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ANTALYA CLIMATE NEWS UPDATE

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Parties clash over 'features' of nationally determined contributions

Antalya, 19 Nov. (Radhika Chatterjee): Negotiations related to further guidance on features of Nationally Determined Contributions (NDCs) under the Paris Agreement (PA) saw heated exchanges between countries, at the on-going Antalya climate talks, scheduled to end on 20 Nov.

Among the key points of divergences in the negotiations were whether there is a need for providing any further guidance to NDC features, preserving the nationally determined and bottom-up nature of the PA, as opposed to imposing top-down elements including for having 1.5 C aligned NDCs, and for NDCs to be comparable (without differentiation).

Developing countries like the **Like-minded Developing Countries (LMDC),** the **African Group, Arab Group, Egypt**, and **India** stressed the nationally determined nature of NDCs, and that NDCs were not mitigation centric but had other elements too like adaptation and means of implementation (finance, technology transfer, and capacity building, as set out under Article 3 of the PA. In response to calls for 1.5°C aligned NDCs, **Egypt** said that "there is no definition of what 1.5°C aligned NDCs would mean."

On the other hand, developed countries like the **European Union (EU), United Kingdom (UK), Switzerland, Norway, Canada** and **New Zealand** and some developing countries like the **Alliance of Small Island States (AOSIS)** and **Least Developed Countries (LDCs)**, wanted to provide additional features to NDCs so that future NDCs could be made quantifiable and comparable (without differentiation between developed and developing countries). Highlighting the context of global warming exceeding 1.5°C since the pre-industrial levels they stressed the need for an "overshoot, peak and decline" trajectory, saying that such changes were needed in NDCs to make an assessment of the emissions reductions being made by countries.

(The mandate for the negotiations stemmed from paras 19 and 20 of decision 4/CMA.1 [adopted in 2016 in Morocco], which states: "*19. Notes that features of NDCs are outlined in the relevant provisions of the PA; 20. Decides to continue consideration of further guidance on features of NDCs at its … session (2024).*" These discussions were last held in 2024 at CMA.6 in Baku (See TWN update). At that time, Parties agreed to defer discussions on the matter to CMA.8, as a result of which they were taken up again this year.)

After four informal consultations Co-facilitators **Daeho Lee (Republic of Korea)** and **Natalie Turner (UK)** presented a procedural conclusion

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on the item which stated that negotiations would continue at CMA.9 (next year). However, the proposed text was not acceptable to various developing countries as they wanted to conclude the matter here in Antalya at CMA.8, while developed countries wanted to have the matter considered at the next UNFCCC Subsidiary Body (SB) session to be held in June 2027. Eventually, the Co-facilitators stated that they would report the discussions to the Presidency, who will then decide the way forward.

China for the **LMDC** said there is no need for identifying extra or new features for NDCs and pointed out that the PA already provides guidance for NDCs. It said the purpose of this discussion is not to renegotiate the PA, but to compile features that are already contained in the PA. NDC features are essentially the summary of the characteristics of current NDCs, it said. It stressed that discussions should not be about setting common targets or specific ambition. Responding to developed countries' emphasis on urgency for mitigation action in light of the impending overshoot of the 1.5°C limit, it asked developed countries to take the lead in mitigation as was agreed to in the PA. It said implementation of their 2030 NDCs should be on the basis of the pre-2020 commitments. It pointed out that that the Intergovernmental Panel on Climate Change had earlier indicated that developed countries must reduce emissions by 25 – 40% below 1990 levels by 2020, which was not achieved by developed countries.

Adding further, it said most key features of NDCs possess a nationally determined nature and "it is up to Parties to determine the content of NDCs". It stressed that the scope of NDCs is not supposed to be mitigation centric but rather it has elements related to adaptation, provision of finance, technology transfer, capacity building support, the principle of common-but differentiated responsibilities and respective capabilities (CBDR-RC), and a recognition of the fundamental and significant role of developed countries taking the lead in mitigation actions.

It also highlighted adaptation as the priority of developing countries, and pointed out that there exist mitigation co-benefits from adaptation actions, which should not be ignored. Adding further, there is also a need for understanding the impacts of developed countries' response measures on the economies of developing countries. It stressed differentiation as a crucial aspect of NDCs and said NDC features should reflect differentiated responsibilities, national circumstances and different capabilities of developed and developing countries. The purpose of NDCs is not aggregation and comparing them would be "intrusive", it said further. Discussions on further guidance for NDC features should not become an exercise in "teaching Parties how to formulate their NDCs." It said the information for clarity, transparency and understanding (ICTU) of NDCs help Parties reflect various aspects of their NDCs in a transparent manner.

On calls to refer to the International Court of Justice's (ICJ) Advisory Opinion (AO) (on the obligations of states in respect of climate change), it said that it is far beyond the PA.

China called for concluding the agenda item as it felt there was no need for further negotiations related to NDC features.

Zimbabwe for the **African Group** said the NDC Synthesis Report has shown progress in NDCs and pointed out that the ICTU has been used by Parties in sharing further information and increasing transparency on different aspects of their NDCs. "We don't envisage any outcome on features and we don't need new features." It stressed that "features are already embedded in the PA and we don't want to remove the nationally determined nature of NDCs." Adding further, it said "we believe there is no need for us to rewrite the PA." It said "developed countries should take the lead" in emissions reduction and "close the ambition gap" for limiting the period of overshoot. It highlighted that what is required further is that developed countries provide sufficient resources to facilitate ambition and pointed out that the actual primary feature of NDC features were those that were related to means of implementation.

Saudi Arabia for the **Arab Group** said the PA "must remain the basis for our discussions. Article 3 sets out the broad scope of Parties' efforts under the PA, referring to Articles 4, 7, 9, 10, 11 and 13. It also recognizes the need to support developing country Parties for the effective implementation of the Agreement. Accordingly, NDCs must reflect the Agreement as a whole, including adaptation, mitigation, and means of implementation."

It emphasized the need to "respect and keep the nationally determined nature of NDCs at the forefront of all discussions on this matter, as well as the principles of equity and CBDR-RC, in the light of different national circumstances. The PA provides for differentiated expectations and recognizes that support enables developing countries to enhance their efforts. These elements are integral to a balanced understanding of NDCs. The existing provisions of the PA, together with the guidance already adopted by the CMA, already provide the necessary framework for Parties to prepare and communicate their NDCs." It said it did not "see a need to develop additional guidance or introduce prescriptive expectations beyond that framework" and requested for concluding the item at COP31.

Egypt said NDC features are clearly defined in the PA and that NDCs are nationally determined. It said Article 3 of the PA defines components of NDCs which includes elements related to mitigation, adaptation and means of implementation. It stressed that NDC development is a "national sovereignty matter" and to make Parties follow specific pathways infringes on their sovereignty. It said decision 4/CMA.1 already confirmed that there is no need for further guidance for NDCs. This discussion "cannot be used to change architecture of the PA."

It said the aspects that have been highlighted in the ICJ AO does not mean that "we need new NDC features… we cannot just use any statement to turn the process from bottom up to top down." It said that there is no definition of what 1.5°C aligned NDCs would mean. "If we want to do that, then we have to operationalize the principles of equity and CBDR-RC. We have to understand the fair share of each Party based on their historical responsibility." It pointed out that Parties can propose the most complicated features for NDCs and "still have no ambition". It said the focus on features amounted to using the "wrong tool to achieve something that needs to be implemented." It expressed surprise by the calls to use features to assess whether NDCs are ambitious or not. "PA is not about assessing NDCs' ambition. The Global Stock-Take (GST) is meant for assessing implementation of NDCs", it said and stressed that Parties should not waste time in this discussion.

India said providing new features to NDCs could lead to changing the architecture of the PA. "What we mean by considering features is not clear". It said "there are several means of reflecting" collective ambition like the NDC dialogue, GST, and other work programmes. "If there is still an issue of collective ambition, we have the second GST coming up" and asked "why should features of NDC be a space to reflect these things?" Adding further, it said, "you could have all the features, but no ambition. You could have high ambition, but not presented in a manner that satisfies all the details laid out in decision 4/CMA.1. It said that in the existing scientific literature 1.5°C aligned pathways can be disaggregated from global projections to the level of regions through "downscaling" and as of now, this method does not account for equity and CBDR-RC in 1.5°C aligned global pathways before us. And that there is a need to wait for new approaches for scenarios and pathways to be developed. Pre-empting that discussion without any scientific backing would not be a fruitful exercise. It said NDC features discussion did not have the mandate to discuss the NDC Synthesis Report and that such a thing could be done only after a mandate for that is created.

South Africa, Ghana, Argentina, Kuwait, and **Qatar** expressed views similar to the LMDC, Arab Group and African Group, and said they would like to conclude the item at COP31.

Bangladesh for **LDC** said that NDCs should be "more implementation oriented" and supported by sectoral pathways. It asked for a clearer distinction between conditional and unconditional aspects of NDCs and expressed the need for greater linkages between NDCs and the enhanced transparency framework to track effective implementation and achievement of NDCs. This would help Parties demonstrate how their NDCs reflect the highest possible ambition in collectively achieving the long-term temperature goal of the PA. It said there is a need for selecting base years in successive NDCs and encouraged Parties to use a common and recent base year. It said duplication with existing ICTUs should be avoided and proposed that submissions can be invited from Parties to further discussions related to features for NDCs. It said any further guidance for NDCs must respect the special circumstances of LDCs.

Cook Islands for **AOSIS** said that science shows that exceeding 1.5°C is near certainty any overshoot should be kept as low as possible. It pointed out that this is a legal and ethical element of the PA and said the world is in this situation due to "delayed mitigation ambition." It highlighted the importance of ICJ AO and said Parties have an obligation related to the temperature goal of the PA. It stressed that in the context of the overshoot there is a need to make sure that features of NDCs are operationalized. Adding further, it referred to "major emitters" and called for the "highest possible ambition" for limiting exceedance of 1.5°C. It said there is a need for identifying areas where NDC features can be improved "while respecting the nationally determined nature of NDCs". Further guidance on NDC features should also ensure support for technology transfer, capacity building and finance. It stressed NDCs should be 1.5 C aligned.

The **EU** said a collective assessment of submitted NDCs shows there is a substantial gap in emissions ambition. "It is important to understand this analysis in the context of the overshoot of 1.5°C since pre-industrial levels". It said there is a need to "follow an overshoot, peak, decline pathway for limiting overshoot". It highlighted elements as being key to providing guidance for NDC features including Article 4 of the PA, and the long-term temperature goal. It asked for "unconditional and absolute greenhouse gas emissions reduction targets" and that the share of "historic emissions from 2015 to 2050" was projected to be the same for developed and developing countries and asserted that developed countries' emissions were decreasing, while developing countries' emissions are projected to be rising.

Switzerland said new features can help improve NDCs. It said currently NDCs are addressed in different metrics due to which they cannot be aggregated, making it challenging to "get a global picture." It pointed to the need for having quantified information as components of NDCs. Adding further, it said, NDCs must be "1.5°C aligned" and that there should be clear benchmarks for assessing NDCs as that would help serve as a basis for planning. "A central feature could be to align short term action to long term action," it said. It also called for quantification of carbon dioxide removal. Adding further, it said having a common land use baseline would make NDCs more comparable. Citing the ICJ's AO, it said there is a need for each Party's NDC to reflect "progressive ambition" and "exercise due diligence."

The **UK** said that NDCs are the cornerstone of PA and their ambition and implementation are central to delivering goals of the PA. It said collectively NDCs remain "insufficient" in achieving emissions reductions that would help keep 1.5°C goal "within reach". It said "guidance must respect nationally determined nature of NDCs" and welcomed "economy wide absolute emission reduction targets". Adding further, it said "guidance could specify peaking targets" and welcomed greater transparency and base year projections while expressing targets. It said an outcome on NDC features at COP31 could encourage Parties to reflect actionable outcomes on energy and forests in their NDCs and show how their actions align with those long-term targets. It said guidance could reinforce NDCs with "best available science". Adding further, it said, "taken together, these elements could help Parties communicate their mitigation commitments more clearly." Stressing urgency, it said there is a need for more discussions to help NDCs "deliver more commitments".

Japan said emission reduction targets should be quantifiable and that successive NDCs should demonstrate progress over time. It said NDCs should include economy wide emission reduction targets covering all greenhouse gases in line with the outcomes of the first GST and align with long term global goals.

Other developed countries like **Norway, Canada, New Zealand**, **Fiji** and **Samoa** shared views similar to those of developed countries and AOSIS.

Given the wide divergences on the matter, it remains to be seen if a resolution on this matter will be arrived at.