

UNFCCC Subsidiary Body for Implementation begins work

Bonn, 5 June (Indrajit Bose) — The fortieth session of the UNFCCC's Subsidiary Body for Implementation (SBI) opened on 4 June 2014 at the ongoing climate change talks in Bonn, scheduled to continue till 15 June.

The Subsidiary Body for Scientific and Technological Advice, (SBSTA), also began its work on 4 June but its plenary was suspended and will resume on 6 June.

The current SBI session has a number of crucial issues to address. These include matters relating to the mechanisms under the Kyoto Protocol (KP) and clean development mechanism (CDM), issues related to the least developed countries, National Adaptation Plans, second review of the Adaptation Fund, Warsaw international mechanism for loss and damage associated with climate change, 2013-2015 Review, technology development and transfer and response measures. Some of these issues such as the Warsaw international mechanism on loss and damage, technology development, 2013-2015 review and transfer and response measures are under the joint consideration of both the subsidiary bodies.

At the SBI opening session, Parties presented their initial views and concerns on the agenda items. These will now be taken up either through informal consultations among Parties or in contact groups to arrive at conclusions for the consideration of the 20th meeting of the Conference of Parties (COP) in Lima, Peru end of this year. Some of the most pressing concerns of the developing countries relate to the [Warsaw international mechanism on loss and damage](#), [National Adaptation Plans](#), [second review of the Adaptation Fund](#) are.

A key issue in the loss and damage mechanism is setting up the composition and procedures of the Executive Committee of the mechanism. Developing countries want the process to be more transparent and have put forth a demand that the Executive Committee must comprise a majority of developing country members.

On National Adaptation Plans and the second review of the Adaptation Fund, developing country members explicitly highlighted the lack of sustainable, predictable and adequate financing to implement the plans and developing countries said it was too early to review the NAP guidelines.

On technology transfer, developing countries want barriers such as intellectual property rights (IPR) to be removed and an in-depth discussion on these issues. Their other concern is that the Technology Executive Committee must be able to participate as an observer in the meetings of the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO) since these organizations discuss climate related technologies. [But developed countries have been opposed to this.](#)

Consensus eludes on response measures too. During COP19 at Warsaw in 2013, the G77 and China had called for the establishment of a mechanism on response measures under the COP, to address the negative social and economic consequences of response measures taken by developed countries on developing countries and to recommend specific actions to avoid and minimise those consequences. It had called for the continuation of the forum on response measures so that the specific needs and concerns of developing countries could be met,

but developed countries did not agree. Developing countries raised this during their interventions at the opening plenary of SBI.

On matters related to the Kyoto Protocol, some developing countries highlighted that the compliance issue needs to be looked into and Parties cannot be allowed to go scot-free without meeting their commitments. This was accompanied with a call to the developed countries to increase ambition and ratify the second commitment period of the Kyoto Protocol and review CDM guidelines.

Following are some of the interventions where Parties expressed their concerns and views during the SBI opening plenary as they adopted the agenda:

Bolivia, on behalf of G77 and China, said they were concerned about the compliance status of the Kyoto Protocol (KP) Parties to their commitments. “We note with grave concern that a Party has chosen to withdraw from their legal commitments under the KP in the hope to avoid compliance issues – and further note that those legal obligations should be fulfilled until their last day as a Party to the KP,” Bolivia said.

While endorsing the Least Developed Countries (LDC) Independent Expert Group efforts in supporting the LDCs for the National Adaptation Plan process, Bolivia underscored that the LDCs were still waiting for support to ensure the implementation of the full LDC work programme, in particular the remaining elements of the work program other than NAPAs (National Adaptation Programmes of Action).

On National Adaptation Plans (NAPs), Bolivia said for developing countries, adaptation is an urgent and high priority and the group deplores the lack of funding and technical support to begin the NAP process. Asking the developed country Parties to show more urgency, Bolivia reiterated that support for the LDCs had been unacceptably slow, and the situation for the NAPs of non-LDC was no different. It also said that it was too early to revise the NAPs guidelines, a mandate for the current SBI session, given that only a few countries have begun the process. Bolivia also called for the NAPs process to be linked to the Green Climate Fund (GCF) process, which at a meeting in Songdo, South Korea, completed the essential requirements to kickstart resource mobilization into the Fund.

On Loss and Damage, Bolivia said that it was of paramount importance to make the mechanism functional. This mechanism must address the needs of developing countries emerging from extreme and slow-onset events. Stating that the mechanism cannot be an empty shell, Bolivia called for more transparency to be shown in the work of the development of the mechanism by the interim executive committee. Bolivia said it wanted to engage in discussing the composition and procedures for the Executive Committee, saying it should comprise a majority of developing country members and follow the membership structure as the Adaptation Committee.

On the second review of the Adaptation Fund, the Group expressed concern regarding the sustainability, predictability and adequacy of resources to the Adaptation Fund, which, so far, is the only fund dedicated to adaptation in developing countries. Bolivia said the second review of the Fund should provide recommendations to ensure that adequate and sustainable resources be available for the Fund.

It called on for more coordination between the two bodies of the Technology Mechanism (Technology Executive Committee, TEC, and Climate Technology Centre and Network, CTCN) for technology development and transfer. The Group emphasized the necessity for the TEC to structure its work plan for the short and medium term, including the organisation of a thematic dialogue on enabling environments for technology development and transfer, including the mechanisms needed to address all barriers, such as IPRs.

Referring to capacity building as something that is of utmost importance to the G77 and China, Bolivia asked of the Parties to accept a proposal for a two-year work programme on the issue and said capacity building is integral to enable developing countries to participate fully in addressing the challenges of climate change, and to implement effectively their commitments under the Convention.

On response measures, the G77 and China reaffirmed the importance to give full consideration to the actions necessary to meet the specific needs and concerns of developing country Parties arising from the impacts of the implementation of response measures, in accordance with the principles and provisions of the Convention. Expressing regret at the lack of

progress made in Warsaw on the matter, Bolivia said it hoped towards the adoption of a decision at COP 20 for the continuation of the Forum and the establishment of a mechanism to address the negative economic and social consequences of response measures taken by developed country Parties on developing country Parties.

Nicaragua, on behalf of the Like Minded Developing Countries (LMDC), said that there was a heightened sense of urgency and common purpose. It reminded Parties that in the light of the serious climate disasters in developing countries and their urgent needs on adaptation, the Adaptation Fund should be further enhanced through its second review, which must include identifying alternative sources of funds.

On market mechanisms, particularly with respect to the framework for various approaches, LMDC said it was crucial to ensure that the COP establishes and approves the basic rules and mechanisms of the framework so that mitigation commitments by developed country Parties could be compared. On non-market approaches and new market mechanisms, LMDC said that the most serious challenge currently facing the international carbon market is the lack of demand. Calling on developed countries to raise their mitigation ambition before 2020, LMDC said that unless the developed countries raised their mitigation ambition to trigger increased demand in the carbon market, it was neither necessary nor feasible to continue discussions on new market-based mechanisms.

On the review of rules of both CDM and Joint Implementation under SBI agenda item 6, it was important to ensure that all relevant rules established in the Kyoto Protocol are not changed, especially the project-based nature of the CDM and the host country's prerogative in assessing the sustainable development benefits of CDM projects.

Reiterating the importance of the 2013-2015 Review, LMDC said it was crucial to assess the adequacy the long-term global goal and the overall progress towards achieving it, in particular the implementation of the commitments under the Convention. LMDC called on Parties to devote more effort to assess the adequacy and implementation of Annex I Parties' commitments under the Convention, in particular their commitments on mitigation, finance and technology transfer.

On response measures, LMDC said that a new mechanism other than a forum needed to be established to address the issue. The new mechanism should be designed to serve as an implementation platform for taking action to reduce or prevent negative impact of response measures taking by developed countries on developing countries and to prevent any unilateral measures.

Calling on developed country Parties to submit their first biennial reports on time, the LMDC emphasized the importance of the provision of financial assistance from the developed country parties for the completion and submission of national communications and the coming biennial updated reports by developing country Parties at the agreed full-cost funding, especially for the LDCs and SIDS (Small Island Developing States).

The LMDC also stressed that capacity building has played an unequivocal role in helping developing countries obtain the capacity to more effectively cope with climate change during the last decade, and that other means to enhance capacity building, besides the Durban Forum, need to be developed to operationally enhance the provision of capacity-building support to developing countries and make it more effective.

On the development and transfer of technologies and implementation of the Technology Mechanism, LMDC said ensuring the removal of barriers, including IPRs, was integral to making technology development and transfer under the Convention effective.

Nepal, on behalf of LDCs, flagged the need for funding for the implementation of NAPAs as well as of the remaining elements of the work programme. Because of inadequate funding and support in place, LDCs did not get the opportunity to apply the guidelines prepared for the formulation of National Adaptation Plans, it said, while adding that they did not feel it necessary to revise the guidelines for formulation of NAPAs. Nepal reiterated that the LDCs accorded the highest importance to the issue of loss and damage associated with adverse effects of climate change. On the composition and modalities of the Executive Committee, Nepal said that the committee should be formed in a way that ensures the voice and needs of the most vulnerable countries, particularly the LDCs and SIDS, are properly addressed.

The LDCs are also very concerned about the depleting resources of the Adaptation Fund and they said they were looking forward to discussing with Parties, innovative sources of funding to guarantee sustainable, predictable and adequate financial resources for this fund. Nepal also called on Parties to finalise elements of the capacity building work plan, which it said enables their countries to effectively implement the provisions of the Convention and the Kyoto Protocol. LDCs also said that the 2013-2015 Review should be based on science and that the results and recommendations of the Review are consistently integrated in the ongoing discussions at the Ad hoc Working Group on Durban Platform for Enhanced Action, the negotiating track entrusted to chart out a new global deal on climate change by 2015.

Colombia, on behalf of AILAC called on developed countries to ratify the second commitment period of the Kyoto Protocol. On loss and damage, Colombia said that to build on the international mechanism created at Warsaw, and said it would be useful to assess the limitations on capacity. It called strongly for the Adaptation Fund to be able to guarantee funds and said that institutions without money should not become a rule. It also called for stronger capacity building measures.

Sudan, on behalf of the African Group expressed concern on the lack of progress in areas such as the matters relating to the implementation of the second commitment period of the Kyoto Protocol, lack of progress on review of the forum on response measures, and technology transfer. Claiming no benefits for African countries as a result of the CDM process, Sudan said the modalities and procedures of CDM must be reviewed.

Besides calling for the interim Executive Committee of the Loss and Damage Mechanism to include a range of interdisciplinary experts, Sudan said they were concerned that they would not be able to make inputs to the draft workplan being developed by the committee. Sudan wanted that their concern should be addressed at the ongoing SBI session.

The Group also called for predictable, sustainable and financial resources to the Adaptation Fund. It expressed worry that without establishing a fund raising process, the concerns on the future of the fund and its capacity to support adaptation projects in

developing countries were still valid. On the 2013-2015 review, the Group said that the process should lead to the limiting of the global temperature goal to 1.5 degrees C. On response measures, it is hoping for the social and economic consequences of the implementation of response measures to be addressed.

Nauru, on behalf of the Alliance of Small Island States (AOSIS), reminded Parties of the urgent message emerging out of the IPCC working group reports, Nauru said without urgent action, the SIDS would run out of food and land. Nauru said the issues around loss and damage and the 2013-2015 review were of utmost priority to them. On loss and damage, Nauru said that AOSIS first brought this issue to international attention over two decades ago and has been one of its most forthright champions from its inception to the establishment of the Warsaw International Mechanism last year. It expressed strong disappointment that there was no AOSIS representative on the interim executive committee. Their demand is that there be a permanent SIDS seat on the Executive Committee on the Warsaw International Mechanism.

Nauru also said that for the 2013-2015 review, actions taken must be informed by the latest science, and that it must ultimately consider the specific impacts and risks to key sectors and systems at different levels of warming with a focus on particularly vulnerable countries such as SIDS and LDCs.

Ecuador, on behalf of the ALBA group, expressed that any shortcoming in the SBI would lead to the non-fulfillment of the principles and provisions of the Convention because SBI is supposed to implement the principles and provisions of the Convention. Referring to the issues on the table as those that emerged from Bali (COP), ALBA said that urgent action, with financial and technology support is the way ahead to support Mother Earth and life on the planet.

Australia, speaking for the Umbrella Group of countries, said a lot of the work at the SBI is tied to the Lima outcome. On the 2013-2015 review, it said the latest science emerging out of IPCC's mitigation and adaptation reports must inform the review. On mitigation, the Group said that it looked forward to enhancing their understanding on NAMAs (Nationally Appropriate Mitigation Actions). It said that

almost all of the Annex I countries had submitted their biennial reports and looked forward to biennial updates from developing countries. The loss and damage discussion, it said, should focus on the composition and procedures of the executive committee and encouraged Parties to finalise the joint report of the CTCN and TEC.

The European Union said IPCC's findings must guide the work of SBI. It wanted the Loss

and Damage mechanism to be operational as soon as possible, and that would mean the committee would have to complete its work plan without any delay. Review of Kyoto Protocol mechanisms should be complemented with greater ambition, mitigation action and contribution to global efforts. The EU reminded Parties that the Kyoto Protocol is still very much alive.