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National PRECOP 22 Consultation

Brief note for discussion

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Paris Agreement reached last year was hailed as historic and landmark. It builds upon the Convention and for the first time binds all nations to undertake ambitious efforts to combat climate change. The central aim of the Agreement is to hold the increase in global average temperature to well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. It also aims to strengthen the ability of countries to adapt to the adverse impacts of climate change. To reach these ambitious goals appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place to support action by developing and the most vulnerable countries. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework with built in flexibilities. The Paris Agreement requires all Parties to put forward their best efforts through “nationally determined contributions” (NDCs) and to strengthen these efforts in the years ahead.

The Agreement is under the convention and all the principles of the convention will apply to Paris Agreement too. Paris Agreement has received flak from some developing countries for leaning heavily in the favor of developed countries and doing very little to take on climate change with urgency that it requires. All the pledges/ INDCs submitted are not sufficient to keep the rise in temperature below 2 degrees Celsius. It is notable that the agreement does not have an international enforcement mechanism should the countries fail to achieve their pledges.

Signed by 191 countries, as on 13th October, 2016 77 countries have ratified the Agreement covering 60% of global emissions. India joined the agreement on 2nd October 2016. The ratification

by the EU on 5th October triggered the entry into force clause of the agreement by achieving the double threshold (of 55 countries covering 55% of emissions). the agreement enters into force)after 30 days of double threshold being achieved) on 4th November before the next Conference of Parties of the UNFCCC (COP 22) and Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP 12). The first Conference of the Parties of the UNFCC serving as the Meeting of the Parties to the Paris Agreement (CMA1) will also be held simultaneously with the COP 22 and the CMP 12.

The Paris Agreement

On 5 October 2016, the threshold for entry into force of the Paris Agreement has been achieved.



Issues before the COP 22

Paris COP left many a issues to be dealt with. It formed a Ad Hoc working group on Paris Agreement (APA) to facilitate implementation of the Paris Agreement. COP 22 is supposed to develop the rulebook for the implementation of the Paris agreement. Some of the important issues on which agreement is supposed to be reached are modalities, procedures and guidelines (MPG) for the transparency framework for action and support of the PA, providing information on the NDCs, scope and methods of the global stock take, mobilizing finance, technology and capacity building and pre 2020 ambitions. Each of these issues are highly contentious it looks impossible that many or all of them

will be settled before 2018. The developed and the developing countries were seen going back to their traditional falutline at Intersessional Conference in May this year at Bonn. The success of Paris Agreement will depend upon how Marrakech COP irons out these differences to the satisfaction of most of the parties. The pledges submitted by the parties (NDCs) are not sufficient to keep in rise in temperature below 2 degrees celsius, and enhancing ambition of developed parties will be critical. Finance remains the key to enable developing and least developed countries, and small island states to adapt to the climate impacts and contribute towards the mitigation in the best possible way. The Agreement while universal allows differentiation to the countries which need them according to their capacities and circumstances. Operationalization of differentiation and equity in the Paris Agreement will remain central to all debates in the coming COP. There is no guidance in Agreement on the implications of the early entry into force and it might also introduce some more complexities in the negotiations.

Transparency Mechanism

Paris Agreement establishes an enhanced transparency framework with built in flexibilities. It requires all the parties to report regularly on their emission and implementation efforts and undergo international review. The framework is supposed to provide information to track parties progress in implementing their nationally determined contributions. Though universal it allows flexibility to parties who need them due to their capacity constraints and circumstances. There remains difference of perception among the parties as far as operationalization of differentiation in the transparency framework is concerned. While the US believes that the PA did not differentiate between the developed and developing countries in the transparency framework and the EU insists that flexibility could not be applied at a general

level, and that differentiation should not cement differences; developing country groups like G77& China, LMDC, Arab Group, Africa Group, LDCs and SIDS have maintained that since the agreement is under the common convention, it is subject to its central principle of the CBDR-RC, and that common framework does not mean single framework; and therefore differentiation is apparent in the PA. India has held that the PA explicitly premised transparency framework for action and support on the existing transparency framework under the convention and that flexibility shall be provided to developing countries in the implementation of the transparency framework under the PA. However, all the parties agree that clear guidelines are required to be framed in this regard. Existing transparency framework guided by the Cancun COP decision subjects developed and developing countries to different rigours while reporting and being reviewed. While developed countries provide biennial reports (BRs) and undergo the process of technical examination and international assessment and review (IAR), developing countries are to provide biennial updated reports (BURs) and take international consultation and analysis (ICA), which is less rigorous than developed countries. By 2015, while all developed countries have undergone this MRV process, less than half of the developing countries have completed the cycle of the MRV. Application of a common framework besides being against equity will put developing countries under additional burden. The APA tasked to develop scope, frequency and the detail of the reporting to be provided by the parties, should ensure that developing countries learn it by doing than enhancing additional burden on the developing parties.

Information on the NDCs

LIMA COP decision asked the parties to submit their INDCs well in advance before the Paris COP. INDCs are supposed to be pledges of the countries laying down their efforts towards achieving

the goal of emission reduction. Paris COP further requested the parties to submit the NDCs before next COP at Marrakech. As on 14th Oct 2016, 162 parties representing 190 countries have submitted their NDCs to the NDC interim registry. Under the Paris Agreement parties are supposed to submit NDCs every five years. LDCs and SIDS have the flexibility of not reporting mitigation goals but they may provide information on their efforts, strategies and plans of action.

Since NDCs reflect national circumstances they are of different types. While many countries NDC aim economy wide reductions, many others have aimed reductions in specific sectors while some others prefer emission intensity reduction and some also report deviation from business as usual. While many NDCs are unconditional (implying that countries will take action irrespective of the finance and technology support from developed countries); many of them include pledges conditional to receiving finance, technology and capacity building. Many NDCs include carbon offsets while many others do not. Besides, NDCs also differ in their reference point (year), timeframe (2025-2030) and scope (coverage of sectors). The COP 22 is supposed to provide guidelines on the information to be provided in the NDCs so that they can become comparable and their aggregate effect on keeping the temperature rise may be known with specific certainty. The debate revolves around the issue that whether NDCs refer only to mitigation or also include adaptation efforts. While developing countries have insisted that NDCs should also include adaptation measures for developing and LDCs and SIDS. They also insist that developed countries also report financial assistance and technology provided to developing countries. The NDCs submitted till date suffer from lack of quality data and analysis, and capacity, high degree of subjectivity in reporting fairness and ambition, lack of deeper understanding on finances required and social economic impacts of mitigation measures.

A strong transparency framework should also have implications for the business and financial institutions, which has seen rise in the role they play in the negotiations and reliance on them for climate finance and technology. Transparency framework should have clear guidelines on how they move their investment in low carbon technology and resilience building in countries of their operations and their response in the countries who are lethargic on implementing their NDCs as committed.

Global stocktake

Global stock take refers to five yearly review aggregate effect of the countries climate change actions. One the mandate of the APA includes “to discuss matters related to global stock take.” The Paris Agreement provides that global stock take will take place every year beginning 2023, however, a facilitative dialogue will take place in 2018. It will assess whether the net result of the climate actions being taken was consistent with the goal of Paris Agreement ie. keeping the increase in global average temperature from pre-industrial times to within 2 degree Celsius. The stock take will help determine whether countries need to do more and how much more. APA has to development methodology for the global stock take in coming year. Important questions related to the glbal stock take are, what information should feed it, how it will operate and how the outcomes will be used to enhance global ambition. All countries are expected to participate in the global stock take, however, it will not assess whether individual countries actions are adequate or sufficient. It will only assess what more needs to be done collectively. An important input to the global stocktake will be the reports of the IPCC on the adequacy and aggregate effect of the actions.

In accordance with the demands of developing countries, the stock take will cover not only the results of actions to reduce greenhouse gas emissions but of actions being taken to adapt

to the effects of climate change as well. It will also include an assessment of whether developed countries are offering adequate help to developing countries by providing money and technology, as mandated by the Paris Agreement. As regards the frequency of stock take countries have a different view. While EU and some other countries want a five year cycle, India says that five year is too short to assess impact and it prefers a ten year cycle.

Finance

Paris Agreement stands on two pillars of successful implementation of the NDCs and increasing ambition overtime. Finance is critical for both. One of the core aims of the agreement is to make all financial flows consistent with a pathway towards low-emissions, climate-resilient development. The agreement reiterates that developed countries will continue to provide public funding to developing countries to support their mitigation and adaptation efforts and all the countries have agreed to continue to mobilize financial resources towards the goal of USD 100 billion per year through 2025 when this target will be reviewed. As against the promise of USD 100 billion, as of 10th September 2016, 43 countries including 9 developing countries have made pledges of USD 10.3 billion, however, the total capitalization is USD 9.9 billion. Achieving the announced amount of USD 100 billion per year from 2020 seems an uphill task. Developing countries demanded a roadmap before Paris agreement, which the agreement failed to deliver.

Adaptation finance is also a key issue. Paris agreement declared a global adaptation goal, however, it fell short of providing for an adaptation finance goal. Public finance is essential for adaptation, which is less attractive for private investment. Adaptation Fund (AF) set up in 2001 to finance concrete adaptation projects and programmes in developing countries, which is financed through 2% of the CERs issued in the CDM activity and through other

billion by 2030 and between US\$280 billion and US\$500 billion by 2050 (UNEP, 2016).

The Paris Agreement also attempted to improve reporting and transparency of finance, which is essential to ensure accountability and avoid double-counting.” Developed countries committed to continue to report every two years on their financial mobilization and disbursement and public funding they intend to provide in following years. This year, countries will begin processes to decide the specific information to be reported, when, and how it will be reviewed, as well as methodologies for determining what should count towards climate finance goals, and how to count it. This is essential for ensuring that, as countries work to meet their goals, the predictability and quality, as well as the quantity of climate finance improves. Finance will be also an important item in the global stock take.

At Marrakech, developing countries should insist on a roadmap on how finances will be scaled up, improvement in reporting and accounting on finances, future targets and mechanism to ensure that finance flow is consistent with the goal of the agreement. They should also ask developed countries to help developing countries determine their financial needs. Declaring a global adaptation finance goal will be also helpful to tide over the crisis that adaptation finance faces. While mobilization of financial resources by business and financial institutions is welcome, the climate finance should be mostly composed of public finance from the country parties.

Enhancing pre 2020 ambitions

Perhaps the most important agenda of the developing countries for the Marrakech COP is ensuring pre 2020 commitments of the developed country parties and asking them to ratify Doha Amendments. The DOHA COP extended the life of the Kyoto

Protocol after its first commitment period came to an end (2008-2012). The second commitment period of the Kyoto Protocol runs from 2013 through 2020 known as Doha Amendments, they will enter into force 90 days after 3/4th of the parties (144 countries) submit their ratification instruments. Doha Amendments ask the countries who took emission reduction commitments in the first period to reduce their emission by 18% by 2020 on 1990 average. However, only 7 (and the EU) of the 38 countries in the first commitment period have ratified Doha Amendments. Canada has since then withdrawn from the Kyoto Protocol. Japan, Russia and New Zealand declared that they will not undertake second commitment period. Australia declared a ridiculously low target (5% by 2020 over 2000). As of now, second commitment period covers less than 15% of global emissions.

The possibility of early entry into force of the Paris Agreement has encouraged developed country parties to jump to ratification of the Paris Agreement without ratifying Doha Amendment. This will be fatal for a successful implementation of the Paris agreement. Ignoring pre 2020 emission reduction, will compell developed countries to make rapid emission cuts post 2020, which will be more difficult and expensive proposition. Also linked to Doha Amendments is the pre 2020 financial commitments of the Annex 1 countries. While they agreed to provide USD 30 billion till 2020, till 2016 the climate finance provided stands to a paltry USD 10.3 b.

In the Bonn climate conference in May 2016, while developing countries stressed the importance of pre 2020 ambition and to have a high level facilitative dialogue (referred to in the Paris Agreement and COP decision) over it in the next COP, US wanted to downplay the importance of facilitative dialogue, saying that “there will not be sufficient time to have high level dialogues on everything and therefore, we should prioritize what is more important.” However, it remains on the SBI agenda for the Marrakech COP along with

second biennial high-level ministerial dialogue on climate finance and the high-level event on climate action.

A paper published in *Nature Climate Change* (2012) for the first time comprehensively quantifies the costs and risks of greenhouse gas emissions surpassing critical thresholds by 2020. The findings of the study are particularly important given the failure of the recent climate negotiations in Doha to decide to increase mitigation action before 2020. The authors show that the 2°C target could still be reached even if greenhouse gas emissions are not reduced before 2020, but only at very high cost, with higher climate risks, and under exceedingly optimistic assumptions about future technologies. The more emissions are reduced in the near term, the more options will be available in the long run and, by extension, the cheaper it will be to reach international climate targets. Projections based on current national emissions pledges suggest that global carbon dioxide equivalent (CO₂e) emissions will reach 55 gigatons or more per year in 2020, up from approximately 50 Gt today. At such levels, it would still be possible to reach the 2°C target in the long term, though it would be more difficult and expensive than if near-term emissions were lower. In the no reduction scenario pre 2020, the dependence on untested CCS technology, land consuming options like cultivating bio-fuels and on the nuclear energy will rise significantly.

Besides, ensuring that most of the developed countries ratify Doha Amendments and undertake reduction commitments for the second commitment period, it is also important that they enhance their ambition pre 2020. Many countries (including EU) have already achieved their 2020 targets, therefore in the propriety of things, they should declare enhanced ambition for pre 2020

Countries' progress towards their 2020 targets is more mixed. Countries have generally claimed that they will meet their 2020 targets. The 28 countries of the EU are expected to beat their target by a wide margin. Japan is on track not so much because of strong

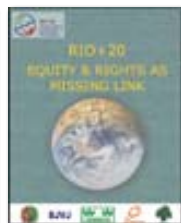
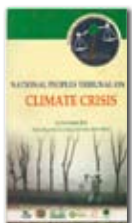
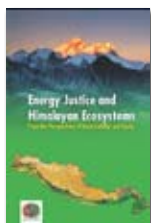
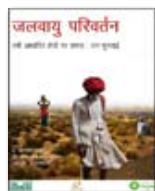
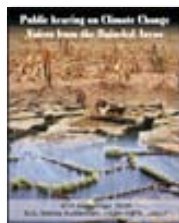
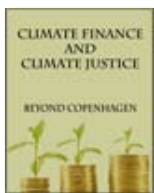
action, but because after the tsunami in 2011 it weakened its target to allow a net increase in emissions. The USA is currently not on track but looks likely to meet its targets. Australia and Norway are currently not in track, but because they are parties to the Kyoto Protocol they can theoretically choose to use international carbon credits to meet their targets in the future. Canada is highly unlikely to meet its current target with current policies. (Climate Institute, Australia, 2015)

In this background pressure on Marrakech COP to deliver is rising. Hakima El Haiti, special envoy of the Sultan of Morocco has said that Marrakech COP will be Action COP. She has also assured that finance, pre 2020 ambition will be central in the COP negotiations. Some perennially thorny issues like CBDR-RC, application of equity and differentiation in the Agreement, loss and damage, carbon markets, commitment and contribution of actors other than sovereign states will also attract attention of the COP. Outcomes of some non UNFCCC processes like Meeting on the Montreal Protocol, ICAO Convention preceding COP 22 and seeking to achieve phase out in the HFCs and reduce aviation emission respectively, might be helpful in building momentum or may influence the prospects of the COP 22.

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Publications





Beyond Copenhagen Collective (BCPH) is a coalition of more than 40 organizations and networks working on the issues of sustainable development, environment, sustainable agriculture etc. BCPH have been extensively engaged with India's response to climate crisis, domestic action and position in International negotiation processes under the UNFCCC, UNCSD, UNCBD, and United Nations General Assembly. The Collective tried to attract global attention on agriculture and food security in climate change negotiations, state responsibility and accountability for climate justice, poverty and inequality, sustainable development and global politics over climate change and sustainable development.

Organizations and networks part of the BCPH collective bring with them varying experiences and expertise, ranging from grassroots works with farmers and peasant communities to engaging with policy makers and the policy through policy analysis, advocacy, lobbying, engaging with the media through their sensitization and orientation; and undertakes documentation and scientific exploration in climate change, sustainable agriculture and food security. The collective aims to address these issues through a variety of actions at local, state, national and global level.