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Marrakech Climate Change Conference

Translating the Paris Agreement into action

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Editor's Note

THE annual United Nations climate change conference, organised under the world body's Framework Convention on Climate Change (UNFCCC), was held on 7-19 November 2016 in Marrakech, Morocco. The significance of the Marrakech meeting stems from the fact that it was the first conference after the historic Paris climate treaty was successfully negotiated a year earlier in the French capital.

The Paris Agreement established the goals and framework for cooperative action on climate change. As delegates were gathering in Marrakech, the agreement became the first legally binding international agreement to commit its signatories to limits on global carbon emissions, when the threshold for its entry into legal force was achieved on 4 November.

The requisite legal ratification for this could not have been more timely, as disturbing news emerged from the US of the election of Donald Trump as its 45th President. With the status of the Paris Agreement now secure as an internationally binding treaty, delegates at Marrakech could rest assured that the threats of the president-elect to pull out of the treaty could not fatally undermine their work to implement it. The entry into force of the Paris Agreement also paved the way for Marrakech to host the first meeting of the Parties to the Agreement.

The main objective of the Marrakech conference was to flesh out details of the issues to be tackled and the commitments to be undertaken to realise the goals of the Paris Agreement. But Marrakech's role as an 'implementation conference' was, from the outset, dogged by a conflict on what exactly had been agreed in Paris. As in previous climate conferences, there was a battle of interpretations.

A critical area of conflict over interpretations was the issue of differentiation between developing and developed countries with regard to their commitments under the Paris Agreement. Many developing countries emphasised the need to integrate the principle of 'common but differentiated responsibilities and respective capabilities' (CBDRRC) into the modalities of the commitments, but developed countries pushed for a uniform approach. The dispute was not settled in Marrakech and is expected to linger on in future climate conferences.

The CBDRRC principle is already reflected in the Kyoto Protocol to the UNFCCC, which recognises that the main burden of carbon emission cuts should be shouldered by the developed countries because they were primarily responsible for the climate crisis. Marrakech also provided an occasion for a meeting of the Parties to the Protocol, and in view of the Protocol's importance, concern was expressed at the session on the shortfall in the ratifications necessary to extend its commitment period up to the year 2020.

The Kyoto Protocol is also important from the viewpoint of finance, as it was under it that the Adaptation Fund, which provides assistance to developing countries facing the ravages of climate change, was established. Developing countries have long had fears that the developed countries are seeking to sideline this fund in favour of the separate Green Climate Fund. It is instructive that the last act of the Barack Obama administration on climate change was to transfer $500 million to the Green Climate Fund to secure the Fund against a likely default in future funding by the incoming Trump administration. Meanwhile the future of the Adaptation Fund is still uncertain as the only decision taken on it at Marrakech was that it 'should serve the Paris Agreement, following and consistent with' pending decisions on governance and other issues.

The heart of the finance debate has always been on the actual amount that is being transferred to developing countries to help them fight climate change, as opposed to the touting of nebulous figures. Unfortunately, there was little change at Marrakech in the attitude of the developed countries. As in earlier climate conferences, the figure of $100 billion a year by 2020 was touted again by the developed countries, with Australia and Great Britain even producing a report purporting to show that the developed countries are on track towards attaining this goal. But the report came under scathing criticism from developing countries which challenged the methodology employed. Developing countries made it clear that they set more store by a UNFCCC body's biennial assessment of climate finance, which highlighted that the annual flow from developed to developing countries was only over $25 billion in 2013 and 2014.

The conference also issued a call to action – the Marrakech Action Proclamation for Our Climate and Sustainable Development – which boldly asserts that the 'extraordinary momentum on climate change worldwide … is irreversible ... we reiterate our resolve to inspire solidarity, hope and opportunity for current and future generations'.

In any other circumstance, such defiant words can be dismissed as pure rhetoric, but in the context of the disturbing developments in the US, it is a necessary reaffirmation that the battle against climate change will continue regardless of setbacks caused by the irresponsible actions of any single member state. With 2018 set as the deadline for the completion of the Paris Agreement implementation programme, there is much unfinished work ahead.

Our cover story highlights many of the debates in Marrakech over the issues concerning the implementation of the Paris Agreement. In particular, we report on the sharp differences between developed and developing countries over what was agreed in Paris and on the thorny issue of climate finance. We also carry analyses of the final compromise that was arrived at with regard to the work programme to meet the 2018 deadline.

– The Editors

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Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/7nov.html)

The UN climate conference held in Marrakech, Morocco, in November was meant to flesh out the details of implementing the landmark Paris Agreement to combat global warming. However, the Marrakech talks were marked by major differences between member states over the interpretation of the Agreement and over the financial resources needed to address climate change. 5

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‘Brump’ heightens uncertainty in global economy

The global economy has not fully recovered from the 2008 financial crisis and the failure to implement the necessary reforms has left it vulnerable to new shocks. The new political risks and uncertainty emanating from the Brexit vote in the United Kingdom and the unexpected victory of Donald Trump in the US may prove to be the catalyst for a new bout of economic instability. *Kavaljit Singh* elaborates.

THE two big political events of 2016 – the Brexit referendum on 23 June and Donald Trump’s victory in the US presidential election on 8 November – have added significant uncertainty to an already fragile global economy. Due to economic and political uncertainty caused by the Brexit vote, the International Monetary Fund (IMF) has lowered the global economic growth forecast for 2017 to 3.4%.

Eight years after the onset of the global financial crisis in 2008, the economic recovery remains uneven in most advanced economies, with persistently weak private demand and limited job growth. The financial crisis is far from over, only its intensity and geography have changed. The crisis led to a severe global economic recession followed by sovereign debt crises that are ongoing in the eurozone.

In terms of macroeconomic parameters (e.g., growth, employment, inflation, trade), one finds major weaknesses in one region or another. Some analysts view the drop in the unemployment rate to 4.6% (the lowest since 2007) in November 2016 as a sign of stronger recovery in the US. However, most of the new jobs created in the US belong to low-wage sectors such as bars and restaurants. According to the US Bureau of Labor Statistics, out of the 178,000 new jobs added in November 2016, only 9,000 are full-time jobs while part-time jobs increased by 118,000. Hence, the quality of jobs is a major concern as good jobs are being replaced by bad ones.

A pro-Brexit rally outside the British parliament. Months have passed since the Brexit vote, but there is still uncertainty as to how the whole process will play out.

The world economy will face multiple challenges in 2017, largely due to political factors. There was a time when the political risk was largely seen in the context of the developing world (for instance, military coups taking place in Pakistan, Nigeria or Burundi). But now political risks and uncertainty are building up in the developed countries, particularly in the European Union.

The ‘Brump’ factor

The Brexit vote was the biggest shock to the political establishment in the UK and across Europe. More than seven months have passed since the Brexit vote, but there is still uncertainty as to how the whole process will play out.

Firstly, there has been a battle over procedure in invoking Article 50 of the Lisbon Treaty, the legal process to exit the EU. Initially, British Prime Minister Theresa May insisted that her government was ‘getting on with Brexit’, but the High Court ruled that the UK cannot leave the EU without parliamentary approval. An appeal by the government failed when the Supreme Court affirmed that such consent was necessary.

Secondly, the real battle is over the nature of the exit and the country’s economic relations with the EU, i.e., whether it will be a ‘hard’ Brexit or a ‘soft’ one. After initially refusing to divulge her Brexit strategy, claiming that to do so would weaken her government’s negotiating position, May finally revealed her plans for Britain’s clean break from the EU in a much-anticipated speech to European diplomats at Lancaster House (London) on 17 January.

In her speech May outlined her government’s strategy for Brexit by confirming that Britain wants a complete break from the EU’s single market, which allows free movement of goods, services, capital and people within the 28-nation bloc. The government, she said, would pursue a 'new, comprehensive, bold and ambitious' free trade agreement with the EU. This choice of a 'hard' Brexit was subsequently confirmed in a White Paper published by the government.

The decision to opt for a 'hard' Brexit has created consternation across the political divide. Hence, when the Brexit bill (a short 137-word document) was introduced in the British House of Commons on 26 January, there were more than 100 pages of amendments to try to either change course or introduce some social safeguards. But all were voted down, although the government did agree to allow parliament to vote – on a yes-or-no basis – on the final Brexit deal that is eventually reached with the EU.

From the House of Commons, the bill now goes to the House of Lords for approval. Initially there was seen to be little likelihood of any major revolt in this chamber of parliament to scuttle the bill, and it appeared as if the government would be able to invoke Article 50 by the end of March as originally envisaged. However, there are now moves to push for amendments in the House of Lords; while this is unlikely to defeat the bill, it could delay approval and further add to the uncertainties surrounding the Brexit process.

The British pound sterling has already fallen by about 18% against the US dollar since the Brexit vote. It is likely to drop further by some 5% to $1.15 against the dollar after May triggers Article 50, according to a Reuters poll of over 60 foreign exchange strategists. In an interview with Bloomberg, George Saravelos, global co-head of foreign exchange at Deutsche Bank, predicted that the pound could even decline to as low as $1.05 against the dollar, as the 'incredibly complicated' nature of Brexit becomes clearer.

As the City of London is the leading international financial centre, ongoing uncertainties related to the timing and nature of the Brexit process could pose additional risks to the global financial system.

The victory of Donald Trump in the US presidential election was another major political upheaval. President-elect Trump has already announced that he would dilute or dismantle financial regulatory measures undertaken to implement the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. A deregulation push under his presidency could free big US banks from new regulatory rules introduced in the aftermath of the 2008 crisis. In other words, the big banks may become even bigger if the already tepid Dodd-Frank Act is dismantled.

Trump's policy agenda in other areas such as international trade, climate change and immigration will also be closely watched as most of his cabinet colleagues are business elites with hardly any public office experience.

Needless to say, people around the world are anxiously waiting to see how the 'Brump' phenomenon (Brexit plus Trump) unfolds in the coming months.

The rise of the far-right in Europe

Almost every European country has witnessed a surge in support for far-right political parties in recent years. Such parties have been able to garner substantial popular support based on their anti-immigration policies and nationalistic outlook.

In 2017, elections are due in the Netherlands, Germany, France and possibly Italy. Most political analysts expect far-right parties to achieve big electoral successes on the back of an anti-establishment sentiment fuelled by the Brexit vote and the Trump victory. The possibilities of such parties coming into power are far greater now than ever.

Instead of targeting austerity programmes and neoliberal economic policies which contribute to economic instability and unemployment, far-right political parties use nationalist, anti-immigrant and xenophobic rhetoric to draw public support.

The growing popularity of such parties across Europe indicates the possibility of other countries leaving the EU, including France (Frexit), the Netherlands (Nexit), Italy (Italeave) and Austria (Auxit). In all likelihood, the EU may survive Brexit but a Frexit would completely jeopardise the entire European integration project.

Global banking fragility

The global banking system is still in a fragile state. The big banks, particularly in crisis-hit countries, are facing numerous challenges despite the huge efforts that have been made by central banks and governments to clean up their balance sheets. According to the IMF's Global Financial Stability Report (October 2016), over 25% of banks in developed countries (controlling $11 trillion in assets) remain weak.

In the US, very little progress has been made to prevent taxpayers from having to bail out 'too-big-to-fail' banks. Under the Dodd-Frank Act, banks are required to create 'living wills' outlining how they would shut down their business if they fail, at no cost to taxpayers. In April 2016, the US regulators issued a failing grade to five big banks (including Bank of America, Wells Fargo and JPMorgan Chase) on their emergency wind-down plans in a crisis-like situation. Put simply, if another financial crisis were to hit the US today, these banks would need a bailout from the US government to prevent a major financial shock from happening again.

In Europe, high levels of non-performing loans may spark new crises in the banking sector in the coming months. According to KPMG, the European banking sector has about €1.1 trillion in non-performing loans and an average NPL ratio of 5.7% (three times as much compared with the US or Japan). Policy-makers are currently focusing on eight of Italy's troubled banks.

In particular, the financial position of Italy's Banca Monte dei Paschi di Siena, the oldest surviving bank in the world, is extremely weak as it was the worst performer in the annual stress tests carried out on 51 lenders across the EU in late 2016. The bank has nearly €50 billion in non-performing loans, accounting for 38% of its total loans. It recently failed to raise €5 billion in fresh capital as part of its recapitalisation plan. Hence, a state bailout of this ailing bank cannot be ruled out even though such a move may not comply with EU state aid rules.

In the UK, Royal Bank of Scotland (RBS) failed the annual stress test carried out recently by the British central bank. The UK government had bailed out RBS in the aftermath of the 2008 crisis. It is important to emphasise here that any further weakening of RBS' financial strength will directly impact the UK's public finances because the government currently owns 73% of the bank. Similar will be the fate of many other European banks which were bailed out by their national governments following the 2008 crisis.

Deutsche Bank in trouble

The weak financial position of Deutsche Bank should be a matter of grave concern. Since 2008, Deutsche Bank has faced numerous lawsuits and investigations over its alleged role in rigging of interest-rate benchmarks and commodity prices, violations of US sanctions and mis-selling of mortgage-backed securities. Even after paying more than $16 billion in fines and settlements worldwide since 2008 for serious misconduct, Deutsche Bank's troubles are not yet over as it has lost more than half of its value in 2016.

With Deutsche Bank having a leverage of 40 times, some analysts forecast that its failure may trigger a far bigger financial crisis than the 2008 crisis. As Deutsche Bank is highly interconnected with other big banks and insurance companies in Germany, there is a valid concern that it could pose a systemic threat to Germany's entire financial sector.

In June 2016, an IMF Financial System Stability Assessment report on Germany stated that 'among the G-SIBs [globally systemically important banks], Deutsche Bank appears to be the most important net contributor to systemic risks, followed by HSBC and Credit Suisse'. The report further noted that 'Germany, France, the UK and the US have the highest degree of outward spillovers as measured by the average percentage of capital loss of other banking systems due to banking sector shock in the source country'.

Further, Deutsche Bank is the biggest European bank in London, with a staff strength of 8,000. The bank generates nearly 20% of its revenue from the UK and therefore is exposed to greater Brexit risk than other European banks.

What about bright spots?

In 2016, India and China were seen by many as the two bright spots on the world economy map but both economies are facing their own challenges.

Post-demonetisation, India's growth projections have slipped. The stated objective of the demonetisation initiative, launched on 8 November, was to crack down on the black (shadow) economy. At the time of writing, news reports point out that this policy objective has not been realised as 94% of demonetised notes have been deposited back in the banks, thereby putting a big question mark on the efficacy of this entire initiative which wrought mass hardship on the majority of India's 1.2 billion people.

There is growing evidence to show that the demonetisation initiative has badly affected the informal sector (which constitutes roughly half of India's economy), where legitimate cash transactions are common. In the rural and semi-urban areas where banking infrastructure is sorely lacking, this move has negatively impacted the jobs and livelihoods of working people who earn and spend money in cash. Numerous media reports have highlighted how cash shortages led to the closure of many micro and small enterprises throughout the country, with adverse impact on the incomes and jobs of the people associated with these enterprises. In particular, the agriculture, textile, jewellery, retail trade, automobile, real estate and construction sectors have been adversely hit by the demonetisation initiative. In such a scenario, an immediate revival of economic activity is unlikely to happen.

In the case of China, the shadow banking system (non-bank financial intermediaries) poses a potential systemic risk given its large size and opaque nature. Since shadow banking institutions are interconnected with China's commercial banks, risks in the shadow institutions can easily be transmitted to the Chinese banking system.

Brazil and Russia suffered heavily due to the crash in commodity prices in the past two years. Now as commodity prices have stabilised, it is expected that both these economies may come out of recession in 2017.

To sum up, the world economy is not out of the woods yet. A more robust, sustained and balanced global recovery is still elusive.

The global financial reforms implemented so far are inadequate to prevent another crisis from happening. The political will to implement deep-seated global financial reforms is currently missing at the G20, the premier forum for international economic cooperation, where progress in regulatory cooperation has been patchy and spasmodic. The member countries of the grouping have yet to implement several past commitments on financial reforms. As a result, the policy agenda to create a more transparent, inclusive and resilient global financial system has lost momentum. At the opening session of the G20 summit in Hangzhou, China, in September, Chinese President Xi Jinping urged the G20 to be a 'group of action, instead of a talk shop'. It appears that G20 leaders have forgotten about the root causes of the global financial crisis. ◆

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Climate change: The battle of interpretations at Marrakech

Hopes that the UN climate talks held in Marrakech in November would build on the progress made in the historic Paris talks a year earlier turned out to be overly optimistic. Efforts to move ahead with a work programme to implement the Paris Agreement to tackle climate change were dogged by a conflict between developing and developed countries on the interpretation of its provisions. *Meena Raman* reports.

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/18nov.html)

Delegates engage in informal discussions during the final stages of negotiations at the Marrakech climate change conference. Developed and developing countries in Marrakech differed in their interpretations of the Paris Agreement.

A BATTLE of interpretation over what was agreed to in the Paris Agreement took place at the annual UN climate conference in Marrakech, Morocco, in November 2016.

This battle, mainly between developing and developed countries, was the major theme at the 22nd session of the Conference of the Parties (COP 22) to the UN Framework Convention on Climate Change on 7-19 November.

Presided over by the Foreign Minister of Morrocco, Salaheddine Mezouar, the conference comprised COP 22 as well as meetings of the Convention's subsidiary bodies.

A historic event was the convening of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1) on 15 November. It is the supreme body of the Paris Agreement (PA), which was adopted at COP 21 in Paris in 2015 and entered into force in record time on 4 November 2016.

Much of the important work was done under a body created when the Paris Agreement was adopted, known as the Ad Hoc Working Group on the Paris Agreement (APA). The APA was tasked with crafting various rules related to the implementation of the PA, commonly known as 'modalities, procedures and guidelines' (MPGs). Other subsidiary bodies of the Convention and other thematic bodies are also assigned tasks to implement the PA.

In Marrakech, in various meetings under the APA, there were stark divergences of view between developed and developing countries on how Parties understand and interpret the PA, though everyone agreed the PA should not be renegotiated as it was 'delicately balanced'.

Disagreements on interpreting 'nationally determined contributions'

The disagreement was most obvious in the APA informal consultations on what guidance to give on 'nationally determined contributions' (NDCs), as to their features, their scope and information.

The NDCs are the heart of the PA which all Parties have committed to undertaking as their 'contributions' to the global response to climate change. The scope of the NDCs had been the subject of a big fight in Paris, which eventually led to Article 3 of the Agreement.

Article 3 states, 'As nationally determined contributions to the global response to climate change, all Parties are to undertake and communicate ambitious efforts as defined in Articles 4, 7, 9, 10, 11 and 13 with the view to achieving the purpose of this Agreement as set out in Article 2. The efforts of all Parties will represent a progression over time, while recognising the need to support developing country Parties for the effective implementation of this Agreement.'

Article 3 symbolises the 'battle' over the nature of the agreement to ensure that the NDCs are not viewed as being 'mitigation-centric' or only focused on mitigation actions. Thus Article 3 refers to ambitious efforts to be taken on mitigation (Article 4), adaptation (Article 7), finance (Article 9), technology development and transfer (Article 10), capacity-building (Article 11) and a 'transparency framework for action and support' (Article 13).

In defining the features and information related to NDCs, the battle in Marrakech was once again on the scope of the NDCs. Developed countries and some developing countries were of the view that the focus of work on the 'further guidance' should be confined only to 'mitigation' and not include the full scope of the NDCs as referred to in Article 3.

Several developing countries, led by the Like-Minded Developing Countries (LMDC) grouping (which were the main architects of Article 3), the African Group and the Arab Group, strongly emphasised that NDCs do not only include mitigation and therefore that discussions must include the whole range of issues in the NDCs. The LMDC were of the view that any technical work could not advance if this was not the understanding. They wanted a comprehensive understanding of NDCs so that all the components of NDCs are addressed in a balanced manner.

Developed countries could not agree to this, which led the co-facilitators of the APA informal consultation on this matter to conclude that 'there was agreement that Parties must respect the PA and the "national determination" character of the contribution' but that 'Parties had divergent views on the features of NDCs'.

Hence, in the negotiations in 2017, the features of the NDCs will continue to be a major contentious matter.

The issue of differentiation between developed and developing countries and how it should be operationalised in the PA also affected other issues, including the transparency framework on action

The Doha Amendment, which is supposed to give effect to the second commitment period of the Kyoto Protocol for carbon emission reductions by developed countries in 2013-20, has yet to come into force.

and support, facilitating implementation and compliance, the global stocktake and adaptation communications.

In the various meetings in Marrakech, a common conflict was over the application and operationalisation of the principle of 'common but differentiated responsibilities and respective capabilities' (CBDRRC), in the light of national circumstances, in the various articles of the PA.

Many developing countries stressed the need to integrate the CBDRRC principle in the design of the various MPGs. Developed countries disagreed and wanted a common approach to be taken by all countries and not the 'differentiated' approach insisted upon by the developing countries.

Another area of contention was around the issue of the Adaptation Fund (AF) and its future under the PA. Developing countries were of the view that the decision taken in Paris was for the AF to serve the PA and that the Marrakech meeting should work to give effect to the decision. Developed countries, on the other hand, did not agree that such a decision was taken and insisted that work was needed to clarify that the AF serves the PA. In the final decision adopted, the CMA decided that 'the AF should serve the PA, following and consistent with decisions to be taken' in 2018 'that address the governance and institutional arrangements, safeguards and operating modalities of the AF'.

CMA 1: Work programme on Paris Agreement implementation

COP 21 had assigned various tasks to the subsidiary bodies of the Convention and other constituted bodies in relation to the implementation of the PA. An issue in Marrakech was the convening of the CMA and how all Parties, including those which have yet to ratify the PA, can take part in decision-making on its implementation. Parties were in general agreement that the process has to be an inclusive one that enables all Parties to the Convention to craft the rules, and not only Parties that had so far ratified their membership to the PA.

As expected, CMA 1 took a decision to invite the COP (which includes all Parties to the Convention) 'to continue to oversee the implementation of the work programme under the PA'. This decision allows the various bodies to continue and complete the work assigned to them in an inclusive manner under the COP, and further decisions will only be adopted at the CMA session in 2018. The next COP and CMA meetings will be in Bonn on 6-17 November 2017.

The issues under the APA

Under the APA, informal consultations were facilitated by two co-facilitators on six items: (i) guidance on features, information and accounting of NDCs; (ii) guidance related to the adaptation communication; (iii) MPGs for the transparency framework for action and support; (iv) matters relating to the global stocktake; (v) modalities and procedures for the effective operation of the committee to facilitate implementation and promote compliance; and (vi) further matters related to the implementation of the PA.

Among the most contentious items were those dealing with the NDCs (as reported above) and the MPGs for the transparency framework.

On the transparency framework, Parties had agreed in Article 13.1 of the PA to establish 'an enhanced transparency framework for action and support, with built-in flexibility which takes into account Parties' different capacities …'.

(The transparency framework relates to the measurement, reporting and verification of information provided by Parties as regards both their climate actions as well as support. The latter relates to the provision by developed countries of finance and receipt of these resources by developing countries.)

The issues discussed were both political and technical in nature, with the 'political' relating to how differentiation between developed and developing countries is operationalised in the MPGs.

On the overall structure of the framework, the developed countries proposed that the MPGs should be common to all Parties with built-in flexibility, while the developing countries, especially those from the LMDC, see the MPGs themselves to be differentiated.

The United States expressed the view that the transparency framework was not divided into 'developed' and 'developing' countries but focuses on the capacity of countries to carry out the specific transparency MPGs.

The LMDC position was that the PA establishes an 'enhanced' transparency framework rather than a 'common' or 'unified' framework; that it shall be based on differentiated obligations and recognises the different capabilities and capacities of developed and developing countries; that there should be differentiation in the operationalisation of the framework; and that flexibility has to be accorded to all developing countries.

India in its submission stated that the existing arrangements under the Convention have shown that a common but differentiated transparency framework on action and support can be developed and implemented effectively, while preserving and reflecting equity and the CBDRRC principle. The Arab Group had similar positions to those of the LMDC.

Developed countries, on the other hand, stressed the importance of having a common transparency framework, with flexibilities for developing countries that do not have capacity. The European Union identified the common MPGs in the areas of reporting guidelines, guidelines for technical expert review and for the facilitative and multilateral consideration of progress.

On the issue of 'flexibility', while all Parties agreed on the importance of providing flexibility to developing countries that need it, there were different ideas on how such flexibility could be defined and applied to the MPGs.

For the LMDC, the flexibility to be applied is for all developing countries as they have insufficient capacities in areas of statistics, institutional arrangements, necessary resources etc. The Arab Group, China and India further stressed that it is most important to continue the provision of flexibility to developing countries, through ensuring the continuity of differentiation while developing the MPGs. The flexibilities should also be provided to developing countries in a systemic way, meaning that they are integrated into the entire transparency regime and reflected in terms of scope of reporting, frequency and level and detail of reporting.

The issue of differentiation and its operationalisation will continue to be the subject of a major political battle in 2017.

The agreed conclusions of the APA noted that while there was progress on all the substantive agenda items, much remains to be done, and that there was a need to progress on all items in a coherent and balanced manner, and to ensure a coordinated approach with regard to related matters considered under the subsidiary bodies.

The progress of work on the agenda items was reflected in informal notes prepared by the co-facilitators, and it was agreed that the notes will be helpful for the future work of the APA.

Concerns over shifting of focus to post-2020 actions

Another area of tussle between developed and developing countries was on climate actions to be taken pre-2020 and post-2020.

Developed countries wanted the focus of climate actions to be mainly on post-2020 contributions by all countries under the PA, while developing countries emphasised the importance of the developed countries implementing their existing commitments under various decisions of the UNFCCC and the Kyoto Protocol (KP) in the pre-2020 time frame.

The developing countries' position is understandable. Even as Parties celebrated the early entry into force of the PA, the Doha Amendment to the KP – which is supposed to give effect to the second commitment period of the KP (2CP) for emission reductions by developed countries for the period 2013-20 – has yet to come into effect.

Parties had agreed in 2012 in Doha, Qatar, to amend the KP to incorporate the 2CP where developed countries which are Parties to the KP will undertake aggregate emission cuts to at least 18% below 1990 levels. They also agreed that developed countries would revisit their emission reduction commitments by the end of 2014, with a view to increasing their ambition level.

Regrettably, the 2CP has not yet come into effect, nor has there been a revision of the ambition level for the emission cuts of developed countries thus far.

As noted by India's chief climate negotiator, Ravi Prasad, during the 'Facilitative Dialogue on Enhancing Ambition and Support' held in Marrakech, many developed-country delegates were focusing on actions in the post-2020 time frame. Countering this approach, he stressed that ambition could not be put off for another four years.

Thailand, representing the developing-country Group of 77 and China, noted at the closing plenary in Marrakech that after four years, only 73 Parties have deposited their instruments of acceptance in relation to the Doha Amendment. (To give effect to the Doha Amendment, a total of 144 countries have to ratify it.) The Thai representative reiterated the urgent need to complete the 'unfinished business of pre-2020 action and ambition which are long overdue', as the 'Kyoto Protocol is a fundamental building block in our post-2020 efforts'.

The Marrakech talks took place against the backdrop of the release of the *Emissions Gap Report 2016* by the United Nations Environment Programme (UNEP), which said that the world is still heading for a temperature rise of 2.9-3.4°C this century even with the 'Paris pledges', and that in 2030, emissions will be 12-14 gigatonnes above levels needed to limit global warming to 2°C. The 'Paris pledges' refer to the intended nationally determined contributions (INDCs) that Parties have communicated to the UNFCCC secretariat and that will take effect only from 2020 onwards.

The UNEP report also stated that 'the need for urgent action has been reinforced by the fact that 2015 was the hottest year since modern record keeping began. Although high temperatures were exacerbated by the effect of El Niño, it is notable that 10 of the warmest years on record have occurred since 2000, and the trend continues, with the first six months of 2016 all being the warmest ever recorded.'

COP 22 had been touted as a 'COP of action' or an 'implementation COP' which promised to focus not only on issues relating to the rules for the implementation of the PA but also on pre-2020 actions which deal with the existing commitments under the Convention and the KP, including the finance commitment (agreed to in 2010) of mobilising $100 billion per year by 2020 from developed to developing countries. Regrettably, there was very little to show in terms of real progress on developed countries meeting their existing pre-2020 commitments.

Controversy over the roadmap to $100 billion financing

One major area of controversy was around the roadmap towards mobilising the $100 billion a year by 2020 as climate financing for developing countries, which the developed countries had committed to.

On 16 November, a Ministerial Dialogue on climate finance was convened in Marrakech. A key input for the dialogue was the report 'Summary and recommendations by the [UNFCCC's] Standing Committee on Finance on the 2016 biennial assessment and overview of climate finance flows'.

The 2016 biennial assessment (BA) reported that mitigation-focused finance represented more than 70% of the public finance, and that adaptation finance provided to developing countries accounted for about 25% of the total finance. The BA also highlighted that the flows of finance from developed to developing countries as reported in the biennial reports of developed countries were $25.4 billion in 2013 and $26.6 billion in 2014.

Ahead of the Marrakech conference, developed countries launched a report by the United Kingdom and Australia entitled 'Roadmap to US$100 billion'. This report drew much criticism and flak from developing countries, which challenged its legitimacy and the methodology involved in arriving at its finance numbers.

Developed countries used the report to assert their claim that they are on target to meeting the $100 billion commitment. The report projected that $62 billion was mobilised in 2014 and that, based on an analysis by the Organisation for Economic Cooperation and Development (OECD), 'pledges made in 2015 alone will boost public finance from an average of $41 billion over 2013-14 to $67 billion in 2020 – an increase of US$26 billion'.

During the informal consultations held in Marrakech on the issue of long-term finance (LTF), developed countries wanted the proposed decision to include an explicit reference to their 'Roadmap' and to 'welcome' the report, but this was strongly resisted by the G77 and China.

The final compromise in the LTF decision was the use of the term 'the submission made by developed country Parties', which was an implicit reference to the 'Roadmap'.

The Marrakech Action Proclamation

The President of COP 22, the Foreign Minister of Morocco Salaheddine Mezouar, on 17 November issued a call, endorsed by all Parties, entitled the 'Marrakech

Action Proclamation for Our Climate and Sustainable Development'. Describing the call as a 'new source of inspiration', Mezouar said that the proclamation received the support of all Parties.

When the Moroccan COP presidency first mooted the idea of issuing a document billed as the 'Marrakech Call for Action', which was the precursor to the 'proclamation', several developing countries were concerned that issues of importance to them were not adequately reflected in the original draft. Informal consultations were then convened on the document, and the presidency accommodated points made by various constituencies. After a balance was achieved, the proclamation received the support of all delegations.

Among other things, the proclamation called for the 'highest political commitment to combat climate change, as a matter of urgent priority'. It also called for 'urgently raising ambition and strengthening cooperation … to close the gap between current emissions trajectories and the pathway needed to meet the long-term temperature goals of the Paris Agreement'. It further called on developed countries to 'reaffirm' the '$100 billion mobilisation goal'.

Many saw the proclamation as an important signal to the world that Parties were committed to taking forward the UNFCCC process and the PA, despite the uncertainties associated with the election of Donald Trump as the new US President, including whether the US would remain a member of the PA. In fact, the turn of events in the US became a talking point in the corridors of the Marrakech meetings.

The 'homeless items'

The closing plenary of the first session of CMA 1 adopted a decision on matters related to the work programme under the PA in a manner that was rather confusing. The decision was on the process forward as regards items under the PA that had not been assigned in Paris in 2015 to any of the subsidiary or constituted bodies for further work.

These so-called 'homeless items', which were the subject of intense debate in the APA meetings, comprise the following matters: common time frames for NDCs; modalities for the recognition of adaptation efforts of developing countries; process for setting a new collective quantified goal on finance; guidance on education, training and public awareness; and modalities to communicate information on projected levels of public finance by developed countries.

Parties were divided since the beginning of the Marrakech conference on how to handle these items, with some including Brazil wanting the issue of common time frames to be forwarded to a subsidiary body for work to commence, while others wanted all the 'homeless items' to be dealt with comprehensively as a package.

(Time frames for NDCs relate to the length of the period of a contribution. Some Parties had communicated a five-year time frame from 2020, and others a 10-year period, thus expiring in 2025 and 2030 respectively. Brazil has been pushing for a common time frame.)

There was no agreement on the issue under the APA. The presidency then circulated a draft decision to be taken at the CMA plenary to have the APA continue its consideration of the issues in 2017.

However, when the Moroccan Foreign Minister, as the President of CMA 1, convened the meeting late on 18 November, he singled out two of the 'homeless items' for the consideration of Parties, i.e., the common time frames for NDCs and guidance on education, training and public awareness, to be forwarded to the Subsidiary Body for Implementation (SBI) for work to commence.

This seemed to contradict the draft decision that the treatment of the 'homeless items' be postponed to 2017.

Bolivia raised the issue of this inconsistency. The President then put forward the proposed decision, which was approved. The President then invited Parties to consider the issues of the common time frames and education and training and proposed to send these items to the SBI for work to start.

Bolivia said that it could not support the proposal by the President as it meant that there would be follow-up on a specific issue (common time frames for NDCs) which appeared to be mitigation-centric. It also said that there was a need for a comprehensive and holistic approach on all the 'homeless items' in a single package instead of singling out a few issues, and wanted this matter discussed at the next meeting (of the APA).

Brazil did not agree with Bolivia and asked Bolivia to reconsider its position. A discussion took place, with some supporting Brazil and one country supporting Bolivia.

After a break for consultation, the CMA President said there was no agreement and proposed that Parties move forward.

Brazil persisted and asked Parties to consider forwarding the two issues to the SBI's next session. South Africa, speaking for the BASIC (Brazil, South Africa, India and China) grouping, said that it could go along with the President's proposal (of forwarding the two issues to the SBI).

The CMA 1 President then proposed to send the two items to the SBI for its consideration at its 47th session and he gavelled this proposal.

After the meeting ended, several Parties and observers indicated they were confused as to how the proposal by the President was going to be reflected when the decision that was adopted reflected a different approach and no amendments to the decision were made to reflect the COP President's proposal. This issue could be raised again in 2017. ◆

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UN climate talks end with call to Trump to face up to climate change

Addressing the closing plenary at Marrakech in his capacity as the incoming President of the next session of the UN climate talks, the Prime Minister of Fiji, whose island state's very existence is threatened by climate change, called on incoming US President Donald Trump – a 'climate change denier' – to face up to his country's major responsibility for the global climate crisis.

Hilary Chiew

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/18nov.html)

Speaking at the Marrakech conference, Prime Minister Frank Bainimarama of Fiji, which will lead the UN climate talks in 2017, urged then-US president-elect Donald Trump to contribute to the collective response to the climate crisis.

IN the wake of the recent elections in the United States, the host of the 2017 climate talks made a plea to US president-elect Donald Trump to show leadership at the helm of the second largest greenhouse gas emitter in the world.

Fiji, which in 2017 will become the first Pacific island state to head the annual climate talks, called upon the US president-elect to abandon his position that manmade climate change is a hoax and take responsibility in contributing to the collective response to a climate crisis which is real.

(According to most recent press reports, Trump has been cited as saying that he will keep an open mind about climate change.)

'We in the Pacific and the world look to the US to show leadership just as we looked to America during the dark days of World War II. You came to save us then ... it is time for you to help save us now. I renew my offer to Mr Trump to come to Fiji to see the effects of climate change himself and to meet face to face to discuss the crisis we are facing,' urged Fijian Prime Minister Frank Bainimarama to applause at the closing plenary of the 22nd Conference of the Parties (COP 22) to the UN Framework Convention on Climate Change (UNFCCC) in the late evening of 18 November.

Bainimarama was addressing the plenary as the incoming president of COP 23, which will be held in Bonn, Germany, the seat of the UNFCCC secretariat, on 6-17 November 2017. In accordance with the principle of rotation among the five UN regional groups, the presidency for COP 23 is from the Asia-Pacific states.

Bainimarama said Fiji is humbled by the confidence placed by the community of nations on it to preside over COP 23, adding that it is acutely aware of the great responsibility as a region that bears the most brunt of the effects of climate change.

Bainimarama said the COP 23 presidency is a crucial platform for the region to place its case. He pledged to small island developing states and other low-lying nations that Fiji would do everything in its power to place climate change on the very top of the global agenda, including lobbying developed countries that are responsible to allocate funding for developing countries 'to adapt to the terrifying era'.

COP 22 was held between 7 and 18 November in Marrakech, Morocco, along with the 12th Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP 12), the 1st Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1), the 45th sessions of the Subsidiary Body for Implementation (SBI 45) and Subsidiary Body for Scientific and Technological Advice (SBSTA 45), and the second part of the first session of the Ad Hoc Working Group on the Paris Agreement (APA 1-2).

Decisions of COP 22 and CMP 12 were adopted over the last two days of the meeting, with the second part of the plenary session closing only in the early hours of 19 November. The closing plenaries were presided over by COP 22/CMP 12 President Salaheddine Mezouar, the Foreign Minister of Morocco.

Aside from the highly contentious agenda item 4 of the COP on 'preparations for the entry into force of the Paris Agreement and the first session of the CMA' (see the article 'First meeting of Paris Agreement signatories ends in controversy' in this issue), the COP and CMP adopted a number of other key decisions. Below are highlights of some of the decisions.

The Fijian Prime Minister pledged to small island developing states and other low-lying nations that Fiji would do everything in its power to place climate change at the very top of the global agenda.

COP 22 decisions

Report of the Adaptation Committee

On 17 November, the COP adopted the draft decision titled 'Review and report of the Adaptation Committee'.

The decision 'notes with appreciation the ongoing and planned collaboration between the Adaptation Committee [AC] and other constituted bodies and institutional arrangements under the Convention … in order to enhance the process to formulate and implement national adaptation plans and actions, the implementation of the relevant mandates contained in decision 1/CP.21 [the decision adopted in Paris in 2015] and access by developing country Parties to adaptation finance, in particular from the Green Climate Fund, as appropriate'.

The COP requested the AC to make use of additional modalities for responding to the relevant mandates contained in decision 1/CP.21, including engaging with the Nairobi work programme and its partner organisations, research institutions and other institutional arrangements outside the Convention.

It also welcomed the establishment of the AC's working group on the technical examination process on adaptation and requested the AC, in conducting the technical examination process on adaptation, to accelerate the preparations for the 2017 technical expert meetings on adaptation, including the selection of topics.

The decision also requested the AC to ensure that the technical examination process on adaptation meets its objective of identifying concrete opportunities for strengthening resilience, reducing vulnerabilities and increasing the understanding and implementation of adaptation action, including through technical papers.

It also requested the AC, as an outcome of this review, to continue with the implementation of its revised workplan, in particular by giving priority to the activities in support of the Paris Agreement, and to seek further ways to enhance its progress, effectiveness and performance. The COP decided to review the progress, effectiveness and performance of the AC again at COP 27 (which will take place in 2021), with a view to adopting an appropriate decision on the outcome of that review.

The decision noted with concern the shortfall in resources available to the AC, the need for supplementary financial resources and the estimated budgetary implications of the activities to be undertaken by the secretariat pursuant to decision 1/CP.21, and encouraged Parties to make available sufficient resources for the successful and timely implementation of the three-year workplan of the AC.

Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts

On 17 November, the COP adopted two decisions related to the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM) and the review of the WIM.

On the WIM, the decision noted that while significant progress has been made in laying the foundation for work on loss and damage, owing to the late nomination of members, work remains to be carried out.

It welcomed the report of the Executive Committee (ExCom) of the WIM and progress made in implementing its initial two-year workplan, including in enhancing understanding, action and support, in particular the establishment of the expert group on non-economic losses, the technical expert group on comprehensive risk management and transformational approaches and the task force on displacement, and in outreach and information sharing.

The COP approved the indicative framework for the five-year rolling workplan of the ExCom as the basis for developing corresponding activities, starting at the first meeting of the ExCom in 2017, taking into account relevant inputs provided by Parties and relevant organisations.

It requested the ExCom to

include in its five-year rolling workplan a strategic workstream to guide the implementation of the WIM's function of enhancing action and support, including finance, technology and capacity-building, to address loss and damage associated with the adverse effects of climate change, as provided for in decision 2/CP.19 (that was adopted in Warsaw).

It invited Parties and relevant organisations to submit views and relevant inputs on possible activities under each strategic workstream as contained in the indicative framework for the five-year rolling workplan of the ExCom by 28 February 2017.

It also invited constituted bodies under the Convention, as appropriate, as those bodies undertake their work, to continue or to initiate, as appropriate, the integration of efforts to avert, minimise and address loss and damage associated with the adverse effects of climate change in particularly vulnerable developing countries, vulnerable populations and the ecosystems that they depend on.

The decision also encouraged Parties to incorporate or continue to incorporate the consideration of extreme events and slow onset events, non-economic losses, displacement, migration and human mobility, and comprehensive risk management into relevant planning and action, as appropriate, and to encourage bilateral and multilateral entities to support such efforts.

It also invited the United Nations and other relevant institutions, specialised agencies and entities, the research community and the private sector, as appropriate, to strengthen cooperation and collaboration, including through partnerships, with the ExCom on topics relevant to addressing loss and damage associated with the adverse effects of climate change, including extreme events and slow onset events.

The COP reiterated its encouragement to Parties to make available sufficient resources for the successful and timely implementation of the work of the ExCom.

On the review of the WIM, the COP adopted a decision which recommends that there be a process to periodically review the WIM and that reviews take place no more than five years apart with the next review to be held in 2019, and that the periodicity of future reviews be decided at that time.

The COP also agreed that future reviews of the WIM should consider, inter alia, progress on the implementation of the workplan of the ExCom of the WIM as well as its long-term vision that guides ways in which the WIM may be enhanced and strengthened, as appropriate; that the subsidiary bodies finalise terms of reference for each review of the WIM; that as an input to the review in 2019, a technical paper be prepared by the secretariat elaborating the sources of financial support, as provided through the Financial Mechanism, for addressing loss and damage as described in relevant decisions, as well as modalities for accessing such support; that the technical paper include an elaboration of finance available for addressing loss and damage as described in relevant decisions, outside the Financial Mechanism, as well as the modalities for accessing it.

The decision also recognised that the ExCom may enhance its effectiveness by prioritising activities in thematic areas for further work. It recommends that the following may advance the work of the ExCom:

(a) Enhancing collaboration, cooperation and partnerships with bodies, entities and work programmes, including the Paris Committee on Capacity-building, within and outside the Convention;
(b) Considering the establishment of, as appropriate, additional expert groups, subcommittees, panels, thematic advisory groups or focused working groups to assist it in conducting its work and supporting its efforts to enhance action and support for loss and damage;
(c) Improving access to, and interaction with, relevant scientific and technical panels, bodies and expertise available to the WIM, its ExCom and substructures over time to ensure that the best available science is highlighted in the work of the WIM;
(d) Inviting interested Parties to establish a loss and damage contact point through their respective UNFCCC national focal points, with a view to enhancing the implementation of approaches to address loss and damage associated with the adverse impacts of climate change at the national level.

The COP also invited the Paris Committee on Capacity-building, within the scope of its workplan, to consider a future theme on addressing loss and damage.

Development and transfer of technologies

Joint annual report of the Technology Executive Committee and the Climate Technology Centre and Network

In the first part of the closing plenary on 17 November, Parties adopted the draft decision forwarded jointly by SBI 45 and SBSTA 45 titled 'Enhancing climate technology development and transfer through the Technology Mechanism'.

On the activities and performance of the Technology Executive Committee (TEC), the decision welcomed the rolling workplan of the TEC for 2016-18 and the progress made by the committee in advancing its implementation, including in the areas of adaptation; climate technology financing; emerging and cross-cutting issues; innovation and research, development and demonstration; mitigation; and technology needs assessments.

It also noted that strengthening linkages between the technology needs assessments, nationally determined contributions and national adaptation plan processes would enhance their effectiveness and responsiveness towards implementation in countries.

On the activities and performance of the Climate Technology Centre and Network (CTCN), the decision underlined the importance of well-functioning and strengthened collaboration between the national designated authorities for the Green Climate Fund (GCF), the focal points for the Global Environment Facility and the national designated entities for technology development and transfer.

It also welcomed the increased engagement between the GCF and the CTCN, particularly with respect to utilising the Readiness and Preparatory Support Programme and the Project Preparation Facility of the fund in order to respond to country-driven requests for technical assistance, and encouraged the advancement of the engagement including through the strengthening of collaboration between national designated authorities for the GCF and national designated entities for technology development and transfer.

Linkages between the Technology Mechanism and the Financial Mechanism of the Convention

Parties also adopted the draft decision which welcomed the progress made by the TEC, the CTCN and the operating entities of the Financial Mechanism in further elaborating the linkages between the Technology Mechanism and the Financial Mechanism, including through an in-session workshop.

It welcomed the decision of the Board of the GCF to hold annual meetings between the GCF and the constituted bodies under the Convention, including the TEC and the CTCN, and its invitation to the Chairs of those bodies to its 14th meeting.

It encouraged the Board of the GCF to continue to invite the Chairs of the TEC and the Advisory Board of the CTCN to future meetings of the Board of the GCF on issues of common interest in order to strengthen the existing linkages between the Technology Mechanism and the Financial Mechanism.

The COP welcomed the increased engagement between the GCF and the CTCN, particularly with respect to utilising the Readiness and Preparatory Support Programme and the Project Preparation Facility of the fund, noting the potential of such engagement in supporting developing-country Parties to build their capacity for implementing technology projects and programmes.

It also noted with appreciation the progress made by the GCF in response to decision 13/CP.21 regarding support for facilitating access to environmentally sound technologies in developing-country Parties and for undertaking collaborative research and development for enabling developing-country Parties to enhance their mitigation and adaptation action.

It invited the GCF national designated authorities and focal points to use the support available to them under the Readiness and Preparatory Support Programme to, inter alia, conduct technology needs assessments and develop technology action plans.

It also invited developing-country Parties to develop and submit technology-related projects, including those resulting from technology needs assessments and from the technical assistance of the CTCN, to the operating entities of the Financial Mechanism for implementation, in accordance with their respective policies and processes.

Matters relating to finance

A total of six sub-items on finance were deliberated on during COP 22, resulting in decisions that were adopted in the early evening of 18 November.

The items were: long-term finance; report of the Standing Committee on Finance (SCF) and review of the functions of the SCF; report of the GCF to the COP and guidance to the GCF; report of the Global Environment Facility to the COP and guidance to the Facility; 6th Review of the Financial Mechanism; and initiation of a process to identify the information to be provided by Parties in accordance with Article 9.5 of the Paris Agreement.

(For more on the COP 22 decisions on finance, see the article 'After protracted negotiations, a key decision on long-term finance' in this issue.)

Capacity-building under the Convention

In the first part of the closing plenary held on 17 November, Parties adopted the draft decision on the third comprehensive review of the implementation of the framework for capacity-building in developing countries under the Convention.

The decision reaffirmed that 'capacity-building should be a participatory, country-driven and continuous process consistent with national priorities and circumstances', and that 'capacity-building is an integral component of the means of implementation to enable developing country Parties to implement the Convention and the Paris Agreement'.

The decision recalled that 'the Paris Committee on Capacity-building (PCCB) aims to address both current and emerging gaps and needs in implementing capacity-building in developing country Parties and to further enhance capacity-building efforts, including with regard to coherence and coordination in capacity-building activities under the Convention'.

It invited the PCCB, in managing the 2016-20 workplan, to take into consideration cross-cutting issues such as gender responsiveness, human rights and indigenous peoples' knowledge; to take into consideration the outcomes of the third comprehensive review of the implementation of the framework for capacity-building in developing countries; to take into consideration previous work undertaken on indicators for capacity-building; to promote and explore linkages with other constituted bodies under the Convention and the Paris Agreement, as appropriate, that include capacity-building in their scopes; to promote and explore synergies for enhanced collaboration with institutions outside the Convention and the Paris Agreement engaged in implementing capacity-building activities; to take into consideration ways of enhancing reporting on capacity-building activities, taking into account all initiatives, actions and measures on capacity-building under the Convention and the Paris Agreement as well as existing reporting mandates, in order to achieve coherence and coordination.

It also invited the SBI to facilitate complementarity between the Durban Forum (on capacity-building) and the PCCB; and invited Parties to cooperate in order to enhance the capacity of developing-country Parties to implement the Convention and the Paris Agreement, and further invited developed-country Parties to enhance support for capacity-building actions in developing-country Parties.

The COP decided to conclude the third comprehensive review of the implementation of the framework for capacity-building in developing countries under the Convention and to initiate the fourth comprehensive review thereof at SBI 50 (June 2019), with a view to completing that review at COP 25 (November 2019).

Apart from the above decisions, the COP presidency conducted a number of informal consultations at the request of some Parties without arriving at any conclusion. The issues were as follows:

Parties whose special circumstances are recognised by the COP

At the opening of COP 22, Turkey had proposed to include as an agenda item the issue of access to support from the GCF and the CTCN under the Paris Agreement by Parties whose special circumstances are recognised by the COP. However, it was subsequently dealt with as a sub-item under 'other matters'.

(Turkey is an Annex I Party to the Convention; this annex includes developed countries that are not eligible for financial support under the Convention.)

The COP President's representative Ambassador Aziz Mekouar (Morocco) reported that consultations led by him could not reach a conclusion and that Parties would continue consultations on this item in the future.

Indigenous peoples' platform

Bolivia and Ecuador requested the COP to consider paragraph 135 of Decision 1/CP.21 and informal consultations were conducted by Hamza Tber on behalf of the COP presidency.

(Paragraph 135 reads: 'Recognises the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, and establishes a platform for the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner.')

Parties agreed to an incremental approach and that the SBSTA would undertake work on operationalisation of the platform.

CMP decisions

Report of the Adaptation Fund Board

On 17 November, Parties adopted the draft decision related to the Adaptation Fund Board and decided to renew the interim institutional arrangements with the Global Environment Facility as the interim secretariat of the Board for an additional three years, from 30 May 2017 to 30 May 2020.

The CMP also decided to restate the terms and conditions of the services to be provided by the International Bank for Reconstruction and Development (the World Bank) as the interim trustee of the Adaptation Fund and to extend the term of the trustee's services for an additional three years, from 30 May 2017 to 30 May 2020.

The CMP noted with concern issues related to the sustainability, adequacy and predictability of funding for the Adaptation Fund based on the current uncertainty on the prices of certified emission reductions, assigned amount units and emission reduction units.

It also noted that the funding required for projects in the active pipeline is estimated to be of the scale of $233.5 million and that the current available funds for new projects amount to $230.5 million, resulting in a current funding gap of $3 million.

The CMP encouraged developed-country Parties to scale up financial resources for the implementation of adaptation projects in the active pipeline of the Adaptation Fund and encouraged the provision of voluntary support that is additional to the share of proceeds from clean development mechanism project activities in order to support the resource mobilisation efforts of the Adaptation Fund Board, with a view to strengthening the Adaptation Fund.

It further encouraged the Adaptation Fund Board, in implementing its resource mobilisation strategy, to further consider all potential sources of funding and to continue its consideration of linkages between the Adaptation Fund and other funds, including the GCF, and to report on its findings to CMP 13 (November 2017).

It also took note of the information provided by the Adaptation Fund Board on the added value of the Adaptation Fund for the operationalisation of the Paris Agreement, as contained in the addendum to Annex I to the report of the Adaptation Fund Board.

It invited the COP to bring the information to the attention of the Ad Hoc Working Group on the Paris Agreement.

Ratification of the Doha Amendment to the Kyoto Protocol

On 17 November, CMP President Mezouar stated that Australia had ratified the Doha Amendment to the Kyoto Protocol on 9 November, bringing the total number of ratifications to 73 out of the 144 required for the second commitment period of the Kyoto Protocol to enter into force. He called upon Parties to ratify the Doha Amendment as soon as possible. ◆

Hilary Chiew is a senior researcher with the Third World Network.

Climate talks close with developing countries calling for strong pre-2020 action

One disturbing feature at Marrakech was the tendency of the developed countries to focus the action to be taken on climate change almost exclusively on the period after 2020 and ignore their commitment with regard to the period prior to this date. *T Ajit* explains the motives behind this selectivity.

THE Marrakech climate talks closed around 2 am on 19 November, with developing countries making a strong plea for pre-2020 climate action and for developed countries to fulfil their pre-2020 commitments.

This call was made at the joint closing plenary of the 22nd session of the Conference of the Parties (COP 22), the 12th session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP 12), and the first part of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1).

The conference centre in Kyoto, Japan, where the Kyoto Protocol was signed in 1997. Developing countries in Marrakech made a strong plea for developed countries to fulfil their pre-2020 commitments under the Protocol.

The talks were supposed to end on 18 November but dragged on due to wrangling over the final decisions that were adopted by the CMA and the COP. (See the article 'First meeting of Paris Agreement signatories ends in controversy' in this issue.)

Speaking for the developing-country Group of 77 (G77) and China, Thailand said the challenge that faced Parties to the United Nations Framework Convention on Climate Change (UNFCCC) was to turn the Paris Agreement (PA) into action. Early entry into force of the PA signalled the importance and urgency of action. 'We are here to accelerate climate action, which has been underscored by the Marrakech proclamation for action on climate and sustainable development,' added Thailand.

(The Marrakech proclamation was issued on 17 November; see the article 'Marrakech proclamation affirms continuing fight against climate change and for sustainable development' in this issue.)

While the PA entered into force at an unprecedented speed, it was regrettable, said Thailand, that the same could not be said about the Doha Amendment to the Kyoto Protocol (to secure the second commitment period under the Protocol for emission reductions by Annex I Parties for 2013-20).

'After nearly four years, only 73 Parties have deposited their instruments of acceptance. The Group reiterates that unfinished business of pre-2020 action and ambition [is] long overdue and must be urgently addressed. The Group believes that the Kyoto Protocol is a fundamental building block in our post-2020 efforts,' said Thailand.

(Actions under the Paris Agreement will take effect only from 2020 onwards.)

Thailand stressed that the G77 placed priority on finance, in particular on adaptation finance, and said that there could be no enhanced action without enhanced support. Thailand underscored that developing countries were bearing the brunt of climate change and the extent of their action would depend on the fulfilment of developed-country obligations.

'Provision of scaled-up financial resources should cover all developing countries under the Convention. To this end, we adopted decisions on the guidance to the two operating entities of the Financial Mechanism, the Green Climate Fund and the Global Environment Facility, as well as guidance to the Standing Committee on Finance,' it added.

It was pleased that much work

had been done on finance. 'There has been good guidance to the operating entities, although much work remains for all issues on finance,' said Thailand.

Noting the decision adopted on long-term finance (see the article 'After protracted negotiations, a key decision on long-term finance' in this issue), Thailand said that developing-country Parties were yet to gain clarity and assurances on the mobilisation and provision of scaled-up financial resources for them.

Thailand also underscored that the strong and united call for the Adaptation Fund to serve the PA had not been fully heard. 'Despite our call, the conditions required to trigger this are still there in the decisions. Hence, the predictability and adequacy of adaptation financing remains to be resolved,' said Thailand.

(Thailand was referring to the Adaptation Fund section of the CMA decision adopted, which reads: 'Decides that the Adaptation Fund should serve the Paris Agreement, following and consistent with decisions to be taken at the third part of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, to be convened in conjunction with the twenty-fourth session of the Conference of the Parties, and by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol that address the governance and institutional arrangements, safeguards and operating modalities of the Adaptation Fund.'

(During the Marrakech climate talks, a contentious issue was whether the Adaptation Fund should serve the Paris Agreement or not. Developed countries were against it.)

(For more on Thailand's ststements on behalf of the G77 and China, see the article 'Developing nations seek acceleration of climate action' in this issue.)

Bolivia, speaking for the Like-Minded Developing Countries (LMDC) grouping, said that 2016 had been the hottest year in the history of the planet, and every year was getting hotter than the previous year. Because

2016 was the hottest year in the history of the planet, according to a Bolivian delegate at Marrakech.

of this, climate change was worsening hunger and poverty, with deeper impacts on developing countries. Life in the planet was in danger because of climate change, said Bolivia.

It added that the greatest goal of humanity in this century must be to eradicate unsustainable patterns of production and consumption before they destroy the humanity and the planet. 'If we do not build another society as soon as possible, the goals of sustainable development will be replaced by the goals of sustainable death of all beings in the planet,' said Bolivia.

'The PA under the Convention is not the structural solution to climate change but is an important step to reduce the impact of climate change in the world. There is much work to be done for implementing all provisions of this Agreement. The UNFCCC, with its principles and provisions, in particular the principle of equity and common but differentiated responsibilities (CBDR), continues to be the political and legal basis for Parties to enhance climate actions and strengthen international cooperation in the post-2020 period,' said Bolivia.

Bolivia also said that the LMDC was moving forward stressing their commitment to enhancing implementation of the Convention in all aspects, especially the pre-2020 action under the Kyoto Protocol, and would continue working together to address climate change on the basis of the Convention's principles. 'The LMDC firmly considers that the pre-2020 action is the foundation for the post-2020 action,' said Bolivia.

The Maldives, speaking for the Alliance of Small Island States (AOSIS), underscored the need for climate action in view of climate change impacts and said the success of the PA would be determined by the action taken by Parties. It said that there was still a shortfall in developed countries meeting their $100 billion commitment and insufficient financing for developing countries to meet their adaptation needs. It said that the fundamental question of what constitutes climate finance remained unclear and called upon developed countries to ratify the Doha Amendment to the Kyoto Protocol.

The Democratic Republic of Congo, speaking for the least developed countries (LDCs), said that it was time to get down to work and underscored the need to channel public financing for adaptation. It urged developed countries to support the LDC Fund, which it said was 'under-resourced'. It underlined the urgent need for developed countries to enhance their pre-2020 ambition, including ratification of the Doha Amendment.

Speaking for the Central American Integration System, Nicaragua said it was very important to continue working to enhance climate action on the principle of common but differentiated responsibilities and respective capabilities. It said that the Central American region was inherently vulnerable and required a systematic and coherent approach to funding.

It underscored that the Convention and the PA should not be replaced or rewritten, and called on Annex I Parties to not shirk their commitments. Any negotiations on finance, technology and capacity-building should not impair, exclude or erode the rights of Parties which have not signed or ratified the PA, said Nicaragua. It hoped for access to necessary financial flows to deal with the pre-2020 gap.

India said that the Marrakech proclamation for action on climate and sustainable development reflected the collective will of all. 'We have a long journey ahead of all of us and the fight against climate change has to be accelerated. The adoption and ratification of the PA is as important as its successful implementation. Unfinished pre-2020 action needs urgent attention,' it added.

India also said that it remained hopeful that matters related to implementation of the PA would be undertaken in an inclusive manner and would be considered in COP 24 in 2018. 'In this spirit, we would like to state that the UNFCCC with its principles and provisions, in particular the principle of equity and CBDR, continue to be the political and legal basis for Parties to continue to enhance and strengthen climate action and international cooperation in the post-2020 period,' said India.

India added that the process should enable all Parties to fully participate regardless of the status of the PA at the present juncture and give them time to complete their domestic processes. 'We have to ensure that our work reflects and promotes the right to development of developing countries and the achievement of sustainable development goals and aspirations of our peoples with climate justice and equity.

'Sustainability has been a way of life in India for centuries. Rightly, the PA recognises that sustainable lifestyles and sustainable patterns of consumption and production with developed-country Parties taking the lead play an important role in addressing climate change,' said India.

India also said that the road towards building the Paris rulebook and guidelines towards it must be inclusive and balanced, with progress on all pillars – adaptation, means of implementation, technology transfer, capacity-building, and loss and damage.

China said that while there had been success at the Marrakech climate conference, there were still some issues awaiting consolidation and perfection. China also said that the pre-2020 issues and finance and capacity-building issues should be given due attention and resolved in 2017 and in future processes. 'Climate change is a serious challenge. Green and low-carbon development is an opportunity for all of us. China is willing to join efforts of all Parties to respond and go along this trend. We have the responsibility of sharing our common destiny. We will be guided by the principle of sustainable and inclusive development and will join efforts to abide by the principles of the PA and contribute to PA implementation to contribute to fair and just global system,' said China.

The European Union was of the view that there was considerable progress on finance in Marrakech, especially towards increasing predictability of climate finance flows to developing countries. It said that it had pledged $81 million for the Adaptation Fund and expressed pleasure on the outcome of work on capacity-building.

Speaking for the Umbrella Group, the US said 111 Parties representing over three-quarters of global emissions had joined the PA and that momentum behind the PA would not be stopped. The US said that markets were responding, financial flows were transforming and business leaders were near-unanimous on shifting to a low-carbon economy.

The US said it was critical to give the Paris rulebook integrity and ambition and underscored the importance of an enhanced transparency framework, guidance for mitigation contribution and the importance of markets. Developed countries had shown they remained committed to deliver. Countries were ready to work together and with other institutions, including development banks and the finance community, said the US. It added that effective climate action was not limited to Parties and that the private sector, businesses, civil society and indigenous peoples would have to drive the shift.

Speaking at the joint plenary session, the COP 22 President Salaheddine Mezouar said that the Marrakech proclamation for action on climate and sustainable development was a sign of commitment of the Parties. Mezouar added that strengthening pre-2020 action was not a choice but the duty of Parties. Mezouar also said that 2017 should be a year for large-scale financial mobilisation and large-scale financing, including for adaptation.

UNFCCC Executive Secretary Patricia Espinosa, who spoke after the COP 22 President, said that great progress had been made at the Marrakech conference on the implementation work of the PA and that she saw greater financial support flowing to developing countries. She said that the Marrakech conference had lined up processes to make the Paris machinery fully operational by 2018. She added that the Marrakech proclamation for action on climate and sustainable development reflected the renewed momentum of action. 'We all need to do more. Countries need to increase ambition and enhance action pre-2020. Companies need to invest in developing countries. Each one has to adjust our lifestyle and consumption pattern,' said Espinosa. ◆

Developing nations seek acceleration of climate action

Speaking on behalf of the developing nations, the special representative of the Group of 77 and China stressed that there can be no enhanced action without enhanced support. Developing countries cannot accelerate climate action without the provision of scaled-up financial resources and technology by the rich countries.

SPEAKING on behalf of the Group of 77 and China, Manasvi Srisodapol, Special Representative of the chair of the G77, told the joint closing plenary of COP 22 in Marrakech that the needs of the developing countries should be given the highest priority for two reasons: they bear the brunt of the increasing adverse effects of climate change, and they are also the least equipped to cope with this problem on their own.

'It is of utmost importance for us to send a clear message to the global community that we must all be part of the global climate solution,' he said at the conclusion of the meeting on 18 November.

'We are pleased that the Marrakech Conference was able to achieve some clarity, and good progress has been made.'

This includes the adoption of the terms of reference and initial work plan for the Paris Committee on Capacity-building (PCCB); the established linkage between the technology mechanism and the financial mechanism; the indicative framework for the five-year rolling work plan of the Executive Committee of the Warsaw International Mechanism for Loss and Damage (WIM); and the conclusion of the Third Comprehensive Review of the implementation of the framework for capacity-building under the Convention and under the Kyoto Protocol.

Nonetheless, he warned, there remain outstanding issues which require further discussion after Marrakech.

The Group has placed a priority on scaling up of finance, in particular adaptation finance.

'There can be no enhanced action without enhanced support. Support enables action and action needs support. Enhanced action needs enhanced support in the provision of scaled-up financial resources, technology and capacity-building. Action must cover both adaptation and mitigation,' the Special Representative declared.

He reiterated that adaptation is a matter of urgency for developing countries whose capacities to carry out actions to cope with the adverse impacts of climate change are limited.

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/16nov.html)

Speaking on behalf of the Group of 77 and China, Manasvi Srisodapol said developing countries bear the brunt of the effects of climate change and are also the least equipped to cope with this problem on their own.

'We therefore urge that progress in implementing the Paris Agreement must reflect balance between adaptation and mitigation.'

He said: 'We came to Marrakech with a challenging task, the challenge of turning agreements into action. COP 22 can indeed be considered a "COP for action".'

The speedy and unprecedented entry into force of the Paris Agreement signals the level of urgency and importance leaders and the international community attach to combating climate change.

'We are here to accelerate climate actions, and this has been underscored by the Marrakech Action Proclamation which we endorsed yesterday and the tireless efforts of the High Level Champions over the past year.'

While the Paris Agreement has entered into force at an unprecedented speed, it is regrettable that the same cannot be said about the Doha Amendment, he noted.

After nearly four years, only 73 parties have deposited their instruments of acceptance to the Doha Amendment. The Group reiterates that the unfinished business of the pre-2020 actions and ambition, which are long overdue, must be urgently addressed.

The Group sees the Kyoto Protocol as a fundamental building block in its post-2020 efforts. 'We urge all Parties that have not done so to ratify the Doha Amendment expeditiously.'

Meanwhile, speaking earlier on behalf of the Group of 77 and China, Surasak Karnjanarat, Minister of Natural Resources and Environment of Thailand, declared that countries of the Group have been the most affected by the adverse impacts of climate change.

'Yet we are taking ambitious measures in line with our capacities. Developed countries must support our endeavours,' he said.

Reiterating the G77 stand, UN Secretary-General Ban Ki-moon called on developed countries to deliver on their pledge to mobilise $100 billion per year by 2020 in support of climate action by developing countries.

The Paris Agreement, which entered into force on 4 November, was years ahead of expectations, Ban said, with 111 countries, accounting for more than 75% of global greenhouse gas emissions, having ratified the agreement.

The Secretary-General applauded the bold leadership shown by many of the world's most vulnerable countries, many of which are in Africa, to strengthen their ambition and to move as quickly as possible toward a 100% clean energy, climate-resilient future.

Karnjanarat said the G77 would like to highlight the implementation phase of the Paris Agreement, as applicable to Parties that ratify the agreement:

First, the delicate balance achieved in Paris must be preserved. It is crucial to ensure transparency, inclusiveness, a Party-driven process, and balance of all issues and across all work plans of subsidiary bodies.

'We must reaffirm the provisions and principles of the Convention, in particular, equity and common but differentiated responsibilities and respective capabilities as reflected in the Paris Agreement.'

Second, there is an urgent need to enhance the pre-2020 ambition, including the expeditious ratification of the Doha Amendment to the Kyoto Protocol to provide a strong basis for post-2020 efforts under the Paris Agreement.

Third, capacity-building support for climate action is critical for developing countries and should be based on and responsive to national needs, foster country ownership, and be participatory and cross-cutting.

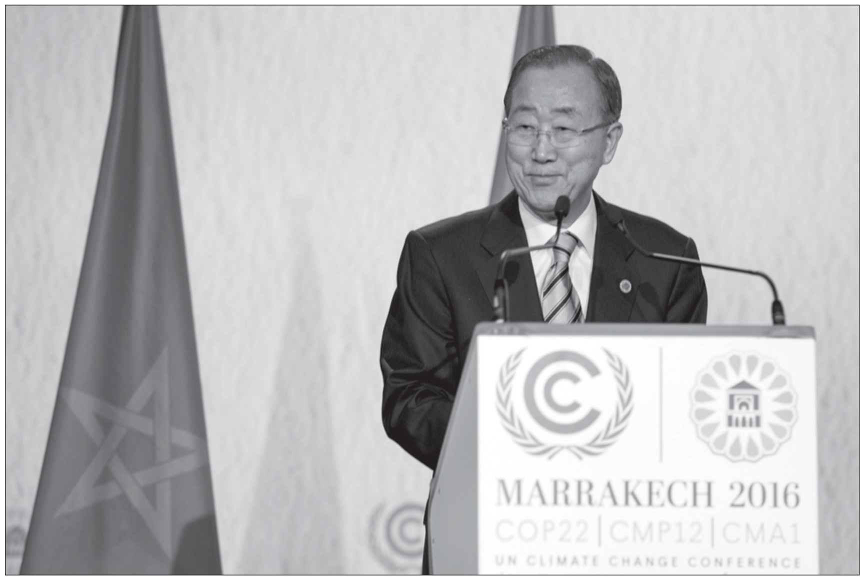

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/15nov.html)

UN Secretary-General Ban Ki-moon said that no country is immune from the impacts of climate change and no country can afford to tackle the climate challenge alone.

Fourth, developing countries require additional, adequate, predictable and sustainable climate financing to transform their economies to climate resilience and low greenhouse gas emissions.

The Group noted the efforts by developed countries for the formulation of a roadmap to achieve the floor of $100 billion per year by 2020.

'We reiterate our call for developed-country Parties to enhance ambition on the provision and mobilisation of support, and to achieve a balance between adaptation and mitigation finance, including by setting a target to quadruple resources allocated to adaptation from public and grant-based sources by 2020.'

Fifth, technology development and transfer is also vital. The technology mechanism needs to be enhanced to support the rapid transfer of technologies from developed countries to developing countries, helping them to innovate and develop their own technologies.

Concrete enhanced actions on technology development and transfer and strengthening of the linkages between the technology mechanism and the financial mechanism are required.

Karnjanarat also pointed out that direct access of all developing-country Parties to the Convention and Paris Agreement to means of implementation, including finance, technology transfer and capacity-building provided by a multilateral supporting mechanism, should be simplified and granted.

'For us, adaptation remains a priority. Developing countries are the least contributors to climate change, however, we are the most affected. In order to increase adaptive capacity and resilience, we require the implementation of guarantees of the Paris Agreement in terms of the means of implementation.'

At the conclusion at COP 22, the Secretary-General said the Marrakech outcome 'powerfully reaffirms continued strong global support for the Paris Agreement on climate change and demonstrates the determination of all governments to implement the agreement as quickly as possible.'

He noted that all countries understand that climate action is essential for their security, economic prosperity and the health and well-being of their citizens.

Global cooperation rooted in strong national action is essential, the Secretary-General said, pointing out that no country, irrespective of its size or strength, is immune from the impacts of climate change, and no country can afford to tackle the climate challenge alone. – *IPS/G77*◆

First meeting of Paris Agreement signatories ends in controversy

At Marrakech, the Parties to the Paris Agreement held their first meeting to determine the actions to be taken to implement the agreement. Unfortunately, while some significant decisions were taken, differences over some issues could not be resolved and will have to be taken up at the 2017 climate conference in Bonn.

Meena Raman

Members of the UNFCCC secretariat meet on the dais before the start of a meeting of the Parties to the Paris Agreement (CMA) in Marrakech. The CMA eventually adopted a decision regarding the implementation of the Agreement in a manner that sparked confusion over its future work.

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/16nov.html)

THE closing plenary of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1) adopted a decision on matters related to the implementation of the Paris Agreement (PA) in a rather unprecedented manner that generated confusion over the future work of the body.

The decision, which was adopted just past midnight in the early morning of 19 November, a day later than the scheduled closure of the meeting in Marrakech, was mired in controversy on the process going forward as regards items under the PA that were not assigned in Paris in 2015 to any of the subsidiary or constituted bodies for further work (referred to as the 'homeless items').

(The PA was adopted by the 21st session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, which was held in Paris in 2015.)

The controversy had already been brewing during the first week of the Marrakech talks (that started on 7 November), when these 'homeless items' were the subject of intense debate in informal consultations under the Ad Hoc Working Group on the Paris Agreement (APA). The 'homeless items' include the following matters:

- common time frames for nationally determined contributions (NDCs) for consideration at CMA 1;
- modalities for the recognition of adaptation efforts of developing-country Parties, for consideration and adoption at CMA 1;
- process for setting a new collective quantified goal on finance; and
- modalities for biennially communicating information relating to the projected levels of public finance by developed countries.

Parties were divided since the very beginning on how to handle these items, with Brazil wanting items such as the common time frames for NDCs and education, training and public awareness to be forwarded to the subsidiary bodies of the Convention on the grounds that these matters were mandated to be dealt with by CMA 1, while other countries in the Like-Minded Developing Countries (LMDC) group wanted all the 'homeless items' to be dealt with comprehensively as a package.

(Common time frames for NDCs relate to the length of the period of a contribution, as currently, Parties have communicated either a 5- or 10-year time frame that expires in 2025 or 2030 from 2020. Brazil has been pushing for a common time frame for all Parties.)

As there was no agreement on the issue, the APA Co-chairs Sarah Baashan (Saudi Arabia) and Jo Tyndall (New Zealand) emphasised that the APA should only identify and bring these possible additional matters to the attention of the Convention's Conference of the Parties (COP) for its consideration and any further action, without prejudice to any action to be taken by the COP.

Consequently, when the APA concluded its work on 14 November, the Moroccan COP presidency continued with informal consultations on the decision to be adopted by the CMA as well as the COP on matters related to the PA, including the 'homeless items'.

Again, no agreement was possible given the divergences between Parties. The decision proposed by the presidency, which was circulated to the CMA plenary for consideration and adoption, was to have the APA continue its consideration of the issues in 2017.

However, when the Moroccan Foreign Minister Salaheddine Mezouar, who was also the CMA 1 President, convened the meeting on late 18 November evening, he singled out two of the 'homeless items' for the consideration of Parties: common time frames for NDCs, and guidance on education, training and public awareness.

Bolivia asked the CMA President for clarification about the proposal he was making, given that it was 'something very new' (and not contained in the draft decision proposed by the President for adoption by the Parties).

To this, Mezouar responded that after considering this matter, Parties could move forward on the adoption of the proposed decision.

Bolivia then asked the CMA President to invite Parties to first consider the draft decision proposed and circulated to Parties before reviewing the items he raised.

The President then invited Parties to adopt the decision proposed, which was then approved by Parties with no objections.

(Paragraph 9 of the decision, which addresses the 'homeless items', requests the APA 'to continue its consideration of possible additional matters relating to the implementation of the PA and the convening of the first session of the CMA'.)

Following the adoption of the decision, the President then invited Parties to consider the issue of the common time frames for NDCs and that of education, training and public awareness, and proposed to send these items to the Convention's Subsidiary Body for Implementation (SBI) for further work and to forward a decision to the CMA.

Bolivia said that it could not support the proposal by the President as it meant that there would be follow-up on a specific issue (common time frames for NDCs) which appeared to be mitigation-centric (as the other 'homeless items' dealt mainly with finance-related matters, adaptation and response measures). It also said that there was a need for a comprehensive and holistic approach on all the 'homeless items' in a single package, and that just singling out a particular issue was 'breaking the delicate balance' as regards all the issues. Bolivia said it wanted to see a balanced approach on all the remaining issues and wanted this matter discussed at the next meeting of the APA.

Brazil did not agree with Bolivia and said that the two issues raised by the President were supposed to be dealt with by CMA 1 as mentioned in the PA. It asked Bolivia to reconsider its decision. (The PA does refer to the two issues for the consideration of the first CMA while all of the other issues except the item on adaptation efforts have no time frame specified from the decision in Paris.)

Seeking clarification, Bolivia said that Parties had already taken a decision on the matter and asked why, after they had done so, specific issues were being raised by Parties. It said this was setting a bad precedent. It added that the particular interest of Parties could be considered later (in 2017) in one single decision in a comprehensive manner.

Costa Rica, the United States, Mali, the European Union, the Democratic Republic of Congo and the Maldives supported Brazil and the proposal by the President.

India supported Bolivia, saying that a common understanding was needed, and called for a balanced and inclusive approach. It said paragraph 9 of the CMA decision (that had just been adopted) captured the views of all Parties and was accepted in the spirit of compromise. It said that it was best to stick to the decision without singling out any specific topic for further work.

At this juncture, the CMA President called for a short break for Parties to consult, which took longer than expected. When the President reconvened the meeting, he said that after consultations, there was no possibility to reach an agreement at this point, proposing that Parties move forward.

Brazil continued to persist in its demand and asked Parties to consider forwarding the two issues to the SBI's next session.

On the sidelines, as the plenary meeting continued, countries from the BASIC group (Brazil, South Africa, India and China) were seen engaged in a huddle in intense talks.

South Africa then raised its flag and spoke on behalf of BASIC, saying that it wanted first to register its concern regarding the way the pre-2020 issues (climate actions in the pre-2020 time frame) were dealt with, as pre-2020 actions form a good basis for the implementation of the PA (climate actions in the post-2020 period). It added further that it was concerned that the pre-2020 matters had not received good attention, and went on to say that it could go along with the President's proposal (of forwarding the two issues for the consideration of the SBI). It stressed that it was the understanding of BASIC that at the next session, Parties would give equal attention to both pre-2020 and post-2020 issues.

The CMA 1 President then proposed to send the two items to the SBI for its consideration at its 47th session, and this was gavelled with the approval of Parties.

(Several Parties and observers alike were confused as to how the proposal by the President was going to be reflected when the decision that had been adopted reflected a different approach.)

The CMA meeting was then suspended to allow for the resumption of the 22nd session of the COP (COP 22) for the adoption of a decision related to 'preparations for the entry into force of the PA and the first session of the CMA'.

The COP President then invited Parties to consider and adopt the decision contained in FCCC/CP/2016/L.12, and this was accordingly adopted.

Following the adoption of the decision, several Parties took the floor.

The Democratic Republic of Congo, speaking for the least developed countries (LDCs), said that its understanding was that when the CMA resumes in 2017 to review the progress of work, it could take decisions (and not just take stock of the progress of work, as understood by a large number of Parties).

China supported the statement by South Africa on behalf of BASIC, and emphasised that the pre-2020 enhanced actions did not attract sufficient attention and this needed to be addressed at the intersessional meeting in Bonn in May 2017.

Bolivia, speaking for the LMDC, said that it was puzzled by the decisions adopted and that the Marrakech Action Proclamation for Our Climate and Sustainable Development did not find reflection in the decisions adopted. (See the article 'Marrakech proclamation affirms continuing fight against climate change and for sustainable development' in this issue.)

Bolivia said that developing countries took the lead in ratifying the PA and expected more action from the developed countries in the pre-2020 period to reflect the urgency needed for the post-2020 mandate.

It referred to section IV of the Paris decision in 1/CP.21 and the 2013 Warsaw COP decisions (under 1/CP.19, paragraphs 3 and 4 that relate to the implementation of commitments under the Bali Action Plan and the Kyoto Protocol) that it said 'defined precisely the actions sought by all Parties'. Bolivia further said that 'it was incumbent upon Parties in Marrakech to give momentum to our collective desire, to take these decisions forward and take them to their logical conclusion'.

Bolivia also stressed that the outcome of the 2016 facilitative dialogue on enhancing ambition and support (that was conducted in Marrakech) should be followed up and linked to the 2018 facilitative dialogue.

In relation to the decision regarding the ICAO, Venezuela expressed its reservations and said that the rules of the Convention needed to be respected, stressing that the ICAO needed to support developing countries in providing the means of implementation for undertaking actions.

India supported Venezuela in this regard and also expressed its reservation, stressing the need for coherence between the ICAO, the Convention and the PA. ◆

After protracted negotiations, a key decision on long-term finance

Once again, finance proved to be a thorny issue and a vital decision on long-term finance was taken only after some difficult negotiations.

T Ajit and Meena Raman

PARTIES to the UN Framework Convention on Climate Change (UNFCCC) adopted a key decision on long-term climate finance (LTF) on the final day of the Marrakech climate talks on 18 November, after much wrangling on some key issues.

Arriving at the decision was apparently difficult as there were major divergences between developed and developing countries on some of the key issues as regards climate finance.

Sources revealed that the most contentious issues included the 'Roadmap to US$100 billion' report, scaling up climate finance, adaptation finance, the measuring, reporting and verification (MRV) of support, and the referencing of Article 9 of the Paris Agreement in the preamble of the LTF decision.

'Roadmap to US$100 billion' was an un-mandated report launched by the United Kingdom and Australia on behalf of the developed countries just ahead of the Marrakech talks. It claimed that $62 billion was mobilised in 2014 by developed countries and that, based on an analysis by the Organisation for Economic Cooperation and Development (OECD), 'pledges made in 2015 alone will boost public finance from an average of US$41 billion over 2013-14 to US$67 billion in 2020 – an increase of US$26 billion'.

This report was used by developed countries to assert their claim that they are on target to meeting the goal of $100 billion per year by 2020 that was agreed to at the climate talks in 2010 in Cancun, Mexico.

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/17nov.html)

A civil society demonstration in Marrakech calling for more financial resources to address climate change. There were major divergences between developed and developing countries at the conference on key climate finance issues.

As expected, developing countries, led by the Philippines representing the G77 and China, did not want to lend legitimacy to the 'Roadmap' as it was not mandated by the UNFCCC.

Instead, they preferred to rely on the work of the UNFCCC's Standing Committee on Finance (SCF), which submitted a report to COP 22 that included a 'Summary and recommendations ... on the 2016 biennial assessment and overview of climate finance flows', as mandated by the COP.

The biennial assessment (BA) highlighted that the flow of public finance from developed to developing countries as reported in the biennial reports of developed countries was $25.4 billion in 2013 and $26.6 billion in 2014.

When the Marrakech talks began on 7 November, the COP agreed that a contact group be established on LTF, which was co-chaired by Georg Borsting (Norway) and Andres Mogro (Ecuador).

During the informal consultations held under the contact group, several iterations of the draft text were hammered out until the last day of the COP, which was mainly conducted behind closed doors, not open to observers.

A bracketed text (indicating lack of consensus) was finally forwarded by the co-facilitators of the contact group to the COP 22 presidency on the final day of the climate talks, following which the presidency offered a bridging proposal.

Parties worked on the bridging proposal in an informal setting and that is how a decision on LTF got adopted on 18 November.

Following are the highlights from the LTF decision around the contentious issues.

$100 billion 'Roadmap'

In paragraph 2 of the decision adopted, the text reads: 'Welcomes with appreciation the submission made by developed country Parties in response to decision 1/CP.21, paragraph 114, and takes note of the information contained therein'.

(Paragraph 114 of the COP 21 decision 1/CP.21 refers to the call to developed countries 'to scale up their level of financial support, with a concrete roadmap to achieve the goal of jointly providing US$100 billion annually by 2020 for mitigation and adaptation while significantly increasing adaptation finance from current levels and to further provide appropriate technology and capacity-building support'.)

According to sources, developing countries led by the G77 and China were against an explicit reference in paragraph 2 of the decision to the developed countries' 'Roadmap to US$100 billion' and wanted to only 'take note' of it and not welcome it.

On the other hand, developed countries led by the European Union and the United States wanted to 'welcome' the report 'with appreciation' and insisted that this was a red line for them. For the G77 and China, the words proposed by the developed countries were viewed as being 'too strong', as it would lend credence to the 'Roadmap'.

It was learned that during the closed-door negotiations, the US said it found it 'mind-boggling' that some Parties had suggested deleting the reference to the 'Roadmap'.

The final compromise was the use of the term 'the submission made by developed country Parties', which is an implicit reference to the 'Roadmap'.

(According to several developing-country negotiators and observers, there are serious issues in the 'Roadmap' as to what is regarded as 'climate finance' and there were significant questions about the accounting methodology involved in the analysis that is the basis for the report.)

Sources also revealed that developed countries led by the US insisted that long-term climate finance was about pre-2020 climate finance (and not about the post-2020 time frame which is covered by the Paris Agreement).

According to a seasoned negotiator from a developing country, the US contention was that LTF would end in 2020. 'If it is long-term climate finance, how can it end in the pre-2020 period?' questioned the negotiator.

MRV of support

According to observers, developing countries achieved some success in deleting references in the adopted decision to any figures on what may be regarded as climate finance flows from developed to developing countries.

Paragraph 1 of the decision noted 'with appreciation the 2016 biennial assessment and overview of climate finance flows of the Standing Committee on Finance, in particular its key findings and recommendations, highlighting the increase of climate finance flows from developed country Parties to developing country Parties'.

In an earlier version of the draft decision, the section on MRV of support had read as follows: 'Notes with appreciation the 2016 biennial assessment and overview of climate finance flows of the Standing Committee of Finance, in particular its key findings and recommendations, underlining the need to improve reporting guidelines taking into account the challenges and limitations identified in the report and the importance of addressing methodological issues of tracking finance flows and for the reporting on finance provided to developing country Parties and the finding that global climate finance flows continued to increase, including flows mobilised from developed to developing countries reaching US$53 billion in 2013 and US$61 billion in 2014.'

According to sources, deleting the numbers was important for developing countries because of the limitations and challenges mentioned in the 2016 BA.

The BA mentioned that challenges were encountered in 'collecting, aggregating and analysing information from diverse sources'. Other challenges highlighted included 'the limited clarity with regard to the use of different definitions of climate finance [which] limits comparability of data; there were uncertainties associated with each source of data', including 'uncertainties' related to data on 'domestic public investments' and 'lack of procedures and data to determine private climate finance'.

Given these uncertainties and challenges, it was hard for many developing countries to accept the figures on the finance flows from developed to developing countries.

Scaling up climate finance

As regards the scaling up of climate finance, paragraph 3 of the decision adopted reads: 'Welcomes the progress by developed country Parties towards reaching the goal of jointly mobilising US$100 billion annually by 2020, … and urges developed country Parties to continue to scale up mobilised climate finance towards this goal'.

According to sources, negotiations on this issue were quite intense as developed countries, with the US and Switzerland in the lead, wanted everything on 'scaling up' deleted, especially as regards long-term finance beyond 2020.

In a previous version of the draft decision, the text on 'scaling up' was much longer and read as follows: 'Acknowledging that developed country Parties should continue to take the lead in providing and mobilising climate finance from a wide variety of sources, recognising the important role thereof, taking into account the needs and priorities of developing countries, and further confirming that those efforts should represent a progression beyond previous efforts, … urges developed country Parties to scale up their provision of financial support to developing country Parties in line with the latter's increasing needs and priorities identified in a country-driven manner, including enhancing their national efforts within the global action to tackle climate change as identified in the nationally determined contributions (NDCs), where they exist.'

(NDCs refer to climate actions in the post-2020 time frame under the Paris Agreement.)

Clearly, the final compromise reached does not refer to the scaling up of climate finance beyond 2020 but is limited to the $100 billion annually by 2020.

Adaptation finance

On adaptation finance, paragraph 5 of the decision adopted reads as follows:

'Urges developed country Parties to continue their efforts to channel a substantial share of public climate funds to adaptation activities and to strive to achieve a greater balance between finance for mitigation and for adaptation, recognising the importance of adaptation finance'.

Paragraph 6 of the decision notes 'with appreciation the summary report on the 2016 in-session workshop on long-term climate finance, which focused on the issues of adaptation finance, needs for support to developing country Parties, and cooperation on enhanced enabling environments and support for readiness activities'.

(During COP 22, a workshop on LTF focused on adaptation finance.)

Paragraph 7 of the decision also notes 'the increase in adaptation finance to date as identified in the 2016 biennial assessment and overview of climate finance flows, and the need to continue efforts to significantly scale up adaptation finance, while stressing the need to strive for a greater balance between adaptation and mitigation finance, and invites Parties and relevant institutions to consider the key messages from the in-session workshop referred to in paragraph 6 above, including that:

(a) Country-driven processes for the assessment of adaptation needs in developing countries are fundamental for scaling up adaptation finance;

(b) The nationally determined contributions and adaptation communications could constitute a good opportunity for supporting the scaling up of adaptation finance;

(c) The role of the private sector in adaptation finance needs to be further enhanced;

(d) Access to adaptation finance remains a challenge, particularly for small-island developing States and the least developed countries;

(e) Better information needs to be generated for more efficient planning, including through enhanced tracking of adaptation flows;

(f) Strengthening national public financing management systems is vital to support countries to effectively manage, track and monitor climate finance;

(g) Maximising the effectiveness of adaptation finance is important in ensuring that limited financial resources achieve the greatest possible impact'.

According to sources, in relation to adaptation finance, the paragraphs above were agreed to 'after a lot of struggle'.

It was learned that the G77 and China had a proposal to quadruple financing based on the SCF's BA, but the proposal did not fly in the negotiations.

(According to the BA, mitigation-focused finance represented more than 70% of the public finance, and adaptation finance provided to developing countries only accounted for about 25% of the total finance.)

Reference to Article 9 of the Paris Agreement

According to sources, the G77 and China wanted to include in the preamble to the decision a reference to Article 9 of the Paris Agreement, which, among other matters, reaffirms the legal obligation of developed countries to provide financial resources to developing countries.

Developed countries, it seems, refused to entertain any proposal on recalling Article 9, and a compromise was reached.

Instead of Article 9 being referenced explicitly, there is reference to decision 1/CP.21, which is the COP decision adopted in Paris to which the Agreement is annexed.

The preamble of the decision adopted reads: 'The Conference of the Parties, … Recalling Articles 4 and 11 of the Convention, Also recalling decision 1/CP.16, … 1/CP.21 …'.

In-session workshops for 2017 and 2018

The decision adopted also spells out themes for in-session workshops in 2017 and 2018 as follows.

Paragraph 12 reads: 'Decides that the in-session workshops on long-term climate finance in 2017 and 2018 will, with a view to scaling up climate finance for mitigation and adaptation, focus on experiences and lessons learned from:

(a) Articulating and translating needs identified in country-driven processes into projects and programmes;

(b) Roles of policies and enabling environments for mitigation and adaptation finance;

(c) Facilitating enhanced access'.

Paragraph 13 states: 'Requests the secretariat to organise the in-session workshops referred to in paragraph 12 above and to prepare summary reports on these workshops for consideration by the Conference of the Parties'.

A developing-country negotiator explained that the phrase 'for consideration by the Conference of the Parties' in paragraph 13 is important in that the COP will need to consider the reports of the workshops and take a decision, which is different from just noting that an in-session workshop took place.

Besides the decision on LTF, COP 22 also adopted other key decisions on finance relating to: the report of the SCF; terms of reference for review of the functions of the SCF; report of the Green Climate Fund (GCF) to the COP and guidance to the GCF; and report of the Global Environment Facility (GEF) to the COP and guidance to the GEF. ◆

Paris Agreement body agrees on draft work plan for 2017

At Marrakech, the task of outlining the work to be done in 2017 to implement the Paris treaty was undertaken by an ad hoc working group. The following article reports on the debate and adoption of the draft conclusions of this working group.

T Ajit and Meena Raman

Co-Chairs of the Ad Hoc Working Group on the Paris Agreement, Sarah Baashan *(left)* and Jo Tyndall.

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/17nov.html)

THE UNFCCC's Ad Hoc Working Group on the Paris Agreement (APA) convened its closing plenary in Marrakech on 14 November, where Parties adopted the draft conclusions proposed by Co-Chairs Sarah Baashan (Saudi Arabia) and Jo Tyndall (New Zealand).

The draft conclusions, which went through several iterations after the APA Co-Chairs presented them to the Parties on 11 November, outline the work to be carried forth in 2017 under each of the agenda items.

Since the Marrakech climate talks began on 7 November, the APA had conducted several informal consultations on various agenda items such as guidance on features, information and accounting of nationally determined contributions (NDCs); guidance related to the adaptation communications; modalities, procedures and guidelines for the transparency framework for action and support; matters relating to the global stocktake; modalities and procedures for the effective operation of the committee to facilitate implementation and promote compliance; and further matters related to the implementation of the Paris Agreement (PA).

With respect to further guidance on NDCs, the APA 'invited Parties to submit, by 1 April 2017, their views on issues discussed under this agenda item, taking into consideration the questions identified by Parties'. It was also decided that a 'roundtable' on the issue would take place on 6 May 2017.

On adaptation communications, the APA requested the secretariat to prepare an information note on the vehicles for the communications, invited Parties to submit further views, and requested a workshop to be organised on 6 May 2017.

On transparency of action and support, the APA listed four questions and invited submissions from Parties. The four questions were around the modalities, procedures and guidelines on the transparency framework; building on existing arrangements; flexibility for developing countries; and other elements to be considered. It was also agreed that an intersession workshop would be convened prior to the May 2017 session of the climate talks to be held in Bonn, Germany.

On matters related to the global stocktake to assess the collective progress of Parties on the implementation of the PA, the APA welcomed the advice of the Subsidiary Body for Scientific and Technological Advice (SBSTA) on 'how the assessments of the Intergovernmental Panel on Climate Change can inform the global stocktake', and invited Parties to submit their views on issues discussed under the agenda item.

On facilitating implementation and promoting compliance, the APA invited Parties to submit their views and proposals, among others, on modalities and procedures for the effective operation of the compliance committee.

On further matters related to the implementation of the PA, the APA 'noted that during the session it had constructive and rich discussions on all issues under this agenda item, including substantive discussions on the Adaptation Fund that were launched at this session. One group of Parties presented a draft decision, with a view to the Adaptation Fund serving the Paris Agreement, for adoption by CMA 1 [Conference of the Parties serving as the meeting of the Parties to the Paris Agreement]. However, other Parties were of the view that such a decision would be premature.'

(During the course of the week, developed countries were against the Adaptation Fund serving the Paris Agreement.)

The G77 and China had on 12 November presented a draft decision for the consideration of Parties during the informal consultations, but developed countries described the proposed decision as 'problematic'. The G77 requested the APA Co-Chairs to reflect the proposed text in their report to the COP, which was done by the Co-Chairs.

The G77 in their proposed draft decision had recommended that 'the Adaptation Fund in accordance with decision 1/CP.21 [taken in Paris in 2015] shall also serve the PA, on interim basis, and requests the Adaptation Fund board to take the necessary actions as appropriate'. It also called for a decision to mandate the Subsidiary Body for Implementation to further discuss legal and institutional issues related to expanding the mandate of the Adaptation Fund to serve the PA, based on proposals to be provided by the Parties and a technical paper to be prepared by the Secretariat with a view to providing recommendations to the CMP (the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol) and CMA for their consideration. It also requested the Secretariat to take the necessary action for the implementation of the decision, in preparation for the first meeting of the CMA consideration of the issue.

According to the draft conclusions adopted by the APA, 'For all items on the APA agenda where there is a call for the submission of views from Parties taking into consideration guiding questions, the APA emphasised that the questions in no way restrict Parties from making submissions on any aspect of the issues on the APA agenda.'

The hour-long APA closing plenary also saw groups of Parties stressing on the future work of the APA in their interventions.

Speaking for the G77 and China, Thailand said that with the unprecedented speed at which the PA had entered into force, the APA could show that the work is progressing by preserving the delicate balance of the PA on all the issues. NDCs are the key vehicles to deliver climate action on mitigation, adaptation and means of implementation.

Thailand said that it welcomed the further guidance on NDCs, and supported the proposal to hold a roundtable and call for submissions. It underscored that any guidelines should be developed in a flexible manner to accommodate the capacity of developing countries and taking into account the nature of their NDCs.

On adaptation communications, Thailand stressed on the purpose, linkages and flexibility for developing countries and said that progress had been captured in the table proposed by the co-facilitators of the informal consultations and that it would be the basis for future work. It underscored that there was a need for advanced understanding on the adaptation communications and their common elements. It also added that developing countries need flexibility and have different circumstances. The G77 also stressed that adaptation communications should not become a burden for developing countries.

Thailand reiterated that while balanced progress across all items did not mean equal progress, both the halves of the transparency framework (on action and support) must progress together.

On matters relating to the global stocktake, Thailand said that it looked forward to reaching a common understanding on the issue.

On facilitating implementation and promoting compliance, Thailand said that the guiding questions by the co-facilitators will help Parties put their views in relation to the compliance mechanism.

Thailand stressed that adaptation funding was essential for increasing efforts to cope with climate change and expressed concerns that the preparatory work for the Adaptation Fund to serve the PA was delayed. Thailand hoped that further efforts would allow Parties to work on the item.

The G77 also reiterated the importance of accelerating implementation of climate action in the pre-2020 period and the ratification of the Doha Amendment to the Kyoto Protocol, and called on developed countries to close the ambition gap.

The Maldives, speaking for the Alliance of Small Island States (AOSIS), said that there was too much to accomplish with very little time left. It said that it would be critical to ensure that guidance on features, information and accounting of NDCs helped Parties to limit global temperature increase to 1.5°C. The Maldives underscored the need for simplified procedures to help the small island developing states (SIDS) and the least developed countries (LDCs) to access their fair share of the 'much-needed resources'. It added that there was a need for a serious discussion on how the Adaptation Fund could serve the PA.

The Democratic Republic of Congo spoke for the LDCs and highlighted the importance of advancing work, particularly in the context of entry into force of the PA. It called on Parties to work diligently on building on the Convention and moving beyond the conceptual stage of discussions and bring the PA to life.

Welcoming the conclusions adopted, Bolivia, speaking for the Like-Minded Developing Countries (LMDC) group, said that work ahead needs to be done in a balanced manner that reflects the principle of common but differentiated responsibilities (CBDR) and the interests of the global community under the Convention. It stressed that the scope of the NDCs and reflection of differentiation was fundamental and significant. It said that the full scope of the NDCs and different sets of guidance for developed and developing countries were appropriately addressed in accordance with the provisions of the Convention and its PA.

On adaptation communications, Bolivia underscored the need to reflect flexibility for developing countries and highlighted the importance of support for adaptation.

On transparency, Bolivia said it would be important to operationalise differentiated approaches consistent with differentiated obligations under the Convention and the PA. Operationalising flexibility for developing countries should be a priority to be dealt with at the next session, added Bolivia.

The LMDC looked forward to ensuring that the global stocktake was a comprehensive and balanced process to assess how the differentiated obligations of Parties had allowed them to progress and the gaps that need to be addressed under the Convention and its PA.

Bolivia also stressed on the facilitative, non-adversarial and non-punitive nature of the compliance mechanism and said that the mechanism should cover the full scope of the PA.

Speaking for the Africa Group, Mali said work on features, information and accounting of NDCs should take into account the diversity of NDCs and that the guidance should provide for credible transparency arrangements. Mali said that roundtables, workshops and focused submissions were a good basis for the work moving forward. Mali also reminded Parties of the critical importance of pre-2020 ambition and called on developed-country Parties to show leadership and fulfil their obligations under the Convention and the Kyoto Protocol.

Saudi Arabia, speaking for the Arab Group, said that work had progressed with full participation, inclusiveness and transparency. It said that future work should be balanced and cover all the items of the PA and the COP 21 decision (1/CP.21). With reference to the guiding questions and summaries produced by the informal consultations, Saudi Arabia said that those were simply questions and summaries that could be used in the preparation of work, but that they did not limit Parties to submit papers clarifying their views further.

The European Union called on Parties to show urgency and to keep the political balance achieved and to stick to the outcomes of Paris.

Switzerland, speaking for the Environment Integrity Group (EIG), said while it was glad to see progress made on the agenda items, it was concerned that some Parties reiterated their pre-Paris positions. Switzerland called on Parties to keep to the delicate balance achieved in Paris and said that backsliding from the compromise would slow down the momentum. It said that operationalisation of the PA was one of the most important tasks after Paris and said that they would like to work for a full two weeks during the intersession and the COP in 2017.

Australia, speaking for the Umbrella Group, expressed concern on the slow pace of work and expressed support for the approach going forward by scheduling round-tables and workshops in 2017. ◆

COVER

Divergences arise over understanding of Paris Agreement

More than anything, it was discord over what had been agreed at Paris that stood in the way of a full consensus at Marrakech. *Meena Raman* explains.

ON the second day of informal consultations held on 9 November in Marrakech under the UNFCCC's Ad Hoc Working Group on the Paris Agreement (APA), divergences emerged on how Parties understand and interpret the Paris Agreement (PA).

While Parties from both sides of the divide insisted that the PA should not be renegotiated as it was 'delicately balanced', they differed in their understanding of the PA.

The divergences were most apparent in the informal consultations in relation to guidance over nationally determined contributions (NDCs) in discussing their features, information and accounting, with differences over what the focus should be and on how to address the issue of differentiation between developed and developing countries in the guidance.

Developed countries and some developing countries were of the view that the focus of the work on 'further guidance in relation to the mitigation section' of the Paris decision (referred to as decision 1/CP.21) should be confined only to the aspect of mitigation and not the full scope of NDCs as referred to in Article 3 of the PA.

(Article 3 reads: 'As nationally determined contributions to the global response to climate change, all Parties are to undertake and communicate ambitious efforts as defined in Articles 4, 7, 9, 10, 11 and 13 with the view to achieving the purpose of this Agreement as set out in Article 2…' Article 4 includes the mitigation component, Article 7 refers to adaptation, Article 9 to finance, Article 10 to technology transfer, Article 11 to capacity-building and Article 13 refers to transparency of action and support.

(Article 4.2 provides that 'Each Party shall prepare, communicate and maintain successive nationally determined contributions that it intends to achieve. Parties shall pursue domestic mitigation measures, with the aim of achieving the objectives of such contributions.')

Several developing countries, led by the Like-Minded Developing Countries (LMDC) group, the African Group and the Arab Group, strongly emphasised that NDCs included not only the mitigation component but the 'full scope'. In contrast, developed countries and some developing countries insisted that NDCs referred only to 'mitigation'.

Some developed countries like the United States said that the issues of adaptation and finance were being dealt with under other agenda items and that the mitigation issue needed focus, or there would be imbalance in the work of the APA.

This brought strong reactions from the LMDC, which insisted that the whole scope of the NDCs must be discussed and that it could not agree to advancing any technical work if this was not the case.

The session was co-facilitated by Sin Liang Cheah (Singapore) and Gertraud Wollansky (Austria). Following the exchanges, Wollansky said there was agreement that Parties must respect the PA and the 'national determination' character of the contribution. She added that while Parties had divergent views on the features of NDCs, there was agreement that the features were rooted in the PA. Hence, she concluded that there was some common ground in this regard.

China, speaking for the LMDC, said that the 'feature' of NDCs meant what Parties' NDCs would look like, and Article 3 of the PA had identified what NDCs were and how Parties were differentiated. While some Parties held that Article 4 related to mitigation only, this must be read together with Article 3, China said, stressing that there was a delicate balance agreed to in Paris in this regard. Therefore, the guidance on features must include the nationally determined character of the NDCs and its full scope as contained in Article 3, with the application of differentiation. NDCs must therefore be comprehensive, it added.

NDCs were not only about mitigation and also had other components, said China. In response to Parties which said that the other components were being dealt with under other agenda items, China said it did not find any space where this was being discussed.

On the issue of information, it asked what information related to technology transfer and capacity-building. It said that while Parties talked of accounting related to mitigation, there was no space to talk about accounting in relation to technology transfer and capacity-building.

It stressed that the discussion could not be mitigation-centric with no differentiation, and that Articles 3 and 4 must be discussed collectively and in a balanced way. China said that it was reluctant to engage in technical work if the approach was mitigation-centric.

China said further that the guidance must be useful and practical without placing a burden on developing countries. On the issue of whether NDCs should be quantifiable or quantified, China said qualitative NDCs were more feasible for developing countries as data was not the only parameter to evaluate ambition.

Saudi Arabia, speaking for the Arab Group, emphasised that the PA provided concrete guidance on the features and the task of Parties was simply to collect and compile them. It said that national determination was a feature of NDCs and that further guidance should not dictate the national determination character, stressing that NDCs included the full scope and not just the mitigation aspect, as reflected under Article 3. It said the features should reflect differentiation and the different national circumstances of developed and developing countries.

Responding to Parties which insisted that the mitigation component of NDCs must be quantified and be quantifiable, Saudi Arabia said there was no requirement for such quantification in the PA. It said that this did not mean it was against progression or ambition but that developing countries had lots of uncertainties in their future economic and social development prospects and had to address poverty eradication. Hence, developing countries needed the flexibility as to whether to have quantitative information in their NDCs.

Similar views were expressed by Bolivia, Kuwait, Iran and Algeria.

Diversity

Kenya, speaking for the African Group, said that NDCs contained other elements besides mitigation, including adaptation and the means of implementation. It said that there was a diversity of NDCs and the guidance should provide clarity, transparency and understanding. The issues of features and information were linked and Parties needed to elaborate this in relation to the mitigation component of the NDCs under Article 4.

South Africa said that the characteristics of the mitigation component of the NDCs were defined by Article 4, which did not cover the other features referred to in Article 3. It added that features of NDCs were not limited to mitigation alone.

India said since Parties were working under the PA mandate, each and every element was important, including adaptation, mitigation, finance, technology transfer, capacity-building and transparency, which was based on differentiation. The PA was under the Convention and Article 2 of the PA highlighted the importance of implementing the Agreement to reflect equity and common but differentiated responsibilities and respective capabilities (CBDRRC). India said this could not be swept under the carpet but that the discussions must be informed by this.

Under Article 4.1, India said, mitigation actions were to be undertaken on the basis of equity and in the context of sustainable development and efforts to eradicate poverty. It stressed that what was provided for under the PA must be implanted as Parties evolved the modalities.

It added that different sets of guidelines were necessary for developed and developing countries, and the guidance should have some features of flexibility for developing countries and respect the country-driven nature of the NDCs.

In developing the guidance, India said, there could not be a selective reading of what were essential elements. Under Article 3, information on support was crucial and if the means of implementation were divorced from the national determination of contributions, this would be a set-up for failure in the implementation of the NDCs.

Argentina said that the scope of NDCs was reflected in Article 3 and that the main feature of the NDCs was their national determination character. It said that Article 4 referred to the mitigation component. It also said that further guidance on the features should not undermine the nationally determined character, and that it would be helpful to identify specific information in relation to the different types of NDCs, address their diversity and reflect differentiation.

Brazil said that Parties should stay away from discussion on the scope of NDCs, stressing that NDCs were not only about mitigation. It however felt that the other aspects of the NDCs were being dealt with under other agenda items. It said that there was no agreement on what the features were as there was no reference to features in the PA. In the absence of any such reference, Brazil feared that discussions could reopen the negotiations held in Paris about whether NDCs should be unconditional or conditional, a matter it felt had been settled in Paris. It said the guidance was for the preparation of future NDCs and what kind of information was needed from Parties for clarity, transparency and understanding.

Saint Lucia, speaking for the Caribbean Community (CARICOM), said that the guidance called for related to mitigation only and Parties did need the guidance. It stressed the common elements of information relating to coverage of gases and sectors, quantifiability, timeframes etc. and that common information was needed.

Ethiopia, speaking for the least developed countries, said that there needed to be clear information relating to emission reductions.

Bangladesh said that Parties were supposed to discuss the aspect of mitigation and should not get into Article 3, and that the relevant articles of Article 4 dealt with how to address differentiation. Since NDCs were nationally determined, it was up to Parties to decide how they fulfilled their obligations.

Colombia said that NDCs were nationally determined and that the scope of the discussion had to be narrow to discuss the features relating to mitigation.

The United States said that there was fundamental disagreement on the scope of NDCs and differentiation. It said that Article 4 was clearly about mitigation and that raising 'political issues' would not allow Parties to move to the technical work. It added that the element of mitigation must be discussed as adaptation and finance were being discussed under other agenda items. It said further that there would be a fundamental imbalance in the work if mitigation was not the focus.

The US added that differentiation had been carefully negotiated in Paris and it was not going to revisit that. It said that the information relating to mitigation had to be understandable.

Switzerland said Parties did not have a common understanding of the features. It said that NDCs should be quantifiable without support and cover all sectors (referring to the mitigation aspect). On the scope, it said that while there were interlinkages between action and support, it did not make sense to look at support every time action was looked at.

Norway said that features were the common characteristics of NDCs and this was reflected under Article 4.

Canada said Parties should not renegotiate the delicate balance achieved in Paris and should be cautious and recognise the concessions made.

Japan said that NDCs needed to be quantifiable and comparable, and those Parties which had conditionalities must also include unconditional NDCs.

The European Union said the discussion had to be about the mitigation contribution, and to clarify what the features and accompanying information were.

Saying that it had heard the concerns of Parties, New Zealand recalled that there had been no agreement in Paris over what the features of NDCs could look like under the PA, but the decision referred to this and Parties were now trying to agree on what the features could look like. It suggested looking at what 'as appropriate' meant (in relation to the information referred to in paragraph 27 of decision 1/CP.21).

Australia said that Article 4 referred to the mitigation section of the PA and stressed the importance of quantifiability of the mitigation contributions. ◆

COVER

High-level call to fulfil $100-billion-a-year promise for climate actions

The need for developed-country Parties to fulfil the provision of $100 billion annually by 2020 was stressed by all the guests of honour at the opening of the traditional high-level segment of the Marrakech climate talks.

Hilary Chiew and Zhenyan Zhu

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/15nov.html)

Opening the high-level segment of the Marrakech talks, King Muhammad VI of Morocco urged all Parties to translate their commitment of solidarity in the fight against climate change into action.

OFFICIATING the opening of the three-day segment on 15 November at COP 22, King Muhammad VI of Morocco urged all Parties to translate their commitment of solidarity in the fight against climate change into action and called upon advanced developed countries to honour their commitment in mobilising $100 billion by 2020.

French President Francois Hollande assured 'those hesitating' that most developed countries will do their utmost to mobilise the $100 billion by 2020 and that France will contribute $5 billion per year by 2020, including $1 billion for adaptation.

United Nations Secretary-General Ban Ki-moon said the UN must continue to advance the moral case and called on developed countries to mobilise the promised $100 billion.

UN General Assembly President Peter Thomson emphasised that provision of finance was an important milestone in the Paris Agreement, and it is crucial that developed countries scale up their commitment.

In light of the recent United States election which will see climate change sceptic Donald Trump occupying the White House, Hollande said: 'The United States as the second largest greenhouse gas emitter must respect the commitment they have undertaken... France can assure you that it will lead this dialogue with the US and its president in openness and respect but with demand and determination on behalf of the 100 states that had ratified the Paris Agreement.'

As of 15 November, 110 Parties have ratified the Paris Agreement, which entered into force on 4 November, ahead of COP 22 that began on 7 November.

The high-level segment opening ceremony was preceded by the opening of the first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1). Shortly after declaring the CMA 1 open, COP President Salaheddine Mezouar, who is also the Foreign Minister of Morocco, adjourned the meeting to make way for the high-level segment.

Earlier, King Muhammad VI had welcomed more than 100 heads of state and government and ministers on the red carpet as they entered the convention centre.

King Muhammad VI, in his speech, said the whole of mankind is pinning its hope on resolution to the climate crisis, and priority must be given to tackling the adverse repercussions of climate change growing worse for countries in the South and island states.

He said there are major differences among states and regions, noting that the priorities of advanced nations are not the same as those of developing countries, and there are major gaps in terms of resources.

'The era of colonisation is over. It is our joint duty to work hand in hand. Developing countries must not be pressured to accept decisions that they cannot comply with ... they do not have the necessary means to implement. Wait-and-see attitude and negligence will lead to dire consequences,' he stressed.

King Muhammad VI urged all Parties, 'in the name of our shared destiny, … to work to translate our commitment of solidarity into actions by providing countries in the South, especially the least developed countries and small island countries, with urgent finance and technology support to enable them to adapt to climate change'.

He called on advanced developed countries to honour their commitment and mobilise $100 billion at least by 2020 which is key to the Paris Agreement; and to facilitate technology transfer and work on development and research. Non-governmental partners were also called upon to give strong impetus to the Global Climate Action Agenda.

(The Global Climate Action Agenda is the continuation of an initiative launched at COP 20 in Lima, Peru, dubbed the Lima-Paris Action Agenda, to promote the involvement of the private sector, particularly businesses, in combating climate change.)

Highlighting Morocco's efforts, King Muhammad VI said the kingdom spared no effort to increase its contribution towards curbing greenhouse gas emissions as the country is among the first to announce its intended nationally determined contributions (INDCs) and had taken concrete steps to ensure that 52% of energy supply will come from clean sources by 2030.

UN Secretary-General Ban spoke of the six lessons he learned from a decade of giving top priority to climate change:

• The multilateral solution works. This is true for the Paris Agreement, the Sustainable Development Goals and recent achievements on mitigation.

• Heads of state and government must lead.

• Whole societies need to engage. The Global Climate Action Agenda generated collaboration between government, business, the financial community and civil society. They demonstrate the power of

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/15nov.html)

UNFCCC Executive Secretary Patricia Espinosa: 'At the very centre of our work lies the vital need to make climate action a cornerstone of the transformation to truly sustainable development.'

partnership.

• The United Nations must continue to champion the science. 'The current Intended Nationally Determined Contributions will not get us out of the danger zone. The mechanisms within the Paris Agreement to continuously raise ambition based on the best available science [are] critically important. We need to get on a global emissions pathway that limits warming this century to well below 2°C and as close down to 1.5°C. This means that global emissions need to peak by 2020 and decline rapidly from then on ... I strongly urge all countries to increase the mitigation ambition of their national climate plans by 2018. The private sector must also do much more. And I call for the elimination of fossil fuel subsidies to accelerate the transition to clean energy.'

• Fund and expand solutions. 'We need to better anticipate and absorb climate risks and reshape development to be more resilient. The Paris Agreement and the Sendai Framework for Disaster Risk Reduction will advance progress. I have also launched a Climate Resilience Initiative.'

• The UN must continue advancing the moral case for action. 'I call on developed countries to honour their commitment to mobilize climate finance of $100 billion by 2020 to help developing countries to mitigate and adapt to climate vulnerability.'

UN General Assembly President Thomson said the speed of the entry into force of the Paris Agreement sends a clear message of collective commitment to the world on the urgent need to act on climate change.

Citing catastrophic climate events in recent times, he said urgent action on climate change must therefore be seen as a moral, environmental, scientific and developmental imperative, guided by ambition, action and equity, noting that transforming the global economy in a manner that drives inclusive economic growth while decoupling it from global emissions is needed.

'The aggregate result of all current global pledges by Parties under the Paris Agreement leaves us an "emissions gap" between what has been pledged and what the scientific community tells us is required to meet the objectives of the Paris Agreement.

'Raised ambition and scaled up mitigation action are therefore needed. Here in Marrakech it is incumbent on the international community to pursue these efforts collectively in accordance with the principles of common but differentiated responsibilities and respective capabilities,' he stressed.

Thomson highlighted that the transition to inclusive low-carbon economies will require a scaling up

The Eiffel Tower was lit up with the words 'Paris Agreement is done' (in French) to mark the entry into force of the Paris Agreement on 4 November 2016. The speed of the entry into force is said to send a clear message of collective commitment to the world on the urgent need to act on climate change.

and mobilising of finance and that the provision of finance was an important milestone in the Paris Agreement. He said it is crucial that developed countries scale up their commitments to mobilise $100 billion annually by 2020 in support of developing countries' climate actions.

'Definition of a clear roadmap to meet this finance target would further strengthen the trust created between Parties in Paris,' he asserted.

UNFCCC Executive Secretary Patricia Espinosa said the day was a historic one as it was marked by the first meeting of the Parties to the Paris Agreement.

'We should celebrate, but we should also reflect on how to now accelerate climate action. At the very centre of our work lies the vital need to make climate action a cornerstone of the transformation to truly sustainable development,' she said. 'This must guide us as we build a low-emission and resilient world. We must strike a balance between the needs of societies and the need for a healthy planet. Finding this harmony will protect the one planet we all share and depend on. It will promote prosperity and the well-being of people, especially the most vulnerable.'

Taking the floor as the last speaker of the opening ceremony, French President Hollande recalled the memorable Paris COP in 2015 and described as 'historic' the gathering in Marrakech with the entry into force of the Paris Agreement in record time, saying that the agreement is 'irreversible'.

'We are moving decisively towards a low-carbon model of growth. Today, renewable energy accounts for 90% of new electricity production,' he said. 'France will lead by example by issuing the first sovereign bond next year [2017] for investment in the energy transition. The climate emergency did not stop on 12 December [the day of the adoption of the Paris Agreement in 2015].'

Hollande said he did not come to Marrakech to remind people of Paris but to call for consistency and perseverance.

He recalled that the role played by US President Barack Obama was crucial, particularly in light of decisions taken with China and others.

'The United States as the second largest greenhouse gas emitter must respect the commitment they have undertaken. It is not only their duty but it is in the interests as well of Americans affected by climate change because no country can be sheltered [from] impacts of climate change.

'France can assure you that it will lead this dialogue with the US and its [incoming] president [Donald Trump] in openness and respect but with demand and determination on behalf of the 100 states that had ratified the Paris Agreement,' Hollande said emphatically.

He said as countries set the goal of limiting temperature rise to 2°C and, if possible, 1.5°C, they need to step up the pace to implement the Paris Agreement faster.

'In 2018, we need to step up pace for the nationally determined contributions. France wants to lead by example and reduce its greenhouse gas emissions by 40% by 2040 and we shall close our coal plants by 2023. I know not all countries are ready for this but France wants to lead and achieve carbon neutrality by 2050,' he declared.

He also said COP 22 must put Africa at the heart of the solution, noting that $10 billion has been pledged for the Africa Renewable Energy Initiative launched in Paris and that France will provide $2 billion over the next five years to the initiative.

Hollande further assured that 'those hesitating must know that most developed countries will take commitment and fulfil the $100 billion by 2020', adding that 'we must do our utmost to mobilise the funding ... France will contribute $5 billion per year by 2020 including $1 billion for adaptation.'

He said some people have the idea that 'all are done in Paris' but nothing is farther from the truth. It is now, he stressed, that everything starts.

'A promise of hope cannot be betrayed. It must be fulfilled here in Marrakech. We are the guardians of the letter and spirit of the Paris Agreement.

'We must remember what unites us [who are] from different religions, convictions, situations, different stages of development ... what unites us is what we have in common and that simply is our planet,' he concluded. ◆

Hilary Chiew and Zhenyan Zhu are senior researchers with the Third World Network.

Facilitative dialogue on enhancing ambition and support provides key findings

In accordance with the consensus at the Paris conference 'to conduct a facilitative dialogue' to assess the implementation of certain provisions of the Paris Agreement, including the provision of financial resources, the Marrakech conference organised two such dialogue sessions. In the following two articles (see page 38 for the second article), *Zhenyan Zhu* reports on the discussions and exchanges that took place at these sessions.

THE UNFCCC's Conference of the Parties at its 22nd session (COP 22) in Marrakech convened the first part of the Facilitative Dialogue on Enhancing Ambition and Support on 11 November.

The dialogue was held in two parts, with the next part convened on 16 November involving the participation of ministers (see following article).

The first part of the dialogue assessed progress made with regard to the enhancement of pre-2020 ambition and the provision of means of implementation. It was of a technical nature and its findings were expected to serve as an important input to the ministerial deliberations in Marrakech.

Asad Rehman from Friends of the Earth International: '[N]o matter how you measure fairness, developed countries should do more than developing countries.'

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/11nov.html)

Speakers from various agencies including the UNFCCC secretariat made useful presentations providing some facts and figures as regards the mitigation actions undertaken by Parties as well as on the provision of financial resources and technology transfer.

(Parties had agreed in Paris in 2015 'to conduct a facilitative dialogue' at COP 22 'to assess the progress in implementing decision 1/CP.19, paragraphs 3 and 4 and identify relevant opportunities to enhance the provision of financial resources, including for technology development and transfer and capacity building support, with a view to identifying ways to enhance the ambition of mitigation efforts by all Parties, including identifying relevant opportunities to enhance the provision and mobilisation of support and enabling environments'.

(In paragraphs 3 and 4 of decision 1/CP.19, which was adopted by COP 19 in Warsaw in 2013, Parties resolved to accelerate the full implementation of the decisions as agreed to under the Bali Action Plan and in relation to the provision of means of implementation, including technology, finance and capacity-building support for developing-country Parties, recognising that such implementation will enhance ambition in the pre-2020 period.)

The first part of the Facilitative Dialogue (FD) was moderated by Joydeep Gupta, a journalist. Part 1 consisted of discussions in seven panels:

(1) Introduction to pre-2020 action and ambition

(2) Quantified economy-wide targets by developed-country Parties

(3) Nationally Appropriate Mitigation Actions (NAMAs) by developing-country Parties

(4) Means of implementation

(5) Finance

(6) Technology development and transfer

(7) Capacity-building.

In the panel on 'Introduction to pre-2020 action and ambition', Katia Simeonova from the UNFCCC secretariat referred to the UN Environment Programme (UNEP)'s *Emissions Gap Report 2016* and showed that the pledges under the Cancun Agreements and the nationally determined contributions

(NDCs) submitted so far are insufficient to achieve the temperature goals enshrined in the Paris Agreement.

The secretariat presentation showed that all developed countries and many developing countries have submitted and are now implementing their pre-2020 emission reduction pledges. In relation to aggregate greenhouse gas (GHG) emission trends of developed countries during 1990-2020 (based on their biennial reports), GHG emissions of Annex I Parties are on a downward trend by 2020; Annex I Parties are implementing policies and making progress towards their 2020 targets and the Kyoto Protocol Parties reached their first commitment period targets.

Simeonova said that the ratification of the Doha Amendment (for the entry into force of the Kyoto Protocol's second commitment period) is deemed as an essential part of momentum for global climate action. (Seventy-three Parties have ratified the Amendment. A total of 144 ratifications are needed for the second commitment period to come into effect for the period 2013-20.)

All regions are active in the preparation and implementation of NAMAs (Nationally Appropriate Mitigation Actions by developing countries), said Simeonova. The number of registered NAMAs has increased by 35% since 2015. The largest increase in NAMAs is from African countries and least developed countries (LDCs). Financial, technology development and capacity-building support at scale is urgently needed, she added.

Through the international consultation and analysis (ICA) process, developing countries have outlined their efforts to fulfil their mitigation pledges enshrined in their NAMAs, she said.

Simeonova pointed out the following as key messages:

• The Paris Agreement not only provides a long-term direction and destination, but also adds momentum to the ongoing climate change action by all Parties contributing to achievement of their 2020 pledges.

• All Parties are advancing their efforts in implementing their 2020 pledges; for developed countries, this is reflected in the downward emission trend as demonstrated through the MRV (measurement, reporting and verification) system.

• Many Parties demonstrated through the MRV system and other means that they are increasingly introducing a plethora of national policies and related instruments for low-emission and climate-resilient development building on the 2020 Cancun pledges, but greater mitigation potential is yet to be utilised.

• Financial support, technology development and capacity-building at scale are deemed essential for developing countries to attain the climate objectives for 2020 and beyond.

Asad Rehman from Friends of the Earth International cited the 2016 UNFCCC synthesis report on the aggregate effect of the intended nationally determined contributions (INDCs) and indicated that the carbon budget for 1.5°C warming will be rapidly depleted, 'leaving us with only 550Gt [gigatonnes] CO_2; by 2025 we will have hardly any budget left and by 2030 we will have exceeded it'. For the more dangerous 2°C target, less than half of the current available budget would remain by 2025 and by 2030 a quarter will remain.

In 2010 in Cancun, he said, Parties committed to limiting temperature increases to below 2°C, with industrialised countries taking the lead and providing the means of implementation (finance, technology transfer and capacity-building) to enable developing countries to also play their part.

According to a report just released by civil society organisations titled 'Setting the path towards 1.5°C: A civil society equity review of pre-2020 ambition', developing-country pledges are twice those of developed countries. 'To be on track for 1.5°C, we would need 2 to 3.5 times more than that and no matter how you measure fairness, developed countries should do more than developing countries,' Rehman stressed, sharing the findings of the report at the FD.

He also pointed to an examination by Oxfam of the 'Roadmap to US$100 billion' report produced by Australia and the United Kingdom, in which the analysis translated the $100 billion finance pledges into grant-equivalent terms amounting to approximately $14 billion in 2020 for climate-specific net assistance for emission reductions. Based on International Energy Agency information, it is estimated that this may result in an additional 240 metric tons of CO_2 reductions in 2020, he said.

He stressed that this is a negligible contribution to the actual mitigation needed to be on track for 1.5°C. 'By 2030 ambition will have needed to increase more than five-fold (from 3.3Gt CO_2 to 18.5Gt CO_2), and that's just for the 2°C goal. This is a massive transformation for developed countries but also a huge transformation for developing countries.'

Solutions that can unlock the mitigation potential are possible and they do exist if the support needed to do so is available, but all are dependent on the necessary finance and technology transfers, he said further.

Rehman pointed out that in Doha in 2012, Parties agreed to an aggregate GHG reduction of 18% by 2014 for Annex I Parties, and for them to revisit those reductions to align them with the upper end of the Intergovernmental Panel on Climate Change's 4th Assessment Report recommendation of 25-40% reductions on 1990 levels. However, that revisiting never happened and Parties have yet to ratify the Doha Amendment, he lamented.

With some Parties such as the European Union and Japan already having met their 2020 targets, and in light of recent political events, Parties should ensure that they align their pre-2020 mitigation efforts and the support needed to meet the goals agreed in Paris, he concluded.

In the panel on 'Means of

implementation', Carlos Fuller, the Chair of the UNFCCC Subsidiary Body for Scientific and Technological Advice (SBSTA), presented an overview of climate finance flows. Some $25.4 billion in 2013 and $26.6 billion in 2014 of climate-specific finance was reported in the second biennial reports of developed countries, of which $23.1 billion in 2013 and $23.9 billion in 2014 was channelled through bilateral, regional and other channels. This represented an increase of about 50% from public finance reported through the same channels in 2011-12.

Thirty-four biennial update reports (BURs) were submitted by developing countries as of 22 September 2016, of which 22 provide a summary of information on climate finance received during a certain period. The rest indicated climate finance received for a selective number of projects/activities, sectors or donors, or did not include quantitative financial information. The BUR guidelines do not require information on underlying assumptions, definitions and methodologies used in generating the information, said Fuller.

He said that the UNFCCC operating entities and other dedicated funds also provided enhanced support and stated the following:

- The initial resource mobilisation of the Green Climate Fund (GCF) hit $10.3 billion as at July 2016, with 27 projects and programmes approved as at 14 October 2016 amounting to $1.2 billion. The GCF is also active in engaging with the private sector.
- The Global Environment Facility (GEF) has funded 836 projects on climate change mitigation, with over $5.2 billion GEF funding in more than 165 countries. The GEF funding leveraged over $45 billion from a variety of sources.
- The Least Developed Countries Fund (LDCF) received cumulative pledges amounting to $1.2 billion, of which $254 million was in 2016. It mobilised $4.0 billion in co-financing. Some $1 billion has been approved in grant funding, including financing the preparation of 51 national adaptation programmes of action (NAPAs), of which 50 are completed, and the approval of 173 NAPA implementation projects, submitted by 49 countries.
- The World Bank's Special Climate Change Fund (SCCF) received cumulative pledges amounting to $351.3 million, of which $2.2 million was in 2016. SCCF-A provided $289.9 million for adaptation projects. Sixty-six projects were approved for funding, mobilising $2.3 billion in co-financing. SCCF-B provided $60.7 million for 12 projects that support technology transfer, mobilising $382.3 million in co-financing.
- The Adaptation Fund has allocated $358 million to date to 55 adaptation projects and programmes in 48 countries. It received pledges amounting to almost $75 million in 2015.

Fuller also presented an overview of capacity-building support. In capacity-building for adaptation, agriculture and land use took up 20%, with 15% for water, 23% for science and observation, 18% for risk assessment and the remaining 24% for others. In capacity-building for mitigation, energy took up the biggest share of 54%, 13% for forestry, 16% for climate policy and the remaining 17% for others.

In the panel on NAMAs by developing-country Parties, Ash Sharma from the NAMA Facility said the Facility is to support developing countries and emerging economies in implementing ambitious actions to mitigate greenhouse gas emissions. He said NAMAs are an important building block for implementing NDCs, themselves the building blocks of the Paris Agreement. Successful NAMAs need to incorporate a combination of policy, reform and improved institutional framework, and appropriate financial instruments to lower risks and improve returns, and to develop a pipeline of investment projects so as to make low-carbon investment the preferred development path.

In the panel on finance, Preety Bhandari from the Asian Development Bank pointed to multilateral development banks' total climate finance in 2015 of $25.096 billion, 20% of which is for adaptation ($5.024 billion) and 80% for mitigation ($20.072 billion), with an additional $56 billion in co-financing.

Tosi Mpanu Mpanu, the Chair of the Group of Least Developed Countries, said in his presentation that the cost of adaptation in developing countries is much higher than that of mitigation and is still underestimated, with the most recent adaptation cost being 2-3 times higher. He stressed that financial allocations for mitigation and adaptation should be balanced and that NDCs are for both adaptation and mitigation.

In the panel on 'Technology development and transfer', Chizuru Aoki from the Global Environment Facility secretariat outlined the GEF's support for technology transfer, which he said has been a key theme since the GEF was established. In its mitigation portfolio (1991-June 2016), the GEF supported a total of 836 projects on energy efficiency, renewables, urban transport, policy, capacity, etc. with $5.2 billion in GEF grants and $45.2 billion co-financing. In its adaptation portfolio (2001-June 2016), the GEF supported over 300 projects on resilience of rural livelihood, reducing vulnerability of physical assets and natural system with $1.5 billion from the LDCF and SCCF. The GEF provides support for technology needs assessment as well.

He added that since 2014, the GEF has supported policies, strategies and financial/institutional mechanisms to accelerate technology innovation. There have been 45 mitigation projects with technology transfer objectives supported by $401 million from the GEF Trust Fund and $10.9 billion co-financing, and 22 adaptation projects with technology transfer objectives with $230 million from the LDCF and SCCF with $1 billion co-financing. ◆

Science and equity demand urgent action on climate now, say developing countries

At Marrakech, developing countries were emphatic in their demand that, in the interests of climate justice, developed countries should honour their pre-2020 commitments to avert the impending disaster facing the vulnerable poor countries.

Zhenyan Zhu


Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/16nov.html)

Ravi S Prasad, the Joint Secretary on Climate Change of India, said ambition could not be put off for another four years with talk only of post-2020 actions.

DEVELOPING-COUNTRY delegates called on developed countries to enhance ambition in climate action now and provide the means of implementation to developing countries, as both science and equity demand acting with urgency, and not to put off actions till after 2020 as is the case under the Paris Agreement (PA).

This call was made during the second part of the Facilitative Dialogue on Enhancing Ambition and Support, which was held on 16 November at COP 22 in Marrakech.

Delegates from developed countries who spoke at the event focused mainly on post-2020 actions related to the nationally determined contributions (NDCs) of Parties under the PA, while developing countries called for enhancing efforts in the pre-2020 time frame, as both science and equity demand urgent action now.

The second part of the Facilitative Dialogue (FD) was held to enable the participation of ministers and senior officials who had arrived for the high-level segment in the second week of the Marrakech climate talks.

The second part of the FD was moderated by journalist Joydeep Gupta and consisted of discussions in two sessions on 'ambition' and on the 'means of implementation'.

In the panel discussion on 'ambition', panellists were expected to address the following questions: (1) What should Parties do with regard to mitigation ambition by 2020 and what would the factors of success be? (2) What immediate domestic steps should countries take to raise overall ambition and how can these be facilitated?

In response to the questions, Jos Delbeke, Director-General for Climate Action at the European Commission, and Louise Métivier, the Chief Negotiator for Climate Change of Canada, highlighted the importance of translating NDCs into action. (NDCs refer to climate actions under the PA from 2020 onwards.) Much of the focus of their presentations was on implementing the NDCs under the PA.

Developing-country delegates, on the other hand, focused on the pre-2020 commitments of developed countries.

Ravi S Prasad, the Joint Secretary on Climate Change of India, stressed at the outset that both science and equity demanded action now and expressed concerns that many delegates from developed countries were focusing on actions in the post-2020 time frame.

He said ambition could not be put off for another four years with talk only of post-2020 actions. The FD provided a platform to strengthen and streamline pre-2020 efforts and therefore focus should be on what needs to be done now rather than talk about NDCs and post-2020 action, stressed Prasad.

In addition to addressing the emissions gap, equal emphasis should be placed on the adaptation gap and the gap on the means of implementation, which would enable developing countries to enhance their levels of ambition, said Prasad further.

In relation to the early entry into force of the PA, he said similar urgency should be shown by countries with regard to entry into force of the second commitment period of the Kyoto Protocol by April 2017.

He said there is also a need for revisiting the ambition targets of developed countries, for their scaling-up, and removal of conditionalities for doing so under the Kyoto Protocol. He said this was needed by the May-June 2017 intersessional climate talks. He stressed further that based on the Convention's principles of equity and common but differentiated responsibilities and respective capabilities (CBDRRC), developed-country Parties should be taking the lead in addressing climate change.

He also called for working towards climate justice in addressing poverty and the vulnerability of developing countries.

Furthermore, Prasad stressed that efforts for greater global collaboration need to be intensified for research and development on climate-related issues to enable less costly transition to low-emission development. He pointed out that barriers continue to impede the progress of renewable energy and energy efficiency deployment in developing countries; high patent costs of such technologies and non-facilitative intellectual property right (IPR) regimes are particular barriers which the Financial Mechanism of the Convention should address. He added that India was not asking for the IPR regime to be tampered with or dismantled but called for support for the quick dissemination of technologies.

As for finance, Prasad said that many existing funds have co-financing constraints, requiring developing countries to chip in their money first to get more money, which poses a challenge. To track finance, he said, a rigorous system needs to be in place to track the delivery of all funds promised and ensure that the financing is new and additional.

In this context, the 'Roadmap to

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/16nov.html)

Xie Zhenhua, China's Special Representative on Climate Change, said the developed-country Parties should honour all of their pre-2020 commitments.

US$100 billion' report presented by the UK and Australia has methodological flaws and double-counting issues, said Prasad further. 'Our estimates indicate that there is a mobilisation of $20-25 billion only [from developed to developing countries],' he said, adding that there is a need for new and additional funds over and above official development assistance (ODA). Prasad commented further that issues regarding scaled-up and predictable finance were also not evident in the 'Roadmap' report.

In conclusion, Prasad said that in the future, the FD needs to be structured and held in multiple sessions and in parallel on issues of technology, finance, capacity-building support for developing-country Parties, and commitments in the pre-2020 period. He suggested that these discussions be held on a recurring basis at each COP until the commitments of countries are fulfilled.

'The discussions now and in 2017 should feed into the 2018 Facilitative Dialogue with clear outputs, roadmaps and achievements, and we request the subsidiary bodies to assess, track and report progress made in implementing these commitments,' said Prasad.

(The 2018 Facilitative Dialogue, which is mandated under the decision from COP 21 in Paris, is to take stock of the collective efforts of Parties in relation to progress towards the long-term goal in the PA regarding the global peaking of greenhouse gas emissions as soon as possible, recognising that peaking will take longer in developing countries, and to inform the preparation of NDCs.)

In the same session, Siti Nurbaya, the Indonesian Minister of Environment and Forestry, stressed that, with regard to mitigation ambition by 2020, Parties to the Kyoto Protocol should implement their commitments and ratify the Doha Amendment for the second commitment period. Other developed-country Parties (a reference to the United States, which is not a Party to the Kyoto Protocol) and developing countries should implement their actions under the Bali Action Plan, she added.

In the session on the means of implementation (MOI), speakers were asked to address the following: (1) What actions are required to further scale up support for accelerating technology development and transfer and strengthen the capacities of developing countries?; (2) How can access to financial support be enhanced and simplified to support climate actions in developing countries, particularly those most vulnerable?; (3) What role should the Convention and the

Wind power turbines in China's Yunnan Province. Barriers continue to impede the progress of renewable energy deployment in developing countries.

established architecture for the MOI have to enhance the provision and mobilisation of support?

Xie Zhenhua, China's Special Representative on Climate Change, said the FD is to help Parties achieve the objectives of the PA and the Convention and establish mutual political trust. In this context, he said Parties must honour the commitments they have pledged for the pre-2020 period. The developed-country Parties should honour all of their pre-2020 commitments, including on the provision of finance, technology transfer and development and in meeting their emission reduction pledges.

Developing countries very much hope that developed countries will meet their obligations and provide the $100 billion per year by 2020, said Xie. He pointed out that developing countries still have many doubts over the 'Roadmap' report in relation to its accounting methodologies. He also emphasised that the main conduit for funding to developing countries should be through government channels.

Developing countries need to also increase their adaptation capacity to cope with extreme climate events, Xie further said, adding that this requires large amounts of grant financing.

He also underscored the importance of increasing the capacities of developing countries so that they can meet the transparency requirements and are able to take part in future facilitative dialogues and the global stocktake. He said that the capacity of developing countries is very underdeveloped and this needs to be addressed.

To achieve the long-term goal of limiting temperature rise, Xie said, developing countries need technological innovation. He said developing countries need to be able to use the technology that is available and the Green Climate Fund could have a window for technology transfer and cooperation.

Xie also informed the meeting that China has set aside 20 billion yuan for the South-South Cooperation Fund on Climate Change and has disbursed about 100 million yuan to carry out some projects. He added that there will be 10 green low-carbon demonstration projects, 100 capacity-building training programmes and workshops for 1,000 persons to improve their ability in management and fundraising activities. He concluded that developed countries can do much to help developing countries.

Everton Lucero, Brazilian Secretary for Climate Change and Environmental Quality, echoed the Chinese minister's views. He said mobilising $100 billion from developed countries is the essential action. In this regard, there is a need to improve the transparency framework to track the support provided by developed countries to developing countries.

Naoko Ishii, the CEO of the Global Environment Facility (GEF), announced the launch of the Capacity-Building Initiative for Transparency (CBIT) and said that the first set of projects has been approved.

(Parties had agreed in Paris to establish the CBIT, which aims to strengthen the institutional and technical capacities of developing countries to meet the enhanced transparency requirements under the PA leading up to 2020 and beyond.)

Ishii said that the CBIT Trust Fund has been approved by the GEF Council and is now operationalised. Sweden, the Netherlands, the UK, the US, Canada, Germany, Italy, Japan, New Zealand, Switzerland and Australia have all pledged more than $50 million to the CBIT. The first set of projects has been approved by the GEF for implementation in Costa Rica, Kenya and South Africa. ◆

COVER

Marrakech proclamation affirms continuing fight against climate change and for sustainable development

The Marrakech conference issued a call for action affirming a continuing commitment to the battle against climate change and for sustainable development.

Hilary Chiew

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/17nov.html)

Delegates give a standing ovation after the Marrakech Action Proclamation for Our Climate and Sustainable Development was read out.

PARTIES at the climate talks on 17 November supported the call issued by the President of the Conference of the Parties to the UNFCCC entitled the 'Marrakech Action Proclamation for Our Climate and Sustainable Development'.

The President of COP 22, who is also the Foreign Minister of Morocco, Salaheddine Mezouar, introduced the document to the plenary on the evening of 17 November.

Describing it as a new source of inspiration, he said the 'proclamation' received the support of all Parties and invited Moroccan Ambassador Aziz Mekouar to read it out.

Mekouar had been conducting informal consultations among Parties over the document to receive their inputs over the past week following expressions of concern about the nature of the document, which was not previously negotiated. The document, which was then billed as the 'Marrakech Call for Action', had initially drawn much unease, especially among some developing countries, over its content due to concerns regarding a lack of balance on issues of importance to developing countries. According to sources, the consultations restored the balance needed and the document hence received the support of all delegates present.

Many also saw the proclamation as an important signal to the world that Parties were committed to tackling climate change and promoting sustainable development, in light of the recent turn of events in the United States with the election of Donald Trump and uncertainty surrounding the US commitment to the Paris Agreement.

The proclamation is as follows:

'We, Heads of State, Government, and Delegations, gathered in Marrakech, on African soil, … issue this proclamation to signal a shift towards a new era of implementation and action on climate and sustainable development.

'Our climate is warming at an alarming and unprecedented rate and we have an urgent duty to respond.

'We welcome the Paris Agreement, adopted under the Convention, its rapid entry into force, with its ambitious goals, its inclusive nature and its reflection of equity and common but differentiated responsibilities and respective capabilities, in the light of different national circumstances, and we affirm our commitment to its full implementation.

'Indeed, this year, we have seen extraordinary momentum on climate change worldwide, and in many multilateral fora. This momentum is irreversible – it is being driven not only by governments, but by science, business and global action of all types

Photo by IISD/Kiara Worth (www.iisd.ca/climate/cop22/enb/16nov.html)

The Marrakech Proclamation was introduced by the President of COP 22, Moroccan Foreign Minister Salaheddine Mezouar ***(pic)*****.**

at all levels.

'Our task now is to rapidly build on that momentum, together, moving forward purposefully to reduce greenhouse gas emissions and to foster adaptation efforts, thereby benefiting and supporting the 2030 Agenda for Sustainable Development and its Sustainable Development Goals.

'We call for the highest political commitment to combat climate change, as a matter of urgent priority.

'We call for strong solidarity with those countries most vulnerable to the impacts of climate change, and underscore the need to support efforts aimed to enhance their adaptive capacity, strengthen resilience and reduce vulnerability.

'We call for all Parties to strengthen and support efforts to eradicate poverty, ensure food security and to take stringent action to deal with climate change challenges in agriculture.

'We call for urgently raising ambition and strengthening cooperation amongst ourselves to close the gap between current emissions trajectories and the pathway needed to meet the long-term temperature goals of the Paris Agreement.

'We call for an increase in the volume, flow and access to finance for climate projects, alongside improved capacity and technology, including from developed to developing countries.

'We the developed country Parties reaffirm our US$100 billion mobilisation goal.

'We, unanimously, call for further climate action and support, well in advance of 2020, taking into account the specific needs and special circumstances of developing countries, the least developed countries and those particularly vulnerable to the adverse impacts of climate change.

'We who are Parties to the Kyoto Protocol encourage the ratification of the Doha Amendment.

'We, collectively, call on all non-state actors to join us for immediate and ambitious action and mobilisation, building on their important achievements, noting the many initiatives and the Marrakech Partnership for Global Climate Action itself, launched in Marrakech.

'The transition in our economies required to meet the objectives of the Paris Agreement provides a substantial positive opportunity for increased prosperity and sustainable development.

'The Marrakech Conference marks an important inflection point in our commitment to bring together the whole international community to tackle one of the greatest challenges of our time.

'As we now turn towards implementation and action, we reiterate our resolve to inspire solidarity, hope and opportunity for current and future generations.'

Delegates in the plenary hall gave a standing ovation after the proclamation was read out.

COP President Mezouar commended the spirit of inspiration that was experienced since the beginning of the talks. ◆

'We call for all Parties... to take stringent action to deal with climate change challenges in agriculture.'

The US and UN Security Council Resolution 2334

While the adoption by the UN Security Council in December of Resolution 2334 condemning Israeli settlement expansion may be purely a symbolic gesture, the resolution's provision for regular three-monthly reports by the UN Secretary-General on progress in implementing it will ensure that the whole issue is kept alive internationally. *Richard Falk* comments.

ON 23 December 2016, the UN Security Council by a vote of 14-0 adopted Resolution 2334, notably with the United States abstaining, condemning Israeli settlement expansion. It was treated as big news in the West because the Obama presidency had finally in its last weeks in office refused to use its veto to protect Israel from UN censure.

On 23 December 2016, the UN Security Council, by a vote of 14-0 with the US abstaining, adopted Resolution 2334 condemning Israeli settlement expansion.

Especially in the United States, the media focused on the meaning of this diplomatic move, wondering aloud whether it was motivated by Obama's lingering anger over Israeli Prime Minister Benjamin Netanyahu's effort to torpedo his efforts to reach agreement with Iran in 2014 on the latter's nuclear programme, or whether it was meant to challenge the incoming Trump leadership to deal responsibly with the unresolved Israel/Palestine conflict and also by indirection to mount criticism of Trump's reckless pledge to move the American embassy to Jerusalem and his apparent readiness to side openly with extremist Israeli leadership while in the White House.

The likely lasting importance of the resolution is the evidence of a strong international consensus embodied in the 14-0 vote, with only the US abstention preventing unanimity. To bring together China, Russia, France and the UK on an initiative tabled by Senegal, Malaysia and Venezuela is sending Israel and Washington a clear message that despite the adverse developments of recent years in the Middle East, the world will not forget the Palestinians or their struggle. It is also significant that the resolution calls upon the new UN Secretary-General to report back to the Security Council every three months on progress in implementing the resolution and explicitly keeps the Council seized of the issue. Such provisions reinforce the impression that the unresolved Israel/Palestine conflict will remain on the UN policy agenda in the months ahead, which by itself is extremely irritating to Israel.

It is quite obvious that Resolution 2334 is largely a symbolic initiative, which is a way of saying that nothing on the ground in occupied Palestine is expected to change even with respect to Israeli settlement policy. However, Israel responded to the resolution even more defiantly than anticipated partly because this challenge to its policies, although symbolic, was treated as more threatening than a mere gesture of disapproval. Israeli anger seemed principally a reaction to the American failure to follow its normal practice of shielding Israel by casting its veto. It may also reflect concerns in Israel about the growing civil society challenge posed by the Boycott, Divestment and Sanctions (BDS) campaign that is gaining traction in recent years, particularly in Europe and North America.

In effect, Resolution 2334 may be the beginning of a new phase of the legitimacy war that the Palestinian people and their supporters have been waging in recent years in opposition to Israeli occupation policies and practices, not only in the West Bank and East Jerusalem but also in Gaza, and to discredit its diplomacy on the world stage. If Trump delivers on his provocative pledge to move the American embassy to Jerusalem, it is likely to intensify offsetting international efforts to induce the UN to exert greater pressure on Israel to address Palestinian grievances in a manner more in accord with international law.

The motivation for the US change of tactics at the UN was greatly elaborated upon a few days later by John Kerry, the American Secretary of State. He mainly connected Resolution 2334 with a US effort to save the two-state solution from collapse. Kerry insisted that the two-state solution could still be salvaged, although he acknowledged that it was being put in increasing jeopardy by the steady expansion of Israeli settlements, which he acknowledged as signalling Israel's ambition to impose its own version of a one-state outcome on the Palestinians.

Kerry articulated the widely held belief that the formal annexation of occupied Palestinian territories would force Israel to choose to be either 'Jewish' or 'democratic'. It could not be both if the five million or so Palestinians living under occupation were added to the 1.7-million-strong Palestinian minority in pre-1967 Israel. At such a point, Israel would have to either grant all Palestinians full citizenship rights and no longer be Jewish, or withhold these rights and cease further pretences of being democratic.

While a welcome corrective to the relative silence of recent years, US Secretary of State John Kerry's 28 December speech does not depart from fundamentally mistaken presentations of how to move diplomacy forward on the Palestinian issue.

Significantly, Kerry refrained from saying that such a solution would violate basic Palestinian rights or antagonise the UN to such a degree that sanctions would be imposed on Israel. Secretary Kerry relied on the practical advantages for Israel of making peace with Palestine, and refrained from warning Israel of dire international consequences of continuing to violate international law and defy the unified will of the international community.

For a variety of reasons, as suggested, Resolution 2334 and the Kerry speech were a welcome corrective to the relative silence of recent years in response to the failure of the parties to move any closer to a sustainable peace. It was also a belated indication that at least part of the American political establishment was no longer willing to turn a blind eye to Israeli wrongdoing, at least with respect to the settlements.

Yet Resolution 2334, and especially the Kerry speech, do not depart from fundamentally mistaken presentations of how to move diplomacy forward. There is no mention of the widely held belief in civil society that the train carrying the two-state baggage has already left the station, stranding the hapless diplomats on the platform. In fact, both the resolution and Kerry seek to breathe life into an opposite impression that the only feasible peace arrangement must be based on achieving two independent, sovereign states; no consideration is given to the alternative of a secular one-state solution with equality for the two peoples based on democracy and human rights.

The second serious misrepresentation of the situation is the assertion of a false symmetry as between the parties rather than a necessary recognition of disparities in capabilities and responsibilities that have doomed the 'peace process' from its inception. The Palestinians are living under a harsh occupation regime, in refugee camps spread around the region or in a worldwide diaspora, while Israelis are living in freedom, prosperity and relative security. Israel violates international law in numerous systematic ways, while Palestine endures an oppressive occupation that it is unable to challenge.

In this spirit, Kerry declares that both sides are responsible for the lack of diplomatic progress, which overlooks the consequences of Israeli settlement expansion, ethnic policies in Jerusalem, and the blockade of and attacks on Gaza. Reasonable expectations about how to move forward should be grounded in the realities of these disparities and how to overcome them. A start would be to acknowledge that Israeli compliance with international humanitarian law, especially the Fourth Geneva Convention, is a precondition for the resumption of any further negotiations.

Considered more carefully, it is probably not surprising that Resolution 2334 is somewhat more critical of Israel than the Kerry speech, which is not nearly as 'anti-Israeli' as the mainstream Western media would have us believe. The resolution not only condemns recent settlement expansion moves but declares in its first operative clause that all of the settlements established by Israel since 1967 in occupied Palestine, including those in East Jerusalem, have 'no legal validity' and constitute 'a flagrant violation under international law'. Kerry deep in his speech, almost as an aside, acknowledges the continued US acceptance of this wider illegality of the settlements, but simultaneously reassures Israel that it is taken for granted that land exchanges would enable Israel to keep its largest settlements if future peace diplomacy ever does lead to the establishment of an independent and sovereign Palestine. In effect, the fact that these largest settlements built on the best land in the West Bank are widely considered flagrantly unlawful from the time they were established is treated as essentially irrelevant by Kerry with respect to working out a deal on peace.

Even more telling, Resolution 2334, while affirming the international consensus supportive of a two-state solution, does not go on to give any indication of what that might mean if transformed into political reality. Kerry outlines the American vision of such a solution with ideas which, if carefully considered, would make the plan unacceptable to Palestinians even if we make the huge and currently unwarranted assumptions that Israel might in the future become a sincere participant in a peace process, including a willingness of its government to substantially dismantle the settlement archipelago.

The Israeli settlement of Ma'ale Adumim in the West Bank. Resolution 2334 declares that all the settlements established by Israel since 1967 in occupied Palestine constitute 'a flagrant violation under international law.'

For instance, Kerry reflects Washington's view of a two-state solution by presupposing that if any Palestinian state is ever established, it would be entirely demilitarised while Israel would retain unlimited options to remain as militarised as it wished. Such one-sidedness on the vital matter of security is affirmed despite an expectation that in the course of allowing a Palestinian state to come into existence, the 2002 Arab Peace Initiative would be fully implemented. Such a development would allow Israel to count on demilitarised regional security cooperation with the entire Arab world, including full normalisation of economic and cultural relations. Even if the Palestinian Authority were persuaded to accept this fundamental inequality in the sovereign rights of the two states, it is doubtful that the Palestinian people would accept such a humiliating and compromised status over time. In effect, the Kerry outline of peace expresses a continuing commitment to pro-Israel partisanship and is less a formula for a sustainable peace between these two peoples than it is a presumably unintentional setting of the stage for an indefinite continuation of the conflict under altered conditions.

Yet there are two qualifying considerations that should be taken into account. There are reliable reports that Kerry wanted to make his speech of late December two years ago and was prohibited from doing so by the White House, which feared a backlash that would burden its already difficult task of governance. In effect, as with such famous retirement speeches as Eisenhower's caution about the military-industrial complex a half-century ago, the citizenry is warned when it is too late even to attempt to address the problem until a new leadership takes office. In my view, even if Kerry had been allowed to speak when there was still time to act, there would have been little behavioural effect because Israel is now unconditionally committed to the Greater Israel image of a solution, there was insufficient political will in Washington and around the world to push Israel hard enough, and because the image of 'peace' was too one-sided in Israel's favour to be either negotiable or sustainable.

Similar partisan features undermine the credibility of other aspects of Kerry's advocacy of how best to proceed. While recognising the importance of the refugee issue, Kerry calls for some kind of solution that allows Palestinian refugees to receive monetary compensation and the right to return to the state of Palestine, but not to their homes or villages if located in present-day Israel. And nowhere is Israel's unlimited right of return available to Jews worldwide, however slight their connection with Israel or Judaism might be, questioned.

Kerry went out of his way in the speech to demonstrate that the US abstention in relation to Resolution 2334 was in no way intended to rupture the special relationship between Israel and the United States. In this vein, Kerry pointed to the fact that the Obama administration had been more generous than its predecessors in bestowing military assistance upon Israel and had over its eight years protected Israel on numerous occasions from hostile initiatives undertaken in various UN venues. His point was that Israel's defiance on settlements made it politically awkward for the United States to be an effective supporter of

Two Palestinian children in the West Bank city of Hebron come across Israeli soldiers. 'The Palestinians are living under a harsh occupation regime...'

Israel and created tension between its preferred pro-Israeli posture and the more pragmatic pursuit of national interests throughout the Middle East.

Despite this friction between Washington and Tel Aviv, the US was the only member of the Security Council to refrain from supporting Resolution 2334, limiting its departure from Israel's expectations to refusing to block the resolution, while it apparently toned down the criticism through threatening to use its veto if the language used was not 'balanced'. Kerry went out of his way to celebrate the recently deceased former Israeli president Shimon Peres as a heroic peace warrior, which amounted to a none-too-subtle dig at Netanyahu. Kerry quotes approvingly Peres's self-satisfied assertion that 78% of historic Palestine should be enough for Israel, which Peres was comparing against the excessive demands for even more land by the settler one-staters. Of course, 78% gives Israel much more than the 55% it was awarded in 1947 by UN General Assembly Resolution 181. At the time, the entire Arab world and Palestinian representatives rejected this UN proposal as unacceptable despite being given 45%, or more than double the territory of Palestine after Israeli withdrawal from Palestinian land occupied since the 1967 War.

Beyond this, Kerry's inclusion of land swaps as integral to his version of the two-state solution would result in further encroachments on territory left to the Palestinians, a result obscured to some extent by giving Palestine uninhabitable desert acreage as a dubious equivalent for the prime agricultural land on which the unlawful Israeli settlements are built. At best, territorial equality would be achieved quantitatively, but certainly not qualitatively, which is what counts.

At the same time, there are some positive aspects to Kerry's speech. It did create a stir with its sharp criticism of Israel's policies on settlements, as well as open doors to debate and break the silence that was enabling Israel to proceed with its plans for territorial expansion. It is worth noting that James Zogby, long a dedicated advocate of Palestinian rights who has persevered in the face of the constraints of the American setting, has expressed his strong appreciation for Kerry's speech in the following words: 'To some, especially Palestinians, this may seem like "too little, too late". But as someone who has been a part of the effort to create an American debate on Israeli policies, Kerry's intervention is both welcome, validating and empowering. He laid down markers that should help liberals and progressives define a policy agenda on the Israel-Palestine conflict – exactly what we need as we enter the challenges of the Trump era.'

Overall, the impact of Resolution 2334 is likely to be greater than it would have been if Israel had not reacted so petulantly. Even if Trump reverses the US' critical approach to further Israeli settlement expansion, the UN has been reawakened to its long-lapsed responsibility to find a peaceful solution for the conflict and end the Palestinian ordeal that has gone on for an entire century since Lord Alfred Balfour gave a British colonial green light in 1917 to the Zionist project to establish a Jewish homeland in historical Palestine. As well, civil society activists who have thrown their support behind the BDS campaign and governments critical of Israel's behaviour are likely to feel encouraged and even empowered by this expression of virtual unity among the governments belonging to the most important organ of the UN system.

Of course, there have been many resolutions critical of Israel in the past, and nothing has happened. The harsh occupation persists unabated, the dynamics of annexation move steadily forward, and the Palestinian tragedy goes on and on. Despite this intergovernmental step at the UN, it still seems that the Palestinian fate will be primarily determined by people, above all by various forms of Palestinian resistance and secondarily by the extent of global solidarity pressures. Whether resistance and solidarity on behalf of justice is sufficient to neutralise the iron fist of geopolitics and state power remains the key question. ◆

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The degradation of state institutions and rule of law in Brazil

Brazil has been floundering in a political, legal, social and economic morass since the removal of President Dilma Rousseff. *Mark Weisbrot* outlines the country's travails.

MST

On 4 November, Brazilian police raided a school run by the Landless Workers Movement (MST) in Guararema, Sao Paulo, bringing international condemnation.

WHEN Brazilian President Dilma Rousseff was impeached in May and removed from office in August, many called it a coup.

The president was not charged with anything that could legitimately be called a crime, and the leaders of the impeachment appeared, in taped conversations, to be getting rid of her in order to cut off a corruption investigation in which they and their political allies were implicated.

Others warned that once starting down this road, further degradation of state institutions and the rule of law would follow. And that's just what has happened, along with some of the political repression that generally accompanies this type of regime change.

On 4 November, police raided a school run by the Movimento dos Trabalhadores Rurais Sem Terra (MST) in Guararema, São Paulo. They fired live (not rubber bullet) ammunition and made a number of arrests, bringing international condemnation. There had previously been eight arrests of MST organisers in the state of Paraná. The MST is a powerful social movement that has won land rights for hundreds of thousands of rural Brazilians over the past three decades, and has also been a prominent opponent of the August coup.

The politicisation of the judiciary was already a major problem in the run-up to Rousseff's removal. Now we have seen further corrosion of institutions when a justice of the Supreme Court issued an injunction removing Senate President Renan Calheiros because he had been indicted for embezzlement.

Calheiros defied the order, whereupon the sitting president of the republic, Michel Temer, negotiated with the rest of the Supreme Court to keep Calheiros in place. The great fear of Temer and his allies was that Calheiros's removal could have derailed an outrageous constitutional amendment that would freeze real (inflation-adjusted) government spending for the next 20 years, which has now been passed by the Congress.

Given that Brazil's population is projected to grow by about 12% over the next 20 years, and the population will also be aging, the amendment is an unprecedented long-term commitment to worsening poverty. It will 'place Brazil in a socially retrogressive category all of its own', noted Philip Alston, the UN special rapporteur on extreme poverty and human rights, who described the measure as an attack on the poor.

The government's proposed public pension cuts would hit working and poor people the hardest.

The deterioration of democracy, the rule of law and civil rights is what happens when a corrupt elite uses illegitimate regime change to ram through big, regressive structural changes for which it could never win support at the ballot box.

The international media tells us that budget tightening is necessary and will actually help pull Brazil out of its depression. But this goes against basic economic and accounting logic, as well as empirical evidence, including Brazil's own disastrous experience since the beginning of 2014.

Brazil's exorbitantly high interest rates, with the current Selic (policy) rate at 13.75%, are another failed macroeconomic policy that is blocking the country's economic recovery. These are set by the Central Bank, and have been among the highest in the world, in real terms, for decades.

The current government has nothing to offer but a repeat of the long-term economic failure of 1980-2003 – during which time there was about 0.2% per capita gross domestic product (GDP) annual growth – which the population will not accept.

Hence its degradation of the country's most important political institutions. ◆

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Why Oscar López-Rivera deserves freedom

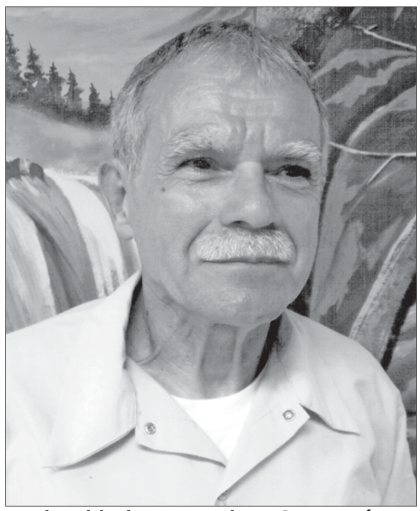
Puerto Rican independence fighter Oscar López-Rivera was sentenced in 1981 to 55 years' imprisonment (extended by an additional 15 years in 1985 for planning to escape) for trying to end US rule of his homeland. His impending release in May (after 35 years' incarceration) following then-President Barack Obama's decision to commute his sentence has thrown the spotlight on the forgotten case of America's oldest colony. *Pedro Reina-Pérez* explains.

OSCAR López-Rivera's release from federal prison through an executive pardon granted by President Barack Obama in the closing days of his final term, is symbolic in ways that cannot be fully understood separate from the social and economic challenges facing Puerto Rico.

Arrested in 1981 and charged with seditious conspiracy, a rarely used criminal charge, López-Rivera was sentenced to 55 years in prison for belonging to the Armed Forces for National Liberation, Fuerzas Armadas de Liberacion Nacional or FALN, an armed group responsible for several bombings in the United States. He was never directly linked to any acts that resulted in death or injury, but was tried for trying to overthrow the US government's control of the island.

In his defence, he claimed to be a political prisoner and demanded that his case be tried in an international tribunal, something the US government flatly rejected. In 1985, he was convicted of planning an escape, and 15 years were added to his sentence.

Shortly before finishing his second term in 1999, President Bill Clinton extended a conditional clemency offer to López-Rivera and 13 others convicted in the same case, judging the sentences they were serving in prison to be excessively long. López-Rivera rejected this offer because it did not apply to other Puerto Rican prisoners tried with him who would remain imprisoned. The result was a long incarceration that made him one of the oldest political prisoners in the world.



During his incarceration, Oscar López-Rivera became a symbol of dignity for people demanding social justice inside and outside of Puerto Rico.

Despite this long incarceration – which included 12 years of solitary confinement – López-Rivera became a model prisoner whose solidarity and generosity to his fellow inmates earned him widespread recognition. He went from being a common inmate to becoming a symbol of dignity for people demanding social justice inside and outside of Puerto Rico. Desmond Tutu, Jimmy Carter and Pope Francis have been among those pleading for his release as a testament to compassion, decency and common sense. Some went as far as calling him a Latin American Nelson Mandela, but to his compatriots, he was simply Oscar.

Why do Puerto Ricans celebrate his imminent return to the island? Because it's a modest triumph of justice in conditions of profound injustice.

Puerto Rico is the oldest colony, owned by the empire that claims to defend freedom and democracy in the world. To make matters worse, it's a colony inhabited by US citizens who cannot fully exercise the rights granted in virtue of that same citizenship. The result is an extreme form of inequity, evidenced by the imposition by the US Congress in 2016 of a Fiscal Management and Control Board under the PROMESA Act to solve the island's financial crisis. The unelected board will exercise total control over public finances to ensure repayment of $72 billion to bondholders and other creditors while implementing radical austerity measures that shall inflict considerable pain.

That is the context in which President Obama acted to release a prisoner unfairly condemned for demanding self-determination for Puerto Rico. A modest act not only of clemency but of justice, one in keeping with the values that the United States swears to protect but whimsically denies to Puerto Ricans in the island. This is a fatal contradiction that will only get worse as public spending and pensions are drastically reduced.

And yet, Puerto Rico will welcome Oscar López-Rivera with joy. A breath of fresh air before an impending storm. ◆

Pedro Reina-Pérez is a professor at the University of Puerto Rico and a visiting scholar at Harvard University. This article first appeared in The Boston Globe *(19 January 2017).*

Children starve as US-backed coalition violates human rights in Yemen

Children have been the main victims of a Western-backed war and blockade imposed by Saudi Arabia on Yemen.

Carly A Krakow

A woman rests on a bed next to her malnourished son at a hospital in Houdieda, Yemen. UNICEF estimates that 2.2 million children in Yemen require urgent humanitarian assistance to prevent potentially fatal malnutrition.

IN December 2016, Saudi Arabia admitted that cluster bombs used in its campaign against the Houthi rebels in Yemen were manufactured by the UK. The UK is a signatory to the Convention on Cluster Munitions, an international treaty adopted in 2008 prohibiting the development, use, stockpiling or transfer of all cluster munitions, due to evidence that the weapons disproportionately 'kill or maim civilians'.

On 26 October, a Labour Party call for the UK to cut support for the Saudi-led coalition in Yemen was rejected in the British parliament. As reported in *The Guardian*, the demand for withdrawal of support was defeated by 283 to 193, 'suggesting that scores of Labour MPs did not vote', likely due to feared backlash from unions with strong ties to the defence industry.

Following the Saudis' admission to using the UK-made bombs, Prime Minister Theresa May is being pressured by Labour Party leader Jeremy Corbyn as to why the UK did not admit to supplying the coalition with cluster bombs earlier. The coalition has been accused of committing genocide against the Yemeni people. As mass starvation and deaths increase in Yemen, the US and the UK, two of the Saudi-led coalition's primary backers, ought to cease violations of international law and halt support for the coalition.

The Yemeni civil war has been deemed the 'forgotten war', overshadowed in Western media by the Syrian crisis. The situation on the ground is bleak – the death toll has exceeded 10,000 people since the war's outbreak in 2015. UNICEF estimates that 2.2 million children require urgent humanitarian assistance to prevent potentially fatal malnutrition, and a cholera outbreak has worsened the health crisis in the country. Over three million Yemenis are displaced.

Civilians in Yemen have borne the brunt of Saudi-led coalition airstrikes, including one that took place during a funeral in the Yemeni capital of Sana'a in early October, killing at least 140 people and injuring at least 525 more, according to the UN. Several days after the strike, the Saudi-led coalition finally admitted responsibility, blaming 'incorrect information' that somehow passed between coalition command and the air operations centre in Yemen.

Yemenis often 'find the remnants of American-made bombs in the rubble of destroyed buildings', fuelling outrage amongst the already devastated civilian population. Families are forced to choose between using money to save one starving child on the brink of death by taking him to a hospital, or using the same money to buy food to keep their other, healthier children alive, only to remain in a cycle of starvation and desperation no matter what they choose. As reported by the Associated Press, 19-year-old Mohammed Ali witnessed his two-year-old cousin die of hunger while his five-year-old brother rapidly wastes away. There are some 2.2 million children in similar positions. Breached ceasefires have disrupted the delivery of humanitarian aid.

Violations of international humanitarian law were cited by the UK shadow Foreign Secretary Emily Thornberry of the Labour Party as motivation to withdraw UK support for the coalition. A confidential UN report stated that all sides involved in the conflict, including the Saudi-led coalition, have committed blatant violations of international humanitarian law.

Foreign Secretary Boris Johnson, firmly opposed to any limitations on UK support for the coalition, has roped a self-proclaimed commitment to humanitarian law into his argument in favour of continuing the bombardment of Yemen, claiming that by withdrawing support, the UK 'would be vacating a space that would rapidly be filled by other western countries who would happily supply arms with nothing like the same compunctions or criteria or respect for humanitarian law'. Johnson insists that a 'threshold' has not been crossed in Yemen and violations of international law have not occurred, despite evidence presented by a UN panel and organisations such as Amnesty International UK demonstrating precisely the opposite.

These passionate invocations and alleged commitments to international humanitarian law pronounced by figures on all ends of the UK political spectrum to defend their opposing stances are in stark contrast to the debate raging on international humanitarian law in the United States. Last spring, Donald Trump sparked outrage when he stated 'The problem is, we have the Geneva Conventions, all sorts of rules and regulations, so soldiers are afraid to fight,' and argued that the US ought to 'bring back a hell of a lot worse than waterboarding'. What good, however, is an ostensible respect for humanitarian law when it is invoked by figures such as Boris Johnson simply to justify ongoing support for a careless and destructive coalition responsible for the deaths of innocent civilians?

Trump's violent and concerning comments display a blatant disrespect for humanitarian law. Though he has claimed he wishes to pursue a non-interventionist approach when it comes to military involvement abroad, Trump's erratic and extreme engagement with Iran, viewed by Saudi Arabia as a key backer of the Houthi rebels, could lead Trump to make decisions (after he assumes the presidency) that further destabilise the situation. Though the Houthi rebels' role extends far past that of 'Iranian puppets', Trump's track record does not reflect an ability to consider the nuances of global diplomacy.

Furthermore, what value does the respect for humanitarian law invoked by figures such as the UK shadow foreign secretary have when this respect cannot be used to successfully rally her party to support ceasing assistance to a destructive and failing coalition? Though the Labour Party's move to withdraw support for the coalition was promising, the non-participation of such a high number of Labour MPs is disappointing, and will now enable the reckless Saudi-led coalition to continue operations supported by the UK.

People standing at the site of a Saudi airstrike in the Yemeni capital Sana'a. The US-backed, Saudi-led coalition has been accused of committing genocide against the Yemeni people.

Opposition to funding the Saudi-led coalition has also been supported in the US Congress by representatives such as Ted Lieu of California, who has called on Secretary of State John Kerry to immediately cease aid to Saudi forces, who, according to Lieu, are 'intentionally targeting civilians or they are not distinguishing between civilians and military targets. Both would be war crimes.'

Given the non-response of the US and UK governments to such humanitarian pleas, it seems that in contemporary political discourse, international humanitarian law is being viewed as a mere trope – a theatrical device deployed in the context of political arguments. This internationally binding body of law must instead be viewed as an enforceable reality that cannot be ignored when it gets in the way of the foreign policy interests of nations such as the US or the UK.

We must heed the calls of the thousands of Yemeni civilians who have staged protests against the coalition, and ensure that an independent UN investigation is allowed to move forward and is not further delayed by a Saudi-led investigation that has already been described as 'unduly slow', even by Boris Johnson's Foreign Office deputy, Tobias Ellwood. The arguments of representatives such as Ted Lieu must be taken seriously.

Public awareness of the civil war in Yemen must increase in order to reduce tolerance of stances taken by figures such as Donald Trump who seek to actively violate humanitarian law, as well as stances taken by the likes of Boris Johnson, who has claimed to have respect for humanitarian law through his words but has shown blatant disregard for it through his actions. ◆

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Women activists help villagers adapt to drought in Northeast Brazil

A group of feminists has been helping the impoverished people of Northeast Brazil cope with a drought which has been plaguing the region since 2012.

Mario Osava

Mario Osava/IPS

Rita da Silva *(right)*, **a resident of Primeiro do Maio village, standing in the vegetable garden which she tends collectively with five other local women.**

'THE vegetable garden changed my life,' said Rita Alexandre da Silva, in the village of Primeiro do Maio where 65 families have obtained land to grow crops since 1999, in this municipality in the state of Rio Grande do Norte, in Northeast Brazil.

She is part of the Group of Women that organised in 2001 and adopted the slogan 'United to overcome', with the goal of having their own productive activities, reaffirming their rights and combating sexism.

'I used to only stay at home or in the fields, I wasn't allowed to go out, to go to town. With the garden I started to go to the city to sell our products in the market, over the objections of my husband and my oldest son,' da Silva told Inter Press Service (IPS).

'Bringing money home when my husband was sick' helped overcome the resistance, she said. 'Now my son, who is married, has a different attitude towards his wife.'

The 60-year-old mother of three grown-up children shares with five other local women one hectare of the village's collective land, where they grow lettuce, coriander, onions, tomatoes, manioc, papayas, coconuts and other fruits and vegetables.

The difficulty is transporting products to the city of Caraúbas, 22 kilometres away. The women hire a truck for $25, and they also have to pay for the maintenance and cleaning up of the stand where they sell their produce.

'We get up at two in the morning every Saturday to get to the market,' said Antonia Damiana da Silva, a 41-year-old mother of four.

But 'our life has changed for the better, we eat what we produce, without poisonous chemicals, and we are different people, more free, we decide what we're going to do and tell our husbands,' she said.

The village was created by families of farmers who lived in the surrounding areas, without land of their own, who occupied an unproductive piece of land. Their first attempt to occupy it lasted 18 days in 1997, when the owners of the land obtained a court order to evict them.

Two years later, they tried again, and the National Institute of Colonisation and Land Reform assigned each family 13 hectares and a good house in the 'agro-village'. They were also awarded a common area for the community association building, for raising livestock, and for growing fruits and vegetables.

'Agro-villages' in Brazil are rural settlements created in isolated areas, where houses and community and service facilities are concentrated near the plots of land. They form part of the government's land reform programme, and offer previously landless farmers urban advantages such as schools, health posts and in some cases sewerage.

The drought which has dragged on for five years in the semi-arid Northeast is all too evident in the grey vegetation, apparently dead, throughout the entire ecosystem exclusive to Brazil known as the *caatinga*. But its low and twisted bush-like trees tend to turn green a

Antonia Damiana da Silva *(centre)* **explains how her biodigester uses the manure from her livestock to produce cooking gas for her family.**

few hours after it rains, even if it barely sprinkled.

The Primeiro do Maio agro-village appears in the landscape almost like an oasis, because of the green of its trees and of the vegetable garden and orchard, populated by birds and other animals.

The traditional crops grown by the families, mostly corn and beans, were lost to the drought. But the community garden is still productive, irrigated with well water and managed according to the principles of agro-ecology, such as crop diversity and better use of natural resources, including straw.

They receive technical assistance and support from Diaconía, a non-profit social organisation composed of 11 evangelical churches, which are very active in the Northeast.

The income from the garden empowers the women, particularly in times of drought when the local crops are failing.

But because of the difficulties in getting the produce to market, and the prevailing but rarely mentioned sexism, the Group shrank from 23 to six members, who work in the garden and sell their produce in Caraúbas.

The garden, irrigated without any water wastage, is based on a production model promoted by Networking in Brazil's Semi-Arid Region (ASA), which groups together some 3,000 social organisations in the Northeast, including trade unions, religious groups and non-governmental organisations.

'Coexisting with the semi-arid' is its slogan, in contrast to the former official policy of 'fighting drought' which generated one failure after another, with the construction of big dams, aqueducts and canals that do not provide solutions to the most vulnerable: poor peasant farmers scattered throughout rural areas.

The Primeiro do Maio village was one of eight places visited by participants in the National Meeting of ASA, which drew about 500 people on 21-25 November to Mossoró, a city in the state of Rio Grande do Norte, 80 kilometres from Caraúbas.

'There can be no coexistence with the semi-arid without feminism,' according to ASA, which supports the Group of Women and other initiatives that bolster gender equality in rural communities.

The 'social technologies' that drive that coexistence are in general more rapidly embraced and with more determination by women.

Damiana, for example, has an arsenal of resources in the backyard of her house that enable her to assert that she enjoys 'a wonderful life'.

A biodigester, fed with the manure from her small livestock, provides her with cooking gas. In the village there are 10 other houses that use this technology, which consists of a sealed container where organic waste ferments until producing methane gas and natural fertilisers.

'Biowater', a chain of filters which cleans the wastewater produced in her home, makes it possible to reuse it in her vegetable garden and orchard. She also raises fish in a small three-metre-diameter tank. The fish she raises is the tilapia azul (*Oreochromis niloticus*), native to the Nile River, which is highly productive in fish farming.

Vanusa Vieira, a 47-year-old mother of two, is another participant in the Group who works in the collective garden, although she says she prefers working with animals. 'I love raising animals, I can't live without them, I look after them from early morning to night,' she told IPS standing in her yard where she has birds, goats and a cow.

'I learned from my father and mother, who had cattle and chicken,' she said. Now that she has her own house with a big yard she has an aviary and pens.

But the drought has forced her to reduce the number of animals she keeps. Corn got too expensive and water is scarce, she said. And her honey production, which 'helped us buy a truck', has stalled because the woods are dry and there are no flowers, Vieira explained.

But small livestock such as goats and sheep that are able to survive on limited food and water are a resource that helps families survive lengthy droughts like the one that has had the Northeast in its grip since 2012.

Also important is the small subsidy that the families of the agro-village receive from the social programme Bolsa Familia, aimed at the poorest in this country of 202 million people. In addition, some of the men work as day labourers to boost the family income, in light of the fall in production on their plots of land. – *IPS* ◆

VIEWPOINT

Utopia – 500 years on

Reflecting on Thomas More's classic work on the occasion of its 500th anniversary, *Jeremy Seabrook* contends that it is 'full of troubling and incendiary ideas' that are as relevant as ever.

'The Island of Utopia', a woodcut by Ambrosius Holbein which was in the 1518 Basel edition of *Utopia*. The book evoked possibilities of change which the medieval world could never have considered.

TO call any idea, project or suggestion 'Utopian' is today regarded as an insult. A society which prides itself upon living in the 'real world', facing the asperities of life fearlessly and not flinching from harsh truths, is bound to find anything that savours of idealism the empty fantasies of dreamers, of people in flight from an acknowledgement – of what, exactly?

For the outlawing of alternatives claims to base its 'realism' on the irreducible facts of human psychology – that greed, egotism and self-seeking are the principal motors of all human activity; a recognition which confers upon capitalism privileged status in any conceivable system, since it knows the mysterious art of turning these characteristics into wealth, progress and universal good.

Those who insist that we must all live in this much-touted 'real world' are in fact inhabitants of the most inflated and implausible fantasy ever imposed upon a credulous humanity. For this version of 'reality' represents a savage, uninhibited attack upon the fabric of the planet that sustains us: whatever the truth about 'human nature', the truth about the nature of capitalism is clear for all to see and scarcely needs further rehearsal – rising sea levels, reduction in biodiversity, growing inequality and devastation of the patrimony of the treasures of the earth.

Five hundred years ago, Thomas More invented the word 'Utopia' with his book of the same name, published in Louvain in the Netherlands. It is an early imaginary account of an alternative to the common wisdom that the future must be forever an extrapolation from everything that exists in the present.

One fascinating aspect of the work – which is brief and was originally written in Latin – is the way in which, for all its imaginative outlining of a future in which there is no private property and in which the ostentatious display of gold and silver has been reduced to infantile playthings, it is also rooted in the 16th century. The very 'discovery' of Utopia, which is an island off the coast of South America, suggests the fabulous stories which the conquistadors were bringing back from the 'new' world. This early, pre-Reformation moment also evokes, for the first time, a sense of the relative values of human societies: the existence of other systems of belief offered possibilities of change which the medieval world could never have considered, preoccupied as it was with faith in a Christian life and afterlife and its iconography of paradise and hell, of everlasting bliss or perpetual punishment. The humanist conception of More's Utopia is prescient, and many of the practices he outlines have become the staple of visionaries for the half-millennium since it was published.

The work is both playful and ambivalent. It was necessary that the island should be remote and its customs outlandish to those of early-16th-century England, lest it should be seen as too strong a critique of the existing order; so More is at pains to distance himself by making the narrator a returned traveller from the island, so that his account of life there cannot be directly attributed to More.

The book is divided into two parts, the first being a more general discussion on aspects of what constitutes a good society – the merits of equality, abolition of private property, communal forms of living, eating and dressing, and a renunciation of luxury; and the second, a review of the values and mores of the society of Utopians. Even the names of places and people are satiric: 'utopia' means 'nowhere', and the name of the expounder of the philosophy of Utopia, who travelled with Amerigo Vespucci on the latter's voyages of 'discovery' of an ancient 'new world', means a 'speaker of nonsense'.

Part One of *Utopia* is a discussion between Raphael Nonsenso and More, a lawyer and a Cardinal on what constitutes a good society. Many of the elements that made the 16th century disastrous for the poor are also present in our own age, even though inflected by altered times. More refers to enclosures which replaced the cultivation of the land for sheep in the interests of the wool industry, displacing farmers and labourers who became thieves and beggars. 'These placid creatures, which used to require so little food, have now apparently developed a raging appetite, and turned into man-eaters. Fields, houses, towns, everything goes down their throats.' This complaint has its analogy in a world that encloses and privatises the necessities of life – water, nourishment, even care of the vulnerable.

More laments the eviction of those who are plunged into poverty and who become thieves simply to survive. '[W]hen they grow up and commit the crimes that they were obviously destined to commit ever since they were children, you start punishing them. In other words, you create thieves and then punish them for stealing!'

Raphael deplores the deforming of Christian doctrine by ingenious preachers: '"We'll never get human behaviour in line with Christian ethics," these gentlemen must have argued, "so let's adapt Christian ethics to human behaviour."' The same could be said about capitalism, that most efficient engineer of human souls, which renders economic necessity indistinguishable from human destiny. Raphael is 'quite convinced that you'll never get a fair distribution of goods, or a satisfactory organisation of human life until you abolish private property altogether' – a proposition not quite lost in the modern world, as evidenced by John Lennon when he provocatively sang 'Imagine no possessions…'

Thomas More.

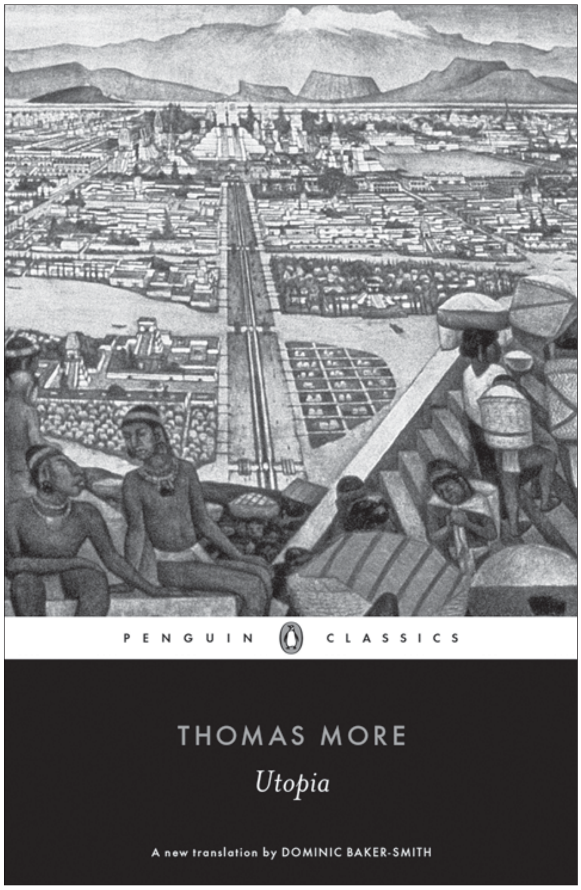
Alternatives

The text of *Utopia* is encumbered with curious details on warfare and slavery (which exists both as a punishment for wrongdoing and as a fate of prisoners of war), and practices which appear to us less bizarre than they must have been then – prospective brides and grooms appear before each other naked before marriage, on the principle that you don't buy goods according to their wrappings. The quality of Utopian life is somewhat ascetic and puritanical for the modern sensibility ('the demoralising games people play – dice, cards, backgammon, tennis, bowls, quoits', while 'adulterers are sentenced to penal servitude of the most unpleasant type').

But in spite of some strange archaisms, the fundamental critique of inequality, social hierarchy and the worship of wealth (gold is worthless in Utopia, fit for the manufacture of chamberpots) sets out propositions which have haunted all subsequent visions of an alternative to egotism and greed, the profit motive and money-culture. Whenever attempts to implement change – whether by revolution, by experiment or small-scale example – have failed, this is triumphantly greeted by conservatives of all stripes as 'proof' that only what exists is plausible and that efforts at radical change are both doomed and mischievous.

Many of the attributes of social and political alternatives that resound down the centuries are to be found in *Utopia*. Francis Bacon's novel *New Atlantis* (1627) – in which a ship sailing from Peru to China is blown off course and arrives at the island of Bensalem, where the crew discover a Christian society combined with dedication to scientific discovery – describes a place so captivating that it 'makes sailors forget all that was dear', and few return to their home. Gerrard Winstanley asked in his *New Law of Righteousness* (1649): 'Was the Earth made to preserve a few covetous proud men to live at ease, and for them to bag and barn up the treasures of the Earth from others, that these may beg or starve in a fruitful land; or was it made to preserve all her children?'

The economic and social violence of industrialism gave a new impulse to the idea of Utopia. Even though Marx scorned the 'castles in the air' of utopian socialism ('They still dream of experimental realisation of their social Utopias, of founding isolated "phalansteres", of establishing "Home Colonies", of setting up a "Little Icaria" – duodecimo editions of the New Jerusalem'), he nevertheless founded his future society on an equally potent myth: through 'scientific' socialism, the proletariat would inherit the earth, not by the grace of God but by their own strength and irresistible force. William Morris in his 1899 *News from Nowhere* – a place that echoes More's original designation – takes up the theme of transformation when he asks: 'But now, where is the difficulty in accepting the religion of humanity, when the men and women who go to make up humanity are free, happy, and energetic, and most commonly beautiful of body also, and surrounded by beautiful things of their own fashioning, and a nature bettered and not worsened by contact with mankind?'



Many of the attributes of social and political alternatives that resound down the centuries are to be found in *Utopia*.

The radical change required to bring about these visions depended essentially upon a change of heart or, in the case of Marx, a change of consciousness on the part of his agents of emancipation. For the most part, Utopias have been placed either in some remote spot of the earth or in a future following some seismic social upheaval. Both have remained dreams.

But such dreams testify to an enduring human desire for a better world that is also this one. In our time, utopian visions appeal increasingly to the imagination of a new generation and are being rescued from the cynicism of the agents of bogus 'realism'. And this time, the awkward and implausible transition to that world is no longer dependent upon wholesale spiritual or religious conversion or on the organisation of any particular social class; although both of these remain important strands in the formulation of newer utopias. For in a wasting world in which the fragility of the biosphere risks being overwhelmed by human activity (anthropogenic, as it is now known, in order to exonerate the rich from setting in motion a system that threatens to efface the life-support system that sustains it), there is new urgency in the utopian project.

If the Utopias of the past were sustained by a commitment to social justice and greater equality, these things were sacrificed to the necessities inscribed in the history made by the powerful and successful. This time it is different: the lineaments of a utopia necessary for a peaceful co-existence of all humanity for an indefinite future are no longer an aspiration, a concept belonging to visionaries and framers of abstract ideals; they have become essential for survival – an even more compelling motive than the desire for justice or the will of the proletariat. Where Marx offered the alternative between communism and barbarism, we are faced with a 'choice' between nihilism and survival.

The rhetoric of the 'real world' – which in its present guise means the bottom line, the balance sheet, the quantity of profit to be wrung from a combination of labour, technology and natural resources – is a despairing fiction, from which deliverance will not be found in an intensification of the mystical addiction to wealth. A catastrophe which threatens the long-term viability of the human habitat is a more forceful motivation for the only utopia that can deliver the world from a fate already foretold in rising seas, migrations and restless upheavals, virulent nationalisms and malignant otherworldly ideologies. Placing trust in other worlds – whether in the form of the colonising of distant planets or of a tremulous and uncertain life after death – is an act of faith which most of the living are unwilling to undertake.

It is a savage irony that Thomas More, who had sight of such relativities, was a highly orthodox Catholic who persecuted heretics, before he, in his turn, was arrested and executed for his failure to swear an oath of succession repudiating the Pope and accepting the annulment of Henry VIII's divorce of Catherine of Aragon and his self-election to the head of the Church in England. More's life from 1478 to 1535 was testimony to the mutability of a country in which Protestantism displaced the Catholic church in a far-from-Utopian transformation; but his book remains full of troubling and incendiary ideas that are as vibrant half a millennium after its publication as they were in the turbulence of early modernity. ◆

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Nicolás Guillén (1902-1989) was a Cuban poet, journalist, political activist and writer. While acclaimed as Cuba's poet laureate, as one of the foremost exponents of 'black poetry' his cultural horizons extended beyond the frontiers of his native land.

Guadeloupe, W.I.

Nicolás Guillén

Pointe-à-Pitre

The Blacks, by the ship,
working. The Arabs, selling,
the French, strolling and resting,
and the sun, scorching.
The sea rides in to lie
at port. The air toasts
the palm trees ... I scream: 'Guadeloupe!'
but no answer.

The ship weighs anchor, ploughing
the impassive waters with a foamy thunder.
Behind it, the Blacks keep working,
the Arabs selling,
the French strolling and resting,
and the sun scorching ...

Translated by Robert Marquez

Credit: Allessandra Meniconzi

Rice terraces in China's Yunnan Province.