

Ministers present their views on the 2015 Paris agreement

New Delhi, 29 December (Indrajit Bose) — Ministers and heads of delegations from developing and developed countries presented their views on the 2015 climate change agreement to be concluded in Paris on 10 December 2014, at a high-level ministerial dialogue on the Durban Platform for Enhanced Action (DP), which was held during the twentieth Conference of Parties (COP20) in Lima.

The highlight of the dialogue was reflection on how differentiation should be tackled in the 2015 agreement. The ministers were clearly divided over the interpretation and application of the principle of ‘common but differentiated responsibilities and respective capabilities’ (CBDRRC), the cornerstone of the UN Framework Convention on Climate Change (UNFCCC).

While several developing countries stressed the importance of acknowledging differentiation in the new agreement by following the principles and provisions of the Convention, developed countries wanted to do away with the binary division of developed and developing countries.

“I know our interpretation of CBDRRC differs, but we all agree that this principle remains the foundation of our joint endeavour,” said COP20 President Manuel Pulgar Vidal, who presided over the meeting and asked of the ministers and heads present to address the different interpretations of differentiation.

Ministers and heads of delegations from developing countries also stressed the importance of a balanced and comprehensive agreement that treated all the elements of mitigation, adaptation, finance, technology transfer, capacity-building and

transparency of action and support in an equal manner. This was in response to concerns that developed countries are pushing a mitigation-centric agreement, with the other elements not being treated with equal weight.

China said that the Convention, its principles and provisions must not be rewritten and that the principles of equity and CBDRRC constitute the political basis to advance the DP.

India also echoed the views of China and stressed that decision on the DP mandated that the new agreement shall be under the Convention, which means it has to be in accordance with all principles and provisions of the Convention and not contravene or undermine it. India also said that it was not the right time to discuss the notion of “evolving CBDR” as the task at hand was to enhance the implementation of the Convention and not to rewrite it.

Argentina added that Parties must contemplate effective differentiation on the basis of historical responsibility of those who have produced global warming and stressed on the challenge of developing countries to coordinate between adaptation and combating poverty in all its forms.

South Africa said the Paris agreement must enable meaningful participation of all countries, given that countries are at different stages of development and have different capabilities and circumstances with different development needs. The Paris agreement, it said, must be inclusive, ambitious and fair in accordance with the principles and provisions of the Convention, including CBDRRC.

Responding to the push by developed countries for a mitigation-centric agreement, **Seychelles** spoke for the **Alliance of Small Island States** (AOSIS) and said, “If the preferred element of one group of countries is preferred over other elements then the new agreement will not be credible and many countries will have less incentive to join.”

Bolivia said that the need is to strengthen the paradigm of the Convention based on equity and CBDR, with the expansion and strengthening of obligations of countries historically responsible, and with approaches that are not based on the global carbon market. It also called for a tribunal for climate justice to be set up and added that those responsible for climate change, as identified in 1992, did nothing and now they are pushing everyone to do something. “Don’t make us responsible for your mistakes,” said Bolivia.

The **European Union** (EU) though said it is difficult to make a difference to global emissions if the binary division of responsibilities based on a list of countries defined in 1992 were to be applied. The way forward according to the EU, “involves building on the commitments that Parties make that will be nationally determined, and so self-differentiated”, and to “secure a continuous review of ambition building on previous commitments”.

Norway added, “This is not the way the Convention has worked so far but in future we need to include everyone if we are to reach our targets.”

New Zealand said too much attention is being given to differentiation and that Parties will not agree on any highly prescriptive definition of differentiation. **Australia** said ‘major economies’ would need to make credible emissions reduction commitments and that the Paris agreement must establish a common playing field for action by all.

Japan seconded Australia and said ‘major economies’ are expected to provide “quantified, economy wide emission reduction targets”. **Canada** said the new agreement must reflect current realities. The **US** was also unwilling to base differentiation on “a permanent division of countries in the two categories established in 1992”. It is “a division we think (that) makes no sense,” it said.

Highlights of key interventions below:

China said that the Convention must be followed with utmost sincerity. The DP mandate is very clear not to come up with a new mechanism, nor to rewrite the Convention, it said. The principles of equity and CBDRRC constitute the political basis to advance the DP. The details of the agreement must be mapped out in a balanced way. The 2015 agreement must include the six elements: mitigation, adaptation, finance, technology transfer, capacity building and transparency and should provide details for common but differentiated actions to be taken by countries at different levels of development. Relevant information needs to be clarified in a practical manner. Differences regarding the scope of the ‘intended nationally determined contributions’ (INDCs) should be settled properly, said China. The scope of INDCs should be aligned with national commitments under the Convention, it added. Increasing the level of commitment prior to 2020 will inspire confidence for post-2020 actions, said China.

India reminded countries of the context of the DP negotiations and said, “The decision on the DP mandated that the new agreement shall be under the Convention. Therefore, the new agreement has to be under the full accordance with all, and I repeat, all principles and provisions of the Convention. It cannot be in contravention with and cannot undermine the Convention.”

On intended nationally determined contributions (INDCs), India said: “The INDCs are not distinct from 2015 agreement, but inextricably linked with it. Therefore the two cannot be seen in isolation from each other. As the title itself indicates, INDCs are to be determined nationally, by Parties themselves, taking into account their own national circumstances, challenges and capacity. Fulfillment of commitments and promises to provide financial and technical support for developing countries is crucial and will enable them to scale up their efforts and help in realizing the goal.”

India said it supports transparency and disclosure in relation to the INDCs, but ruled out the role for any external review or assessment in the process. “However, it is important to ensure that there is no slackening of the mitigation ambition of the developed countries in the pre- and post-2020

periods. People expect these countries to walk the talk.”

India added that addressing climate change under the DP requires a holistic response with actions across the board spectrum including mitigation, adaptation, technology, capacity building, transparency and finance. “We therefore completely share the views of developing countries that INDCs must not be limited to mitigation alone.”

On new concepts such as evolving CBDR, India said, “My negotiators have told me about new phrase of evolving CBDR. This seems to have surfaced in their negotiations from certain quarters. There are other ideas floating as well. We also have our own ideas, but this is neither the right time nor the process to discuss these issues. The need at this stage is to ensure that we have an ambitious, comprehensive, equitable and balanced agreement in 2015 that takes into account the huge development needs, including access to financial resources and low carbon technology options for developing countries. Moreover, we are here to enhance the implementation of the Convention, certainly not here to rewrite it.”

Bolivia said, “Developed countries have been imposing on us that times have changed and it been more than 20 years since the UNFCCC was signed. If developed countries had complied with their commitment to reduce emissions, and would have established the necessary actions to provide finance and technology transfer, we would not be listening to the apocalyptic prediction of the IPCC (Intergovernmental Panel on Climate Change) with respect to global warming beyond 4°C. What’s true is those who are responsible for climate change as identified in 1992 did nothing, and now they are pushing everyone to do something. That is why it is essential to set up a tribunal for climate justice.

It added that all that the developed countries are doing is deepening capitalist paradigm and they are emphasizing on mitigation, choosing to ignore that climate change for developing countries has to do with adaptation action as well as compensation for loss and damage due to the permanent impacts of climate change we are experiencing. Bolivia warned against the expansion of the capitalist regime, which it said would only deepen the climate crisis. “What we need is to strengthen the paradigm of the

Convention based on equity and CBDR, with the expansion and strengthening of obligations of countries historically responsible, and with approaches that are not based on the global carbon market.

Responding to developed countries’ proposed approach of reducing carbon emissions without differentiation, Bolivia said it would like to distribute the emissions budget among countries. Bolivia proposes the distribution of the remaining 630 gigatonnes on the basis of the following criteria: index of historical responsibilities, ecological damage, technological capability, financial capability, including the state of development, including poverty, income and human development. It reiterated that it would not support any carbon market approach and said that while many countries promote services or payment for results using forest as carbon sinks, Bolivia proposes a holistic management of forest approach.

It also added that while developed countries propose sophisticated technology for climate change mitigation, to achieve energy efficiency, Bolivia proposes use of environmentally friendly technologies for adaptation to climate change, including technology from our indigenous peoples as well as local communities. “The agreement should think of life, not markets. Don’t make us responsible for your mistakes,” said Bolivia.

Argentina said negotiations process must respect CBDR as well as equity. “It is not enough to include this in the preamble, but we have to contemplate effective differentiation on the basis of historical responsibility of those who have produced global warming. Poverty is persistent in developing countries where 80 per cent of the global population lives. Our main challenge is coordination between adaptation and our objective to combat poverty in all its forms. Any new instrument must acknowledge the same nature for mitigation and adaptation, and all the elements must be in there. Developed countries must provide finance and technology to developing countries, so that the latter can use low carbon technologies.”

South Africa said that IPCC report indicates links between mitigation ambition and the extent of ambition required. “The less mitigation achieved, the more that adaptation that will be required.

Adaptation is a global challenge and a global responsibility. The Paris agreement must enable meaningful participation of all countries, given that countries are at different stages of development and have different capabilities and circumstances with different development needs. The Paris agreement must be inclusive, ambitious and fair in accordance with the principles and provisions of the Convention, including CBDRRC. The agreement must strengthen multilateral rules based system in a manner that reflects firstly the interdependence between the levels of mitigation ambition achieved, and the requirement to adapt to climate impacts. It must ensure that collective level of mitigation and adaptation contributions can be clearly understood to enable identification of any gaps between commitments and what the science indicates is needed. This is so the international community can collectively address these gaps and collectively increase their contributions. The agreement must also enable regular periodic review of progress towards achievement of contributions. The accounting rules and transparency systems need to be strengthened, to ensure environmental integrity. Given differences in vulnerabilities, capabilities and national circumstances, effectively enable and support country implementation through effective adequate and predictable finance, technology and capacity building, it said.

Speaking for **Alliance of Small Island States (AOSIS)**, **Seychelles** said that climate change must be looked at in the context of achieving sustainable development. “Adaptation is critical for Small Island Developing States (SIDs) and other vulnerable countries. The Convention recognizes the developing countries, particularly those most vulnerable, will need help adapting to climate change and we see the most vulnerable as African States, LDCs (Least Developed Countries) and SIDs. If the preferred element of one group of countries is preferred over other elements then the new agreement will not be credible and many countries will have less incentive to join. Referring to the Green Climate Fund (GCF) pledges as not enough, it said the public sources of financing from developed countries is a must for adaptation, which is rarely attractive for private investors looking for a healthy return.

Speaking for its member states, **European Union (EU)** said Parties must ensure that the 2015 agreement is capable of responding to the latest science and keep the world collectively on track to achieve the below 2°C objective. “The European Union is fully committed to the Convention and principles. But those principles need to be applied dynamically in a way that mirrors evolving reality. If we do not, we risk disconnecting the UNFCCC talks from reality. To be clear, it is difficult to see us making a difference to global emissions if we were to apply an operational binary divide of responsibilities based on a list of countries defined in 1992. At the same time, proposals that would somehow suggest that developed countries could walk away from their leadership role are equally unhelpful,” it said. The way forward according to the EU, “involves building on the commitments that Parties make that will be nationally determined, and so self-differentiated”, and to “secure a continuous review of ambition building on previous commitments”.

Norway said while developed countries will take the lead, there must be clear space for all countries to take on commitments. “I know this is not the way the Convention has worked so far but in future we need to include everyone if we are to reach our targets,” it said. There needs to be support for finance, technology transfer and capacity building to developing countries, in particular to LDCs.

Switzerland agreed with Norway and said that all Parties will have to be engaged in the new agreement, reflecting “evolving responsibilities and capabilities”.

New Zealand added that excessive attention to differentiation lies at the heart of the problem. “It is already clear there will be differentiation. It is clear that there will be no agreement on some highly prescriptive definition of this. If we look at what the EU, China and US have indicated what is their direction of travel, and while this is not yet an INDC, it contains very clear differentiation on the policy measures that are open politically to these authorities on the speed of changing to a more climate resilient economy and on different policy approaches. Too much attention is being given to something that will emerge quite naturally as the INDCs take shape and every country, through its

national circumstances, differentiates its policy response,” it said.

Australia said all countries, in particular, major economies will need to make credible emissions reduction commitments and that the Paris agreement must establish a common playing field for action by all. “The binary divide between developed and developing countries as reflected in the Convention’s annexes does not reflect the current economic reality. We must move past an approach that puts a brake on meaningful action to one based on global cooperation in line with countries’ evolving national circumstances and capacities,” it said and added that the Paris agreement should advance support for “international climate action by being alive to an investment landscape with a great majority of financial flows from private sources and where cooperation among developing economies can be as relevant and beneficial as traditional donor relationships”.

Canada added that the 2015 agreement must offer flexibility for countries to take actions best suited to their own circumstances. “The new agreement must reflect current realities,” it said.

Japan said the 2015 agreement must be able to reflect the current and future evolutions of the international community. Rather than taking a bifurcated approach of developed and developing countries the agreement must be applicable to all, while allowing flexibility in line with national circumstances. Major economies are expected to provide quantified, economy wide emission reduction targets, it said.

On differentiation, the **US** said that some were acting as if “this basic principle of the Convention is threatened with extinction, but this is in fact completely untrue”. Many countries, including the US, are unwilling to base differentiation on a permanent division of countries in the two categories established in 1992, “a division we think that makes no sense in world with rapidly changing material and conditions” it said and appealed: “Please listen to us what we are saying because there is nothing to be worried about. I see a three-part approach. First, is the ‘nationally determined contribution NDC structure’ in which every country makes a nationally determined choice about what to do; by definition no one’s imperatives for development, growth or poverty eradication are threatened in any way. Everyone is free to make their own choice. Second, we support including the principle that everyone has to move forward in their ambition to allay any concerns that developed countries might backslide. Third, we support including the principle of CBDRRC in an appropriate way. I would point out that the US and China managed to find language in the context of our recent joint announcement last month. So language can be found. Differentiation would also apply to other parts of the agreement whether transparency of other issues. Remember the decision we are talking about right now isn’t even the document we will be working on next year. That document is the ‘elements’ text and includes everyone’s options for differentiation. We have been working intensively on finance and adaptation and they will obviously be important components of the Paris agreement and we and other donors will continue to provide finance post-2020,” it said.