

CMP 5

SBI + SBSTA 31

AWG - LCA 8

AWG - KP 10
COP15 and COP5

- 7-15 December:
  - Leak draft political text
  - Two track negotiations neither merged nor concluded
- Deadlock 16 December
  - Chair draft conclusions LCA and KP

- 17 December: open ended drafting groups
- Friends of the chair or high level meetings?
- No consensus on how to proceed by 3 am Friday 18 December
‘The final cut’

• 28 or so countries present
• US + BASIC (5 countries) running the game
• Public announcements on the media (“we have a deal”)

• Final plenary COP15/CMP5 :11 hours
• Points of order and procedural irregularities
• Express objections by a few Parties
• Final result rescued by Ban-Ki Moon


Copenhagen Accord

- ‘The COP takes note of the Copenhagen Accord of 18 December 2009’

- UN General Assembly (2001):

  - ”the terms ‘take note of’ and ‘notes’ are neutral terms that constitute neither approval nor disapproval”

  - Not adopted
Copenhagen Accord: shared vision

1. We underline that climate change is one of the greatest challenges of our time. We emphasise our strong political will to urgently combat climate change in accordance with the principle of common but differentiated responsibilities and respective capabilities. To achieve the ultimate objective of the Convention to stabilize greenhouse gas concentration in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, we shall, recognizing the scientific view that the increase in global temperature should be below 2 degrees Celsius, on the basis of equity and in the context of sustainable development, enhance our long-term cooperative action to combat climate change. We recognize the critical impacts of climate change and the potential impacts of response measures on countries particularly vulnerable to its adverse effects and stress the need to establish a comprehensive adaptation programme including international support.

2. We agree that deep cuts in global emissions are required according to science, and as documented by the IPCC Fourth Assessment Report with a view to reduce global emissions so as to hold the increase in global temperature below 2 degrees Celsius, and take action to meet this objective consistent with science and on the basis of equity. We should cooperate in achieving the peaking of global and national emissions as soon as possible, recognizing that the time frame for peaking will be longer in developing countries and bearing in mind that social and economic development and poverty eradication are the first and overriding priorities of developing countries and that a low-emission development strategy is indispensable to sustainable development.
3. Adaptation to the adverse effects of climate change and the potential impacts of response measures is a challenge faced by all countries. Enhanced action and international cooperation on adaptation is urgently required to ensure the implementation of the Convention by enabling and supporting the implementation of adaptation actions aimed at reducing vulnerability and building resilience in developing countries, especially in those that are particularly vulnerable, especially least developed countries, small island developing States and Africa. We agree that developed countries shall provide adequate, predictable and sustainable financial resources, technology and capacity-building to support the implementation of adaptation action in developing countries.
Copenhagen Accord: mitigation for developed countries

4. Annex I Parties commit to implement individually or jointly the quantified economywide emissions targets for 2020, to be submitted in the format given in Appendix I by Annex I Parties to the secretariat by 31 January 2010 for compilation in an INF document. Annex I Parties that are Party to the Kyoto Protocol will thereby further strengthen the emissions reductions initiated by the Kyoto Protocol. Delivery of reductions and financing by developed countries will be measured, reported and verified in accordance with existing and any further guidelines adopted by the Conference of the Parties, and will ensure that accounting of such targets and finance is rigorous, robust and transparent.
Copenhagen Accord: mitigation for developing countries

5. Non-Annex I Parties to the Convention will implement mitigation actions, including those to be submitted to the secretariat by non-Annex I Parties in the format given in Appendix II by 31 January 2010, for compilation in an INF document, consistent with Article 4.1 and Article 4.7 and in the context of sustainable development. Least developed countries and small island developing States may undertake actions voluntarily and on the basis of support. Mitigation actions subsequently taken and envisaged by Non-Annex I Parties, including national inventory reports, shall be communicated through national communications consistent with Article 12.1(b) every two years on the basis of guidelines to be adopted by the Conference of the Parties. Those mitigation actions in national communications or otherwise communicated to the Secretariat will be added to the list in Appendix II. Mitigation actions taken by Non-Annex I Parties will be subject to their domestic measurement, reporting and verification the result of which will be reported through their national communications every two years. Non-Annex I Parties will communicate information on the implementation of their actions through National Communications, with provisions for international consultations and analysis under clearly defined guidelines that will ensure that national sovereignty is respected. Nationally appropriate mitigation actions seeking international support will be recorded in a registry along with relevant technology, finance and capacity building support. Those actions supported will be added to the list in Appendix II. These supported nationally appropriate mitigation actions will be subject to international measurement, reporting and verification in accordance with guidelines adopted by the Conference of the Parties.
Copenhagen Accord: finance

8. Scaled up, new and additional, predictable and adequate funding as well as improved access shall be provided to developing countries, in accordance with the relevant provisions of the Convention, to enable and support enhanced action on mitigation, including substantial finance to reduce emissions from deforestation and forest degradation (REDD-plus), adaptation, technology development and transfer and capacity-building, for enhanced implementation of the Convention. The collective commitment by developed countries is to provide new and additional resources, including forestry and investments through international institutions, approaching USD 30 billion for the period 2010-2012 with balanced allocation between adaptation and mitigation. Funding for adaptation will be prioritized for the most vulnerable developing countries, such as the least developed countries, small island developing States and Africa. In the context of meaningful mitigation actions and transparency on implementation, developed countries commit to a goal of mobilizing jointly USD 100 billion dollars a year by 2020 to address the needs of developing countries. This funding will come from a wide variety of sources, public and private, bilateral and multilateral, including alternative sources of finance. New multilateral funding for adaptation will be delivered through effective and efficient fund arrangements, with a governance structure providing for equal representation of developed and developing countries. A significant portion of such funding should flow through the Copenhagen Green Climate Fund.
## Copenhagen Accord: Appendix I

Quantified economy-wide emissions targets for 2020

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<th>Annex I Parties</th>
<th>Quantified economy-wide emissions targets for 2020</th>
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<td>Emissions reduction in 2020</td>
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<td>Base year</td>
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<td>Non Annex I</td>
<td>Actions</td>
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Concluding remarks on the CA

Copenhagen Accord suffered from lack of clarity on mandate for small group

Consensus issue

Many parts of AWGs process are lost

Many negotiated texts still pending

Legal and political implications of association
Cancun
Cancun agreements: mitigation

DEVELOPED COUNTRY EMISSION REDUCTION TARGETS

FURTHER SPECIFIC DECISIONS UNDER THE KYOTO PROTOCOL

DECISIONS ADDRESSING DEVELOPING COUNTRY MITIGATION PLANS
  REDUCTION OF EMISSIONS THROUGH STRONGER ACTIONS ON FORESTS

COST-EFFECTIVE MEANS TO ACHIEVE MITIGATION GOALS

ADDRESSING ECONOMIC AND SOCIAL CONSEQUENCES OF RESPONSE MEASURES
Cancun agreements: financial, technology and capacity building support

- FAST-START FINANCE UP TO 2012
- NEW LONG-TERM FUNDING ARRANGEMENTS
- INCREASED COOPERATION ON TECHNOLOGY FOR BOTH MITIGATION AND ADAPTATION
- HELPING TO BUILD CAPACITY IN DEVELOPING COUNTRIES
- RAISING GLOBAL AWARENESS ABOUT CLIMATE CHANGE
Durban
Outcome COP17

• Design of the Green Climate Fund

• Mandate for a new working group (Ad Hoc Working Group on the Durban Platform for Enhanced Action) to ‘complete its work as early as possible but no later than 2015 in order to adopt this protocol, legal instrument or agreed outcome with legal force at COP21 and for it to come into effect and be implemented from 2020’

• AWG-LCA to terminate its work by COP18

• 2012: Workshops and Submission of Views
Outcome CMP7

- Outcome negotiations under the Kyoto Protocol
- Second commitment period under the Kyoto Protocol, although still uncertainty about the exact numbers of Annex B Parties’ Objectives (QELROs) and the length of the commitment period (5 or 8 years?)
- Parties took note of the quantified economy-wide emission reduction targets to be implemented by Parties and of the intention of these Parties to convert these targets to quantified emission limitation or reduction objectives (QELROs) for the second commitment period under the Kyoto Protocol
- Parties information on QELROs for 2nd Commitment Period Kyoto Protocol by 1 May 2012
- CDM confirmed and no decision on JI
- New flexible mechanism to be elaborated
Emissions gap report UNEP 2011

Pledges declared under the Copenhagen Accord sufficient to limit global warming to 2°C or 1.5°C?
Comparing expected emissions with 2C required levels – UNEP 2011
How big is the gap in 2020 (UNEP 2012)

- Total Global Greenhouse Gas Emissions (Gt/year CO₂ equiv)
- Now: ≈47-48 Gt/year
- To be on pathway of staying within 2°C limit

Cases:
- Case 1: Unconditional pledges, lenient rules
- Case 2: Unconditional pledges, strict rules
- Case 3: Conditional pledges, lenient rules
- Case 4: Conditional pledges, strict rules
Doha

COP 18/CMP 8

DOHA CLIMATE GATEWAY

- 2nd CP KP (CMP L9)
- LCA text (COP L14)
- COP decisions on loss and damage (COP L4 rev1)
- ADP (COP L3)
- COP decisions on finance
  - Work programme long term finance (COP L15)
  - Report standing committee (COP L16)
  - Reporg Green Climate Fund (COP L17)
AWG-LCA 15

- Shared vision
- Mitigation developed and developing country Parties
- REDD+
- Various approaches
  - Framework
  - New market-based mechanism
- Response measures
- Adaptation
- Technology development and transfer
- Finance
- Capacity building
- Review
AWG-KP 17

- Second commitment period 2013-2020
- Provisional application
- Review mechanism
- Operational continuity (flexible mechanisms)
- Share of proceeds
- Carry over
- Annex B and new QELRCs
ADP 1

- Range of actions to close pre-2020 ambition gap
- Planning of work
- Negotiating text before May 2015
New institution/regime?

Source: NIES, Japan (2013)
## Possible building blocks new regime

<table>
<thead>
<tr>
<th>Element</th>
<th>Option A</th>
<th>Option B</th>
<th>Option C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Form</td>
<td>A protocol</td>
<td>A COP decision</td>
<td>Political declaration to implement legal instrument at national level</td>
</tr>
<tr>
<td>Commitment on national emissions target</td>
<td>Legally binding numerical targets (e.g. KP)</td>
<td>Non-binding voluntary numerical goals</td>
<td>No indications of emissions levels</td>
</tr>
<tr>
<td>Commitments on mitigation actions, policies and measures</td>
<td>Legally binding mitigation actions</td>
<td>Non-binding domestic mitigation actions, with international assessment</td>
<td>No indications of mitigation actions, policies and measures</td>
</tr>
<tr>
<td>Use of carbon trading market mechanisms</td>
<td>Cap and trade at the int level; full use of other crediting mechanisms</td>
<td>Linkage of domestic emissions trading schemes, with some offsets and crediting</td>
<td>No indications of use of carbon market mechanisms</td>
</tr>
<tr>
<td>Financial mechanism</td>
<td>Financed only by public funding from developed countries</td>
<td>Financed by various resources including private investments</td>
<td>No indications of use of financial mechanisms</td>
</tr>
<tr>
<td>Common but differentiated responsibilities (CBDR)</td>
<td>Current grouping, which is Annex I and non-Annex I Parties</td>
<td>Re-grouping of countries according to formulas such as GDP per capita</td>
<td>No more grouping of countries, and CBDR will be attained by other means</td>
</tr>
</tbody>
</table>

Source: NIES, Japan (2013)
Some references

- UNFCCC: Daily Programme, Press release and all documents: http://unfccc.int/
- European Commission - DG CLIMATE http://ec.europa.eu/dgs/clima/
- ECO (CAN International) http://www.climatenetwork.org/eco-blog
- TEC Blog – CMCC http://www.cmcc.it/blog-en
- CLIMATE POLICY INITIATIVE http://climatepolicyinitiative.org/
- INTERNATIONAL CENTER FOR CLIMATE GOVERNANCE http://www.iccgov.org/
- IPCC http://www.ipcc.ch/