

Identifying Outcomes that Promote the Interests of Developing Countries at COP 18*

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Developing countries have long been at the frontlines of climate change and bearing the brunt of its impacts on sustainable development prospects and even, in many cases, physical survival and territorial integrity. The impacts of Hurricane Sandy in the Caribbean, the droughts that are afflicting Africa, the cyclones and typhoons that lash South and South East Asia and the Pacific islands, are all harbingers of what could become worse if no action is taken quickly and effectively by the global community with respect to climate change. These underscore the need for global cooperation and action on climate change. Developing countries experiencing many severe impacts of climate change share many common interests and priorities, since the problem of climate change goes beyond issues of environmental sustainability as it also directly impacts on the survival and development aspirations of developing countries.

Since 2005 with respect to the Kyoto Protocol and 2007 with respect to the Bali Action Plan, the global community through the UNFCCC has been trying to reach agreement on measures that go beyond what had already been agreed to in 1992 under the UNFCCC and 1997 under the Kyoto Protocol that would strengthen our collective ability to address the challenges that climate change poses to survival, territorial integrity, poverty eradication, and sustainable development, particularly for developing countries.

Doha as the Crossroad for the UNFCCC Regime

The 18th meeting of the UNFCCC Conference of the Parties at Doha could represent a crucial turning point in the global climate change regime – one that could shape how global cooperation on climate change will be governed up to and beyond 2020.

Developing countries face a choice between strengthening the present multilateral regime under the UNFCCC or progressively weakening it. It is a choice between enhancing the collective ability to address climate change under the principles of equity and common but differentiated responsibilities, or

leaving developing countries to go it alone in facing the adverse effects of climate change on their people and their economies.

Given the starkness of the choices that face developing countries in the UNFCCC negotiations, developing countries have to be at the forefront of the negotiations in pushing for the strengthening of the UNFCCC regime in all aspects, particularly in relation to mitigation ambition especially from developed countries, support for enhanced adaptation action in developing countries, and accelerated implementation of existing commitments under the UNFCCC for developed countries to provide financing and technology transfer to assist developing countries in implementing their climate change actions.

To this end, at Doha, developing countries within the G77 have to further strengthen their solidarity and cooperation. Certain principles continue to unite developing countries in this process.

Developing countries have continued to assert and reaffirm, including during the Rio+20 Summit, the principles and provisions of the UNFCCC and its Kyoto Protocol, in particular that Parties should protect the climate system for the benefit of present and future generations of humankind on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. These constitute the fundamental global legal framework on climate change, and that all actions or measures related to climate change must be in full conformity with the principles and provisions of the Convention. The UNFCCC is the primary international, intergovernmental forum for negotiating the global response to climate change. Developing countries should continue to call on all Parties to preserve and build on the architecture of the Convention and its Kyoto Protocol developed over almost two decades, and warn against the unraveling of the international climate change architecture into a weaker regime based on “pledge and review” for developed country Parties.

* This article is adapted from a presentation made by Vicente Yu to the first Ministerial Conference on Climate Change of the African, Caribbean, and Pacific Group of States (ACP) at the ACP House in Brussels on 7 November 2012.

The need for urgent action on climate change is clear, particularly in the pre-2020 period. The world does not need more years of talk shops before action is taken. At the same time, equally vital is the need to ensure that we have a clear, global, and equitable legal regime that builds on the UNFCCC and further strengthens it.

Furthermore, with respect to the various negotiating tracks in the UNFCCC process and based on the various recent (between September and November 2012) high-level and ministerial-level declarations and statements on climate change issued by the African Union, the Alliance of Small Island States, the Least Developed Countries Group, and other developing country groups that form part of the Group of 77 and China, developing countries have many common areas of mutual interest and concern that they should push for together.

On the Doha Package

To promote developing countries' broad interests in the climate change negotiations, COP18 at Doha must have a balanced, ambitious, equitable and comprehensive agreed outcome in line with the Bali Road Map as well as good progress under the Durban Platform. These outcomes should be based on science, equity, and common but differentiated responsibilities. At Doha, successful outcomes in the Kyoto Protocol and the Bali Action Plan (AWG-LCA) would contribute to progress on the Durban Platform.

The work under these negotiations must be carefully balanced and sequenced to ensure that Annex I Parties take on equitable and adequate mitigation commitments under the Kyoto Protocol, that Parties achieve the full, effective and sustained implementation of the Convention in accordance with the Bali Action Plan, and that the ambition gaps on mitigation and means of implementation are closed prior to 2015 to ensure the highest level of effort by all Parties. These would then provide a sound basis for the Durban Platform negotiations towards a new protocol, legal instrument or agreed outcome with legal force under the Convention.

In order to respect the balance of the Durban package coming from COP17, COP18 at Doha should produce:

1. An amendment to Annex B of the Kyoto Protocol regarding further mitigation commitments of Annex I Parties for a second commitment period under the Kyoto Protocol starting on 1 January 2013;

2. A set of balanced outcomes under the AWG-LCA regarding various important elements for an agreed outcome on long-term cooperative action to enhance the implementation of the Convention; and

3. Progress on discussions under the Durban Platform for a protocol, another legal instrument or an agreed outcome with legal force under the Convention addressing mitigation, adaptation, finance, technology development and transfer, transparency of action and support, and capacity-building, premised on the successful conclusion of the AWG-LCA and Kyoto Protocol negotiations.

On the Kyoto Protocol Outcome

At Doha, the Kyoto Protocol negotiations track should result in:

1. The adoption of an ambitious agreement, through amendments to Annex B of the Kyoto Protocol, for a second commitment period of comparable, single number, unconditional, and legally-binding emission reduction targets for developed countries under the Kyoto Protocol, to be applied starting on 1 January 2013. In order to be meaningful, the emission reduction targets of Annex I Parties must be sufficiently deep and in line with the requirements of actions to curb rising temperatures, at least within the range of 40 to 50% below 1990 levels by 2017 to 2020. Annex I Parties that are not parties to the Kyoto Protocol should also take comparably ambitious emission reduction commitments under the LCA;

2. Access to the Kyoto Protocol's flexibility mechanisms being made available only to those Parties that have commitments during the second commitment period;

3. The Kyoto Protocol's compliance mechanism being made applicable to commitments under the second commitment period; and

4. The use of surplus units from the first commitment period must be limited in the second commitment period to protect the environmental integrity of the second commitment period.

On the LCA Outcome

Equally important for success in Doha is a meaningful and comprehensive outcome under the AWG-LCA. To do this, the AWG-LCA must make appropriate and balanced decisions on all aspects of its mandate coming from Bali, Cancun, and Durban, especially on:

1. The provision of concrete support for adaptation actions in developing countries;

2. Provision of adequate financing and transfer of technology to developing countries, particularly to close the finance gap between 2013 and 2020;

3. Developed countries to take the lead in undertaking adequate and comparable mitigation efforts in aggregate and individual terms, particularly to close the pre-2020 mitigation ambition gap, amounting to at least 40-50% below 1990 levels by 2017 to 2020, and

establishment of a clear comparability framework for mitigation efforts for Annex I Parties that are not parties to the Kyoto Protocol;

4. Enhancing the ability of developing countries to undertake nationally appropriate mitigation actions that are supported and enabled by financial resources and technology transfer from developed countries pursuant to the Convention;

5. The removal of barriers to technology support and transfer to be provided to developing countries pursuant to the Convention;

6. Establishing a loss and damage mechanism;

7. Enhancing operational action on capacity building for developing countries.

The necessity for developed countries to provide new, additional and predictable financial resources, technology transfer, and operational and effective capacity building, delivered in a timely and transparent manner to enable developing countries to implement their NAMAs and meet their adaptation needs should be emphasized.

Developed countries should commit to ensure that there is no gap in the provision of such scaled-up, new and additional, predictable and adequate climate finance to developing countries after the end of the fast start finance period in 2012, taking into account the urgent and immediate needs of developing countries that are particularly vulnerable to the adverse effects of climate change, including SIDS, LDCs, and Africa.

The need for an effective compliance regime for all obligations under the Convention, building upon mechanisms in place, should also be emphasized, in particular in the move towards the development of the Durban Platform outcome.

On the Durban Platform

Progress in the Durban Platform negotiations is linked to and should build on the outcomes agreed in the negotiations under the Kyoto Protocol and the LCA, consistent with the mandate from Durban that the process and the outcome of the Durban Platform in both work-streams are under the Convention and must therefore be in full accordance with its princi-

ples and provisions, especially equity and common but differentiated responsibilities. Hence, under the Durban Platform, progress should be made on discussions for enhanced pre-2020 mitigation ambition and the enhanced implementation of the Convention in the post-2020 period.

In this context, the work under the Durban Platform at Doha should:

1. Build on the outcomes of the Kyoto Protocol and the Bali Action Plan;

2. Seek to enhance ambition to adequately address the need to limit the increase in global average temperature to well below 1.5-2 degrees Celsius, taking into account the urgent need to reflect ambitious commitments under the Kyoto Protocol and the LCA for Annex I Parties to reduce their emissions by at least 40-50 per cent below 1990 levels by 2017 to 2020 as their equitable and appropriate pre-2020 contribution to achieving the objective of the Convention;

3. Stress that enhanced mitigation action by developing countries for both the pre-2020 and post-2020 period depends on a clear process to scale up the provision of the needed means of implementation, including finance, technology and capacity support, from developed to developing countries, under the Convention;

4. Move forward the discussions on ensuring that any outcome of the negotiations under the Durban Platform – i.e. a protocol, another legal instrument or an agreed outcome with legal force under the Convention – will reflect the principles and provisions of the Convention, including equity, historical responsibility, and common but differentiated responsibilities, in order to limit the increase of global average temperature to well below 1.5-2 degrees Celsius, and will cover mitigation, adaptation, finance, technology and capacity-building.

Conclusion

To conclude, COP18 represents an opportunity for other developing countries to ensure the strengthening of the UNFCCC regime in ways that can move the global community forward in its collective effort to effectively address climate change and achieve the objective of the Convention. The world is fast running out of time, not only on addressing climate change but also on addressing the other pressing challenges of our time such as the achievement of economic and social development and poverty eradication in developing countries. COP18 must be made into an opportunity that would allow the global community to address all of these challenges in a coherent, integrated, and strategic manner so that the survival and sustainable development of all peoples and countries would be assured.



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