

Durban Platform: Developing countries call for balanced and comprehensive approach

Warsaw, 13 Nov (Meena Raman) – Developing countries, led by the G77 and China called for a balanced and comprehensive approach in the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) under the UNFCCC.

The ADP resumed its work at the third part of its second session, in Warsaw, Poland, on Tuesday, 12 Nov 2013. The ADP is co-chaired by two new Co-chairs, Kishan Kumarsingh (Trinidad and Tobago) and Artur Runge-Metzger (European Union) who will serve till December 2014.

Kumarsingh reminded Parties in his opening remarks that at the 18th session of the Conference of Parties (COP 18) in Doha, in relation to the 2015 agreement, Parties agreed to consider elements of a negotiating text no later than at its session in December 2014 and that a draft negotiating text will be made available before May 2015. Parties had also decided to identify and explore in 2013, options for a range of actions that can close the pre-2020 ambition gap, with a view to identifying further activities for the plan of work of the ADP for 2014, ensuring the highest possible mitigation efforts under the Convention. He informed Parties that there will be a high level dialogue for ministers on the Durban Platform (DP) on 21st Nov. Runge-Metzger invited Parties to make statements.

Fiji, speaking for the **G77 and China** strongly believed that the decisions of Durban and Doha provide the mandate for the work of the ADP: in workstream 1, including inter alia on adaptation, mitigation, finance, technology development and transfer, transparency of actions and support, and capacity building; on workstream 2, on a work plan for enhancing

mitigation ambition to identify and to explore options for a range of actions that can close the ambition gap with a view to ensure the highest possible mitigation efforts by all Parties.

The G77/China underlined the high priority that it attaches to enhancing actions on adaptation and means of implementation in the work of the ADP. It also reiterated that the effective implementation of the Bali Road Map (BRM) will lay a solid foundation for the success of the work of the DP.

It is prepared to engage to progress our work in a more balanced, focused, formal and Party-driven mode in Warsaw, focusing on the enhanced actions on the elements above and reiterated the need to maintain a balance, both in terms of content and progress of the work, in both workstreams. The work of the ADP must be under the Convention and should be based on its principles, and provisions related to commitments and responsibilities with regard to mitigation, adaptation and means of implementation; the process under the ADP must not lead to a reinterpretation or a rewriting of the Convention; the outcome must be in accordance with the objective, principles and provisions stipulated in the Convention, including the principles of equity and common but differentiated responsibility and respective capabilities (CBDRRC); the negotiations must be a party driven process, and must be fully inclusive and transparent; the work should lead to a balanced, ambitious, fair and equitable outcome under the Convention; and progress depends on following a balanced approach that will include mitigation, adaptation and means of implementation, in accordance with the spirit of the Convention.

As regards the work under workstream 2, the

G77/China said that developed countries must demonstrate clear and unconditional leadership in mitigation, adaptation, finance and technology development and transfer. In this regard, it expects that the amendments adopted in Doha in relation to the second commitment period (CP2) of the Kyoto Protocol (KP) enter into force as soon as possible. It is paramount that the ambition mechanism launched in Doha effectively results in the increase of the ambition of Annex I Parties' quantified emissions reduction and limitation commitments (QERLCs) for the CP2.

Annex I Parties must anticipate supplementary action under the KP, with a view to closing the ambition gap by 2020. It urged all Annex I Parties to the KP to undertake the relevant legal procedures necessary to bring the amendments into force as soon as possible, and to revisit and significantly increase their quantified emissions reduction and limitation commitments by 2014. They also urged non-KP Annex I Parties to increase their mitigation ambition in a comparable manner within the same timeframe. It is crucial to ensure the operationalization and implementation of the 2014 Revisit Mechanism under the KP in Warsaw.

It also said that as members of the G77/China have made greater contributions on combating climate change than those of developed countries during the pre-2020 period, and urged developed country Parties to fulfil and enhance their commitments on the provision of finance, technology and capacity building support to developing countries, which is fundamental for developing countries to implement actions on adaptation and mitigation.

Venezuela for the Like Minded Developing Countries (LMDC) said the 2015 outcome for the post-2020 period should be guided by the principles and provisions of the Convention, on the basis of equity and in accordance with CBDR. It is incumbent on developed country Parties take the lead in combating climate change and the adverse effects. In addition, we see the need to make progress on enhanced action on all the elements identified in paragraph 5 of the Durban decision 1.CP17. Progress should be on all the elements and the progress should be symmetrical.

It underlined that whatever legal form adopted, all elements of the post-2020 outcome should have the same legal nature. We cannot have a

situation where different elements in the so-called package are treated differently under any agreement. It also believed that the Annexes in the Convention are based on scientific assessments of historical responsibilities. To abolish the Annexes or to make them irrelevant would be to obfuscate the historical responsibilities of developed countries. This is clearly against the provisions of the Convention.

Mitigation by developed countries must be central to the post-2020 period and the developed countries should, take the lead through ambitious emission reductions undertaken domestically. There must be comparability of efforts among Annex I Parties with respect to their mitigation commitments. Mitigation contributions should be determined nationally for Non-Annex I Parties. It is inevitable that there would be a variety in the nature of actions or contributions e.g. enhanced nationally appropriate mitigation actions (NAMAs) by non-Annex I Parties. Consequently, actions of non-Annex I Parties should be nationally determined.

It said that Parties have put in place International Consultations and Analysis (ICA) and International Assessment and Review (IAR) to review the quantified emission limitation and reduction objectives (QELROs) of Annex I and the NAMAs of non-Annex I made for the post-2020 period. Much work has been done on the transparency regime and we need to use it to bring greater clarity to the process.

In addition to the differentiation, there must appropriate sequencing in terms of mitigation under the Convention. Developed countries take the lead on mitigation (as well as other areas) under the Convention. Developing countries may follow with enhanced actions to implement the Convention on the basis of support from developed countries according to Article 4.7.

It did not see any role for a two-step process in the ex-ante process for review of efforts of developing countries. Any framework which seeks to determine for developing countries what they should contribute in any future regime goes against the principle of equity and CBDR based on historical responsibility. Non-Annex I Parties cannot be on the same template as the Annex I Parties.

Venezuela said any enhancement of ambition to meet any future mitigation gap, and even the current one, should be done in accordance with article 3.1 and the Annex I Parties should take the lead and meet it. Applicability to all doesn't mean uniformity in application. The ADP outcome as a multilateral instrument would be applicable to all Parties but that there can be differentiation in both its content and its application by Parties on the basis of the differentiation already established by the Convention between developed and developing countries.

Articles 12.1 and 12.2 of the Convention deals with reporting obligations. We have had separate tracks on reporting and accounting rules as per the nature of the responsibility we have, as reflected in the two Annexes. It is not conceivable that the onerousness of the responsibility of Non-Annex I should be the same as Annex I. Common Accounting Rules cannot be for all Parties without any regard for the two Annexes and the nature of their reporting obligations. Common Accounting rules are for the Annex I parties, for both KP and non-KP Parties.

As regards the timing of putting forward QELROs for Annex I and of contributions for non-Annex I for the post-2020 period, we need to keep in mind the ambition levels of the pre-2020 period and workstream 2. What we have agreed in Doha is to review commitments and enhance the ambition of the Annex I Parties under KP. We need to know as a first step by how much the ambition levels are being increased. We call for the 2014 review on commitments being undertaken first by Annex I before we move to the post-2020 period. If not, then there is a real danger of ambition level of the pre-2020 period being transferred to the post-2020 period.

It recalled Article 4.7 in the context of actions on mitigation. This means that the extent to which developing countries implement the Convention and enhance their actions depends on the extent to which developed countries fulfill their obligations under Art. 4.3, 4.4 and 4.5. Enhanced action on mitigation will require enhanced action on means of implementation.

We also need to respond to economic and social consequences of response measures as set out under the Bali Action Plan.

Adaptation is a key priority. Art. 4.4 defines the basis for international cooperation in this regard, under which Annex II Parties commit to support the costs in developing countries to address the adverse effects of climate change, including on loss and damage. However, adaptation has not received adequate attention as opposed to mitigation despite the large number of decisions by the COP on adaptation. This situation has to change and we need enhanced action. The 'Loss and Damage mechanism' established in Doha must be made operational. The adaptation institutions under the Convention must be strengthened and fully financed. Quantitative increases in the ability of adaptation financing institutions to deliver and support funding for adaptation in developing countries must be made. In this regard, the NAPs of all developing countries must be fully supported. We also need to enhance action on adaptation relating to economic diversification to build resilience as set out in the Bali Action Plan.

The financing obligation under the Convention is for Annex II Parties, not for their private sector. As such, public finance from developed countries must be the primary source of financing to developing countries under the Convention. Public financing could leverage private finance and other sources but should remain the primary vehicle. Financing requirements does not mean creating an enabling environment. The \$100 billion to be provided by developed countries at Cancun is only the starting point for the post-2020 period and not the ending point. This needs to be scaled up to meet the necessary levels of the real financing needs of developing countries in the context of the actions that they need to undertake in order to cope with the adverse effects of global warming up to and beyond the 2C temperature goal. The Convention's financial mechanism must be made more robust, with new, additional, adequate and predictable funding going towards its operating entities such as the GCF. In this regard, Annex II Parties must provide a clear roadmap for public climate financing from developed countries with specific targets, timelines, and sources. Any burden sharing for the provision of climate finance, under the Convention, must be done among developed countries. We also need to reinforce non-market approaches and mechanisms.

We need as much transparency in the means of implementation as in clarifying mitigation

pledges and commitments. We look at financing under the Convention as the commitment of Annex II only and not the role of South-South cooperation. South-South cooperation has evolved as a voluntary effort over time and completely differs from the obligatory and responsibility framework which motivates the North-South template.

Another important aspect on which enhanced action is required in the context of technology development and transfer are removal of barriers, especially issues related to intellectual property rights (IPRs), and enhanced financial support for technology development and transfer for developing countries. Article 4.5 of the Convention is far from realising the potential for which it was inserted. Enhanced action should apply to both mitigation and adaptation related technologies. We call on specific windows for technology development and transfer in the Convention financial mechanism entities and funds under the Convention and the KP. Venezuela said Annex I Parties need to put in place the enabling environment in their own countries that will remove the barriers (such as cost and IPRs) to technology development and transfer and enable them to effectively implement their technology development and transfer obligations to developing countries.

Transparency of the provision of support will be a key element in the ADP outcome. Enhancements are needed with respect to the transparency regime for the provision of support to developing countries, including financing and technology transfer. An MRV system for enhancing transparency in financing and technology from Annex II parties must be established, including identification of specific amounts, timelines, and sources must be created that strengthens the current system of reporting. Such reporting should also encompass economic and social consequences of response measures.

Under the UNFCCC, enhancing capacity building means that it must be effective and sustained over the long-term until developing countries have acquired the capacity to fully implement climate change actions under the Convention. It should not be focused only on mitigation or enhancing MRV of mitigation. Special focus for capacity building activities must be provided to LDCs and Africa.

Unilateral measures that adversely affect the interests of developing countries would be

inconsistent with the Convention and harm global efforts to work together on climate change. We would like to underline that efforts of Parties should take into account the protection of the integrity of Mother Earth.

On workstream 2, it reiterated that increasing the pre-2020 ambition should be primarily done through implementation of earlier decisions, including the 2nd commitment period of the KP and the outcome of the Bali Action Plan in a comprehensive manner, covering mitigation, adaptation and means of implementation. It called on all Annex I Parties to commit to significantly scaling up ambition levels in 2014. This is the first step. These enhanced commitments are crucial for the success of workstream 1.

Swaziland for the **African Group** stressed the need for a balanced approach on the elements of the text for the new agreement. It also wanted a global goal for adaptation given that adaptation is central to the new agreement. The general and specific commitments should be differentiated on all the elements and must build on the Bali Action Plan and the KP. Country driven pledges for mitigation must be driven by science. In relation to workstream 2, it said that ICI need clear rules as they are outside the Convention.

Nauru for the **Alliance for Small Island States** referred to the 'Emissions Gap Report' by the United Nations Environment Programme (UNEP) and said the report showed that the emissions gap can be reduced if Parties increase their ambition. It said both the workstreams must have adequate time. Failure to act will result in more expensive reactive responses later.

On workstream 2, it said it had a submission on mitigation opportunities. Renewable energy experts could share their success stories and stories of collective efforts which should inform the ADP ministerial. It called for a detailed action plan. Under workstream 1, Nauru said that it should build on the foundation of the Convention and lead to a new protocol. There should be no backsliding in the nature of their obligations and the agreement should be based on science in line with a global goal of limiting temperature rise to below 1.5 degree C. Developed countries must fulfil their longstanding commitments and there has to be an ambitious outcome on all the elements of the DP. It called for work to proceed with an increased sense of urgency.

Nepal for the **LDCs** said it is time to start to build the process towards the new agreement which must be in line with the ultimate objective of the Convention. It should have the highest level of commitments from all Parties. Referring to the suggestion by some Parties to assess if their 2015 pledges are acceptable, it said that Parties must have moral and legal obligations to respect the right of survival of developing countries. A voluntary and non-binding regime will not deliver climate change and could lead to a 4 degree world. It suggested the conduct of formal sessions and for the establishment of two contact groups – one for workstream 1 and the other for workstream 2. On the closing of the pre-2020 ambition gap, it called for a decision to capture the implementation of the long-term cooperative action outcome. On finance, there is need for the scaling up of finance now, up to and beyond 2020. Clarification on how Annex 1 Parties are going to mobilise the USD 100 billion a year is paramount.

China for the **BASIC (Brazil, South Africa, India and China)** said the decisions achieved in Doha on advancing the DP, which reaffirms that the work of the Durban Platform shall be guided by the principles of the Convention. It welcomed the progress made this year as well as the acknowledgement by Parties that the DP process is to further enhance the full, effective and sustained implementation of the Convention and to strengthen the multilateral rules-based regime under the Convention in order to achieve its ultimate objective. The process and outcome of the DP shall be under the Convention and guided by its principles and provisions, in particular the principles of equity and CBDR-RC. The DP process is by no means to renegotiate, rewrite, restructure, or reinterpret the Convention or its principles, provisions and Annexes. It reiterated that DP should not take place in a vacuum. Instead, it should be based on and must be built on the work of the Bali Road Map. The Warsaw Conference should be an implementation COP and is the solid foundation for the success of the work on the DP.

It emphasized that the Convention itself has provided the structure and design of the 2015 agreement, which defines the differentiation between developed and developing countries. The 2015 agreement shall adhere to the principles, provisions and structure of the Convention, in particular the provisions of Articles 4 and 12 as well as the Annexes, which

fully reflect the principles of equity and common but differentiated responsibilities. The agreement should address all elements referred to in paragraph 5 of Decision 1/CP.17 in a balanced and comprehensive manner, and should, in particular, give equal priority to adaptation and mitigation. In this regard, the negotiation on the 2015 agreement should adhere to an “action-orientated approach”, focusing on enhanced actions that need to be undertaken for the implementation of the Convention from 2020 in full accordance with the principles and provisions of the Convention.

Developed countries should take the lead in combating climate change in accordance with their historical responsibilities and what is required by science, by undertaking ambitious quantified economy-wide emission reduction targets and fulfilling commitments of providing finance and technology support to developing countries. It welcomed the Brazilian submission on the development of a reference methodology on historical responsibilities by the IPCC to guide domestic consultations for the 2015 agreement, as a useful contribution to discussions on an equity-based approach. The enhanced mitigation and adaptation actions of developing countries should be enabled by the provision of adequate finance, technology and capacity building support by developed countries. It further highlighted the importance of effective implementation of Article 4.7 of the Convention, which is crucial for the 2015 agreement.

China said it is necessary for Parties to start focusing on enhanced action on all pillars, mitigation, adaptation, finance and technology of the Convention and drawing a clear picture on the organization of the work in the future. It called for a more structured and formal mode of work. This balanced, structured, focused and formal mode of work should be established in Warsaw, which is the essential step towards capturing the progress and defining the content of the agreement. It is also important for the Warsaw Conference to encourage and support Parties to engage in domestic consultations and preparations in the context of the DP negotiations. It further called on developed countries to do their homework particularly on their provision of finance, technology and capacity building support to developing countries in addition to their mitigation commitments.

The pre-2020 ambition gaps exist not only in mitigation, but also in adaptation, finance, technology and capacity building as well as in equitable access to sustainable development. The low level of ambition of developed countries' commitments on emission reduction and provision of finance, technology and capacity building support remains a matter of grave concern. If the developed countries had committed to an emission reduction of 40% below their 1990 levels by 2020, the pre-2020 mitigation gap would not even have existed.

The pre-2020 ambition must be addressed in a comprehensive manner primarily through the implementation of the CP2 of the KP and the agreed outcome of the Bali Action Plan. The KP remains the essential basis for mitigation ambition. It also urged developed country Parties participating in the CP 2 of the KP to revisit and significantly increase their emission reduction targets in 2014, and urged developed countries that are not part of the CP2 to raise the ambition of their commitments under the Convention within the same timeframe and in a comparable manner. The Warsaw Conference should make necessary arrangements for effective implementation of the 2014 Revisit in order to increase the quantified emission reduction commitments of developed countries for the CP2.

It noted with concern that while developed countries have the obligation to take the lead in combating climate, the mitigation contribution by developing country Parties is much greater than that by developed country Parties. Any ICI shall not transfer to developing countries the commitments and obligations of developed countries. For such initiatives to be recognized under the Convention, they must conform to the principles and provisions of the Convention.

It also reaffirmed that HFCs are greenhouse gases covered under the UNFCCC and its KP. The HFCs issue shall be addressed through all relevant multilateral fora in accordance with the principles and provisions of the UNFCCC and its KP, taking into account the availability of safe and technically and economically viable alternatives. It is essential that developed countries provide new and additional financial resources to support developing countries to address the HFCs issue.

Saudi Arabia for the **Arab Group** supports that commitments should be based on Parties'

national capabilities and in accordance with their national circumstances and priorities. It emphasised the need to take into account the principles of the Convention which are built on equity, CBDR and the right to sustainable development. On the nature of legal bindingness of the agreement, the Arab Group supported that the legal nature of the agreement should be addressed domestically and the measuring, reporting and verification (MRV) should be in accordance with the Bali Action Plan.

On issues related to workstream 2, the Arab Group states that it should be in full accordance with principles of the Convention, in particular the principle of CBDR, taking into account the historical responsibilities of developed countries; the importance of ratification and compliance with the KP 2nd commitment period (2013-2020); ensuring the operationalisation of institutional bodies such as the GCF, the Technology Executive Committee, etc. Developed countries should take the lead in closing the emission gaps while ensuring finance to developing countries mitigation and adaptation actions.

Bolivia for the **Bolivarian Alliance (ALBA)** said the responsibility of the ADP is critical to solve the urgent need for solutions to the climate crisis. The post 2020 agreement which should be legally binding must comprise all core elements in a comprehensive and balanced manner. It should be consistent with the principles and provisions of Convention. The developed countries must take the lead in implementation of mitigation actions. There should be urgent provision of the means of implementation and financial resources necessary for mitigation and adaptation and developed countries significantly increase their emission reduction ambition. There cannot be a system that standardizes the obligations on all Parties. The principle of CBDR states that Parties have different historical responsibilities and consequently, developed countries implement their rightful ambitious actions and commitments expressed in a quantified manner. They are not meant to transfer these responsibilities to developing countries.

Adaptation has not received adequate and sufficient attention from the developed countries. The adaptive institutions should be strengthened and should have new and additional funding for its operation. Moreover, the national adaptation plans should be fully

supported. Funding should be public. They are not meant to convert the agreement or pre-2020 actions as opportunities to make climate change a lucrative business and replace obligations of developed countries to provide public resources with loans guarantees, carbon markets, disaster risk insurance, private investment, etc. Climate change is not a business opportunity is a risk that endangers humanity cannot commodify the risks of life and Mother Earth. The Convention is not a convention for markets.

Developed countries should provide a significant percentage of their GDP annually as part of their historic responsibility to developing countries for adaptation and mitigation actions. It also requires mechanisms to implement monitoring, review and verification (MRV) to be robust for developed countries to comply with their financing obligations. The financial mechanism should be fully strengthened to fulfill its function of providing means of implementation of the actions of developing countries. It also must establish and operationalize the 'International Mechanism on Loss and Damage' mandated in Doha at COP18.

Chile for the Independent Alliance of Latin America and the Caribbean (AILAC) said that its spirit is to build bridges and to lead with example. The purpose of the ADP is to focus on enhancing action for the 2 degree C goal. It should be guided by all the decisions of the Convention and its principle. All have something to contribute. The concrete elements can be define concrete elements – adaptation, finance, transparency of actions and support. The aggregate efforts have been insufficient.

Papua New Guinea for the Coalition of Rainforest Countries said that reducing emissions from deforestation and forest degradation in developing countries –plus (REDD-plus) mechanism should be supported in the new agreement. In the pre-2020 ambition, it wanted developed countries to assume leadership. For solidarity, REDD-plus can contribute to global mitigation. It wanted a clear roadmap to focus on specific elements captured in a non-paper and then to have detailed discussions in the next session. Then the Co-chairs can work on a draft negotiating text.

Panama for the countries in the Central American Integration System (CICA) wanted a single contact group for addressing a legally binding agreement consistent with CBDR and to

identify options for detailed actions to plug the ambition gap. The ADP must work to raise the level of ambition. Three of the group are most vulnerable. It wanted enhanced action on adaptation and support for legally binding rules and finance for adaptation. Public financing is important and private financing is complementary.

Lithuania for the EU said workstream 1 needs to get deeper into the substance of the elements of the agreement which are adaptation, mitigation, means of implementation, transparency of actions and support. It must be ambitious and legally binding and must apply to all. It said the EU has proposed a process and is interested in a hybrid approach on national mitigation commitments to keep Parties on track to limit temperature rise to 2 degree C. There is need to reach agreement on a timeline to prepare for the commitments next year and to also consider the process on other essential elements which will be elaborated next year on adaptation, means of implementation and rules for an accounting framework.

Since Parties had agreed to close the ambition gap (workstream 2), options are needed to lead to tangible results. A process to enhance pre 2020 ambition must be agreed to. It also welcomed the global momentum to phase down hydrofluorocarbons (HFCs) and that it was time to support this effort. It said next year is a crucial year as world leaders will convene to discuss climate change (in New York in September 2014).

Australia for the Umbrella Group said the 2015 agreement has to be meaningful and be applicable to all, with a common platform for action by all. In relation to the pre-2020 efforts, there is need for practical options. It said that it is time to move away from past paradigms and global effort is needed. It understood the key elements of the new agreement to be nationally determined commitments; ex-ante and ex post frameworks on transparency; how to secure ambition including upfront pledges with information; adaptation and means of implementation. Warsaw needs to build momentum for Paris and all Parties have to contribute to the best of their abilities. It said there is need to map out the functional elements and broader package. It wanted a single concise negotiating text.

On workstream 2, it supported cooperative initiatives and also the phase down of HFCs. It also called on countries that have not made pledges for mitigation to do so. It also said that the UN Secretary General's summit next year is a key moment.

Switzerland for the **Environmental Integrity Group** said that the ADP must take steps towards the 2015 agreement with clear signal for all Parties to participate through appropriate commitments in the same legal form and internationally agreed rules. There is need for cooperation in adaptation with the view to increasing the adaptive capacity and resilience of all Parties. It must be underpinned by adequate means of implementation and adequate contribution by those who can do so and have the capacity consistent with equity. It wanted work more focussed work that will allow for the drafting of the new instrument; adoption of a decision with elements of the new agreement, its structure and scope.

On the pre-2020 ambition, it said that the current ambition on mitigation has a shortfall and there is need for immediate additional actions. It called for focused and technical work on concrete options to increase ambition and platforms which are additional. It also wanted an indication to the Montreal Protocol for phasing down HFCs. The pre-2020 ambition must be considered at the high-level segment.

Peru which will host COP 20 next year wanted a clear roadmap post Warsaw. It wanted guidelines to be laid for the 2015 agreement. It needs to be politically feasible; should be balanced in all elements; and needs to move forward. Ratification of the KP is important and financing also needs to progress with indicators for financing up to and beyond 2020. The GCF needs to be up and running as well as the Adaptation Fund. The foundation needs to be laid in Warsaw for the new agreement, consistent with CBDR.