

A RESOURCE KIT ON UNFCCC NEGOTIATION



October 2013



ABOUT THE RESOURCE KIT:

The kit provides an overview of the United Nations Framework Convention on Climate Change (UNFCCC) with the detailed timeline.

It focuses on the institutional framework and practices under the Convention and the Protocol. It also covers major adoption and key themes till date in the climate negotiations.

It also has the compilation of key submission by parties to the UNFCCC and the position of the different parties and groups ahead of COP-19.

It serves as a guiding document and reference for those interested in the UN Climate Change negotiations.

Please refer to the hyper link and the detailed linked provided for the full document on the specifics issues.

The resource kit is produced by Clean Energy Nepal (CEN) on behalf of Climate Change Network Nepal (CCNN).

The production of this resource kit was supported by 'Strengthening the role of Non State Actors in Climate Change policy formulation in South Asia and enhancing their capacities to influence global climate change negotiations" funded by European Union and OXFAM.

Disclaimer: The publication contents attracts from articles and publications from different institutions. The views expressed herein can in no way be taken to reflect the official opinion of CEN, CCNN, OXFAM in Nepal and the European Union.



ABBREVIATIONS

ADP	Ad Hoc Working Group on the Durban Platform for Enhanced Action
AOSIS	Alliance of Small Island States
AWG-KP	Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol
AWG-LCA	Ad Hoc Working Group on Long-Term Cooperative Action under the Convention
BAP	Bali Action Plan
BAPA	Buenos Aires Plan of Action
COP	Conference of Parties
COP/MOP	Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol
GCF	Green Climate Fund
GHG	Green House Gases
INC	Intergovernmental Negotiating Committee
IPCC	Intergovernmental Panel on Climate Change
LDCF	Least Developed Countries Fund
NAMAs	Nationally Appropriate Mitigation Actions
OECD	Organization for Economic Co-operation and Development
REDD	Reducing Emissions from Deforestation and Forest Degradation.
SBI	Subsidiary Body for Implementation
SBSTA	Subsidiary Body for Scientific and Technological Advice
SCCF	Special Climate Change Fund
SIDS	Small Island Developing States
UNCBD	United Nations Convention on Biological Diversity
UNCCD	United Nations Convention to Combat Desertification
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
WMO	World Meteorological Organization

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1 INTRODUCTION

1.1 BACKGROUND:

In 1992 the United Nations Framework Convention on Climate Change (UNFCCC) was adopted to solve the global climate change problem. One of the major decision of the convention is the adoption of the Kyoto protocol which got adopted in Kyoto, Japan 1997 11th December. The protocol sets legally binding targets to the industrialized nations where they need to lower their green house gas emission by 5.2% in the 1990 level between the 1st commitment period i.e. 2008- 2012. The Protocol entered in to force on 16thFebruary 2005 and now has 192 parties. At Conference of Parties (COP-7) 2001 in Marrakesh, comprehensive rules on the execution of the Kyoto protocol was adopted which was called the “Marrakesh Accords”. The Kyoto Protocol was amended in Doha – [Doha amendment](#) where parties agreed on an 8 year second commitment period, starting from January 1st 2013.

The main difference between the protocol and the convention is, Convention encourages developed nations to lower their GHG emission whereas the Protocol commits them to lower the emission.

1.2 History and Development under the UNFCCC and Kyoto Protocol

1979: The First World Climate Conference was organized which recognized climate change to be serious threat and urgent global problem and released a declaration for global collaboration at government level.

United Nations Environment Programme (UNEP) and world climate programme was established which was steered by the World Meteorological Organization (WMO).

1988: World Meteorological Organization and United Nations Environment Programme established the [Intergovernmental Panel on Climate Change](#) (IPCC).

1990: First assessment report was published by IPCC and second World Climate Conference was organized in Geneva, Switzerland. The conference called for a global

treaty on climate change.

On 21 December the United Nations General Assembly established the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change (INC).

1991: Intergovernmental Negotiating Committee (INC) met for the first time.

1992: The INC finalized the Convention text and adopted UNFCCC text.

At the Earth Summit in Rio, UNFCCC was opened for signature along with Rio Convention, United Nations Convention on Biological Diversity (UNCBD) and United Nations Convention to Combat Desertification (UNCCD).

1994: UNFCCC entered into force on 21 March

1995: The Intergovernmental Negotiating Committee worked on the implementation of the convention. The Conference of the Parties to the Convention (COP) was established as the main authority of the convention.

First COP meeting was held in Berlin and launched the “[Berlin Mandate](#)” which focuses on the need of the additional commitments from the industrialized nations. COP 1 was also successful in setting up the Ad Hoc Group on the Berlin Mandate to have further negotiations on “Berlin Mandate”.

COP 1 also decided that the [Subsidiary Body for Implementation](#) (SBI) which was established by Article 10 of the Convention and [the Subsidiary Body for Scientific and Technological Advice](#)(SBSTA) which established by Article 9 of the Convention.

1996: IPCC published the second Assessment Report.

The UNFCCC [Secretariat](#) was established to support action under the Convention.

1997: COP 3 adopted the [Kyoto Protocol](#) in December. Governments agreed to the protocol that commits Annex -1 parties under UNFCCC (developed countries and

countries in transition to a market economy) to reduce their overall emissions of six greenhouse gases by an average of 5.2% below 1990 levels between 2008-2012 (the first commitment period), with specific targets varying from country to country.

Kyoto Protocol was successful to set up three [flexible mechanisms](#) to support Annex- 1 countries to meet their emission targets; [Emissions trading system](#) and [Joint Implementation \(JI\)](#) was for emission reduction between Annex I countries. The [Clean Development mechanism](#) which allowed Annex- I countries to implement emission reduction projects in Non- Annex I Countries to reach their reduction target.

1998: [Buenos Aires Plan of Action \(BAPA\)](#) was agreed at COP 4, held in Buenos Aires. The BAPA set COP 6 as the deadline for finalizing the details on a set of the practical rules agreed in Buenos Aires and strengthening implementation of the UNFCCC.

2001: COP 7 adopted the [Marrakesh Accords](#) and the establishment of three climate funds; the [Least Developed Countries Fund \(LDCF\)](#), [Special Climate Change Fund\(SCCF\)](#), and [Adaptation Fund](#).

IPCC released third assessment report.

2002: COP 8 was held in New Delhi, which adopted the Delhi Ministerial Declaration on Climate Change and Sustainable Development and [New Delhi work programme on education, training and public awareness](#) (Article 6).

In 2005: The Kyoto Protocol came into force on 16 February. The first Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol ([COP/MOP 1](#)) was held with COP 11 in Montreal.

At COP- 11 Parties agreed on a process to discuss post-2012 commitments and decided to establish a new subsidiary body the [Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol](#) (AWG-KP). This working group deals on the emission reduction commitments beyond 2012.

2007: COP 13 and COP/MOP 3 were held in Bali, Indonesia. Parties agreed on “[Bali Roadmap](#)” to conclude the negotiations in 2 years time by COP 15 in Copenhagen, Denmark.

Bali Roadmap includes two-track approach, one is under the convention and other is under the Kyoto Protocol. AWG-KP was launched in COP/ MOP -1, to deal with the negotiations on emission reductions and the track under convention was launched in COP/MOP- 3, the [Ad Hoc Working Group on Long-Term Cooperative Action under the Convention](#) (AWG-LCA) which has mandate to set up a comprehensive process on long-term cooperative action, from 2007 up to and beyond 2012 and reach the agreement and adopt a decision at COP 15 in Copenhagen.

IPCC published its [Fourth assessment report](#) in 2007.

2009: The UN Climate Change Conference in Copenhagen, Denmark was the high profile event because of the deadline for conclusion of the two-track negotiations. After the political agreement Copenhagen Climate Conference adopted “[Copenhagen Accord](#),” Over 140 countries supported the Accord and more than 80 countries pledged/provided national mitigation targets which were non-binding. The mandate of the AWG-LCA and AWG-KP was extended for another year.

2010: COP 16 adopted [Cancun Agreement](#), which established the Cancun Adaptation Framework and the Adaptation Committee Network and Green Climate Fund (GCF). It also established the Technology Mechanism, which includes the Technology Executive Committee and the Climate Technology Centre.

2011: The UN Climate Change Conference in Durban, South Africa ended with a [Durban Outcome](#). Outcome established 2nd commitment period under the Kyoto protocol, decision under LCA and operationalization of the GCF . Government also agreed to set up new [Ad Hoc Working Group on the Durban Platform for Enhanced Action](#) (ADP) with a

mandate “to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties .”

It has planned to wrap up the negotiations by 2015 entering in to force from 2020 onwards. In addition, the ADP was also mandated to find possible option to close the pre-2020 ambition gap in relation to the 2°C target.

2012: COP 17 in Doha adopted the “[Doha Climate Gateway](#)” which agreed to amend the Kyoto Protocol by establishing the 2nd commitment period and terminating the two AWG- KP and AWG- LCA.

The 2013-15 review of the global goal; developed and developing country mitigation; the Kyoto Protocol’s flexibility mechanisms; national adaptation plans; MRV; market and non-market mechanisms; and REDD+ were transferred under the Subsidiary bodies.

Doha Climate Gateway considered loss and damage, “such as” an institutional mechanism to address loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change.

2. PARTIES, GROUPS AND OBSERVER STATES TO THE UNFCCC AND KYOTO PROTOCOL

2.1 PARTIES TO THE CONVENTION AND THE KYOTO PROTOCOL:

States and regional economic integration organizations may become Parties by ratifying, accepting, or approving the Convention. Parties to the UNFCCC may not be the parties to the Protocol while all parties to the Kyoto protocol are parties to the Convention.

The difference between Convention and Protocol is it has main effects on the level of commitment of the parties. Convention encourages industrialized nations to stabilize GHG emissions whereas the Protocol commits parties to lower their emissions.

Based on different commitments parties are divided in to three groups under the UNFCCC and Kyoto Protocol.

Annex I Parties are the member states of the Organization for Economic Co-operation and Development (OECD) in 1992 and countries with economies in transition (EIT), comprising the Russian Federation, the Baltic States, and several Central and Eastern European States.

Annex II parties consist of the OECD member states of Annex – I excluding the EIT parties. Annex – II countries need to support developing countries financially to lower the emission by executing emission reduction tasks under the Convention and adapt to the impacts. Annex- II parties also need "take all practicable steps" to promote the development and transfer of environmentally friendly technologies to EIT countries and developing countries. Funding is distributed through the convention's financial mechanism.

Non-Annex I Parties comprises of developing countries. Convention recognizes countries with low-lying coastal areas, prone to desertification and drought as vulnerable among the developing countries. 49 least developed countries (LDCs) with limited capacity to respond and adapt climate change has been provided special consideration by

the Convention. The annex parties consider LDCs while making any funding and technology transfer activities.

2.2 COMMITMENTS OF THE PARTIES

2.2. A UNDER THE CONVENTION

All parties to the Convention need to prepare a national communications report. The report is the compilation of an inventory of the greenhouse gas emissions and activities that are been taken to implement the convention. The national Programmes must contain following actions:

- Climate change mitigation measures, i.e. measures to control GHG emissions
- Provisions for developing and transferring environmentally friendly technologies
- Provisions for sustainably managing carbon ‘sinks’
- Preparations to adapt to climate change;
- Plans for climate research, observation of the global climate system and data exchange
- Plans to promote education, training and public awareness relating to climate change

Non-Annex I Parties do not need to submit a separate annual greenhouse gas inventory, and national communications of Non- Annex I countries are not reviewed in depth.

2.2. B UNDER THE PROTOCOL

The Kyoto Protocol has established legally binding commitments for Annex- I parties to limit their green house gas emission and also assist Annex- I parties in attaining their emission target through the three flexible mechanisms. Annex- I countries need to lower their emission by 5.2 % at the base year 1990 within the 1st commitment period 2008-2012. For most Parties, the base year is 1990. However, some EIT Parties have another base year. After the first commitment period ended parties in 2012 in Doha agreed to the second commitment period.

2.3 PARTY DELEGATIONS AND REGIONAL GROUPS

Officials from the government represent each party in different sessions of the

conventions, who negotiate and prepare proposals on behalf of their government. UN have divided parties in to 5 regional groups Africa, Asia, Russia and Eastern Europe, Latin America and the Caribbean states, and the Western Europe and Others Group (the ‘Others’ include Australia, Canada, Iceland, New Zealand, and the USA). In addition to these groups, the [Alliance of Small Island States](#) (AOSIS) has received formal recognition in climate change deliberations.

2.3.1 COORDINATED GROUPS

In practice most of the regional groups do not meet the essential interests of the parties,. There are several groups, which play crucial role in the climate negotiations and termed as “Coordinated groups”.

2.3.1. A. G77 AND CHINA

The Group of 77 (G-77) was formed in 1964, which is the coalition of the developing countries. China allies itself with the G-77 and group has more than 130 countries. Developing countries negotiate through G-77 and China having common negotiation positions. Because of the complex nature of the climate negotiations individual member countries of the group are delegated specific negotiation responsibility.

The group is lead by Chair, who mostly speaks for the group in the opening statement. Chair is rotated every year. The Group operates according to a consensus rule, without consensus no common position is articulated.

2.3.1. B. AOSIS

To represent the voice of the low lying and small island countries, which are vulnerable to sea level rise, the Alliance of Small Island States was formed in 1990. The alliance consists of 43 states; members of these groups are also members of the G-77. The AOSIS countries have been raising their voice on the threat caused by climate change on their survival. The group have been advocating for deeper emission cuts and funding for adaptation in the negotiation.

2.3.1.C. JUSSCANNZ/UMBRELLA GROUP

JUSSCANNZ stands for Japan, USA, Switzerland, Canada, Australia, Norway and New

Zealand. Iceland is also a member whereas Mexico and South Korea are the observers for the group.

The group was converted in to the umbrella group during the negotiation of the Kyoto Protocol. The main difference between JUSSCANNZ and Umbrella Group is that Umbrella group excludes Switzerland and includes the Russian Federation and Ukraine. Umbrella group does not have common positions but exchange information on the issue of their interest. The group was inactive from 2002-05 because two of its members state USA and Australia had not ratified the Kyoto Protocol. After the ratification of Kyoto by Australia group stated to make statement on the issues related to Kyoto.

2.3.1.D. EUROPEAN UNION (EU)

The European Union (EU) is negotiating block formed of 28 European member states, which usually speaks through its Presidency. EU Presidency rotates every six months.

2.3.1.E. OPEC

The OPEC stands Organization of Petroleum Exporting Countries. The group negotiates on the issues related to oil usage. The group is concerned about the protection of export of oil and fear that their income will be at stake if the treaty undermines the significant use of fossil fuels.

2.3.1.F. AFRICAN GROUP

The African group represents the voice of African nations when they want to put their specific interests in negotiations, when they differ from G-77. African group speaks on the specific issues like adaptation, financing, capacity building and technology transfer.

2.3.1.G. ENVIRONMENTAL INTEGRITY GROUP (EIG)

The Environmental Integrity Group (EIG) comprises of Mexico, the Republic of Korea, Switzerland, Monaco and Liechtenstein. The group's members, comprises of both Annex Non Annex I Parties and I. Group do not share common consensus and they have little in common in terms of national circumstances. The overall purpose of the group is to promote environmental integrity of the climate change regime. IEG negotiates together

when they have common position and if not they negotiate individually.

2.3.1.H. GROUP OF LEAST DEVELOPED COUNTRIES (LDCS)

The Group of Least Developed Countries (LDCs) is a group of 49 countries defined by the UN, which is identified as a region with fragile economy, low level of human and institutional capacity, governance crisis and political instability. The group is very active and vocal in climate negotiations. It works together to defend its member's particular interests, for example, with regard to vulnerability and adaptation to climate change.

Nepal is the chair of the group for 2013 and 2014.

2.3.1.I. LIKE MINDED DEVELOPING COUNTRIES (LMDC)

This group has been set up to strengthen the voice of the developing countries and to coordinate the position during the negotiation. Group has mentioned that they are essential part of G-77 and china following its principles and objectives.

3. INSTITUTIONAL ARRANGEMENTS AND PRACTICE OF THE UNFCCC AND KYOTO PROTOCOL

INTRODUCTION

The institutions that are formed by the convention are:

- a. The Conference of Parties to the Convention (COP)
- b. The Subsidiary Bodies (SBs)
- c. The Bureau
- d. The Secretariat

They also include other bodies established by the COP: committees, working groups and expert bodies.

Bodies established under the Kyoto protocol include the COP-MOP, the executive Board of the CDM, the JI Supervisory Committee, and the Compliance Committee.

3.1 THE CONFERENCE OF THE PARTIES (COP)

Countries that are parties to the Convention attend the annual UN Climate conference. Yearly meeting of the COP are essential to the climate negotiation process and multilateral climate policy. COP is the supreme body of the convention which is the highest decision making body.

3.1. A RESPONSIBILITIES

According to Article 7.2, the COP is responsible for reviewing the implementation of the Convention and any related legal instruments, and has to make the decisions necessary to promote the effective implementation of the Convention. In particular, its role is to:

1. Examine the Parties' commitments in light of the Convention's objective, new scientific findings and experience gained in implementing climate change policies;
2. Promote and facilitate the exchange of information on measures adopted by Parties to address climate change and its effects;
3. Facilitate the coordination of measures adopted by Parties to address climate change and its effects, if requested to do so by two or more Parties;

4. Promote and guide the development and refinement of comparable methodologies for activities related to implementing the Convention, such as preparing inventories of GHG emissions and removals and evaluating the effectiveness of measures to limit emissions and enhance removals;
5. Assess the implementation of the Convention by Parties, the effects of the measures taken by individual countries and the progress made towards achieving the ultimate objective of the Convention;
6. Consider and conduct reports on the implementation of the Convention, and ensure their publication;
7. Make recommendations on any matters necessary for the implementation of the Convention;
8. Seek to mobilize financial resources;
9. Review reports submitted by its SBs and provide guidance to them; and
10. Exercise such other functions as are required to achieve the objective of the Convention as well as all other functions assigned to the COP under the Convention.

3.2 COP MEETINGS:

The COP meeting is organized for 2 weeks annually. COP meeting are organized parallel to sessions of the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI).

Additional COP sessions may be organized if the COP recognized the need of the meeting or if party submits a written request with supports of one third of the party within six months. Till date no such sessions has been held. There was resumed session held for the COP 6, which took place in Bonn from 13-27 July 2001.

COP meetings are attended by Government delegates, Observers (civil society and non-governmental organization) and the media.

3.3 COP PRESIDENT

The role of the COP president is to facilitate the work of the COP and encourage

dialogue and promote agreements among parties. The environment minister of the host country usually leads COP presidency who remains under the authority of the COP and cannot represent any party during the COP meetings.

3.4 COP BUREAU

An elected Bureau guides the work of the COP and each subsidiary body. The bureau does not limit its work during the session but also work between the session. The COP Bureau consists of 11 officers: the COP President, seven Vice- Presidents, and the Chairs of the two subsidiary bodies and a Rapporteur.

The vice president of the bureau chairs the high level segment while the president is engaged in the negotiations at the ministerial level. The Rapporteur prepares the report of the session. The five regional groups each nominate two members, and one place is reserved for a representative of Small Island Developing States (SIDS). The COP elects the Bureau annually from the Party representatives.

3.5 THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE KYOTO PROTOCOL (COP/MOP)

The COP/MOP meets annually during the COP meeting. The Parties to the Convention but not parties to the protocol are not allowed to attend the COP/ MOP meetings. They can participate as observers and cannot participate in the decision-making. The Bureau of the COP also serves the MOP. However, The member of the COP Bureau who is not the party to the protocol should be replaced by a party to the Kyoto Protocol.

3.6 SUBSIDIARY BODIES (SBs)

The Convention has set up two permanent subsidiary bodies (SBs), the Subsidiary Body for Scientific and Technological Advice (SBSTA), and the Subsidiary Body for Implementation (SBI). These subsidiary body meets twice in a year, once in the middle of the year and next time during COP, these bodies advise the COP. The SBSTA and SBI come up with the draft decisions, which are forwarded to the COP for consideration and the adoption. Similar to COP, the SBSTA and SBI also have a Bureau, Chair, vice-Chair and the Rapporteur which functions similar to that of COP. The Chair, the Vice-Chair

and the Rapporteur are elected according to the principle of equitable geographic representation.

The SBSTA functions as the “link between the scientific, technical and technological assessments of information provided by competent international bodies, and the policy-oriented needs” of the COP, while the SBI develops recommendations to assist the COP “in its review and assessment of the implementation of the Convention and in the preparation and implementation of its decisions”. These two permanent subsidiary bodies established under the Convention also serve the CMP.

3.7 THE SECRETARIAT

The Climate Change Secretariat, services the COP, the SBs, the Bureau and other bodies established by the COP. The Secretariat's key role is to prepare official documents for the COPs and SBs and reviewing Annex- I party national communication and compiling GHG inventory data. Secretariat also carries out tasks decided by COP and also services the bodies established by the protocol.

The Secretariat is administered under United Nations rules and regulations. Executive Secretary heads the Secretariat who is appointed by the UN Secretary General in discussion with COP through its Bureau. The Secretariat is accountable, through the Executive Secretary, to the COP.

4. KEY THEMES AT UNFCCC

4.1 ADAPTATION: Adaptation is the major issue of interest for developing countries particularly for the Least Developed Countries. Key developments on the [adaptation regime](#) under the UNFCCC are the establishment of the [Least Developed Countries Work Programme](#). The Programme was established at COP 7, Marrakesh in 2001 that includes development of national climate change mechanism, capacity building and [National Adaptation Programmes of Action \(NAPA\)](#).

[Nairobi Work Programme](#): At COP 12 in Nairobi, the Subsidiary Body for Scientific and Technological Advice (SBSTA) was assigned to undertake a 5-year project to address impacts, vulnerability and adaptation in relation to climate change whose activities are still running.

[Cancun Adaptation Framework](#): Cancun agreement established the Cancun Adaptation Framework. The Framework was divided into the 5 groups, which includes the formulation and implementation of [National adaptation plans \(NAPs\)](#) by LDC countries, [work programme on loss and damage](#), establishment of the [adaptation committee](#), principles and stakeholder engagement.

4.2 FINANCE: Climate finance is one of the critical issues that will play significant role in addressing the emission reductions by developed countries and the adaptation effort by the developing nations. Significant financial resources are required for both which can be acquired from public, private and alternative sources of financing. According to the common but differentiated responsibility and respective capabilities (CBDRRC) principle under the convention Annex-II parties need to support the developing countries financially implementing the objectives of the UNFCCC. The effective measurement, reporting and verification of climate finance are very crucial to build trust between the Parties to the Convention.

[STANDING COMMITTEE ON FINANCE](#): Standing committee was established at

COP 16 to assist the COP in exercising its functions in relation to the financial mechanism of the Convention. At COP 17 roles and responsibilities, composition and working modality of the committee was set up and the name of the committee was change to Standing Committee on Finance at COP 18. The standing committee comprises of 20 members, 10 from developed and 10 from developing countries which main function is to assist the COP and meets twice in year. The committee has 4 main functions:

- a. The committee assists COP to improve coherence and coordination in the delivery of finance.
- b. The committee assists COP rationalization of the financial mechanism of the UNFCCC
- c. The committee support the COP in the mobilization of financial resources for climate financing
- d. The committee supports the COP in the measurement, reporting and verification of support provided to developing country Parties.

LONG-TERM FINANCE: Long-term finance refers to adequate funds required by the developing countries to implement adaptation and mitigation programmes in long term. Long term finance need to identify the possible source of the finance from different sources. Further it is also needed to scale up the financial resources that will support developing countries, which will help the effective implementation of these activities to meet the objectives of the Convention. Funding under long term finance need to be adequate and predictable and the countries that are vulnerable and in urgent and immediate needs are the one who are in the need of the finance to adapt from the climate change.

Cancun agreement established **Green Climate Fund (GCF)**, which agreed to have equal number of board members from developing and developed nations. The board will comprise of 24 members, World Bank serving as interim trustee, which will be reviewed after 3 years from operationalization. Agreement also recognized the commitment by developed countries to deliver US\$30 billion for the fast-start finance (2010-2012), and to jointly mobilize US\$100 billion per year by 2020. **The Doha Climate gateway** agreement encouraged developed countries to increase the financial support in 2013-15

as during the fast start period.

4.3 **MITIGATION:** In Cancun, COP 16 under the Convention track, parties acknowledged the need of deeper emission cuts to lower the global temperature below 2°C and agreed to review the target of 1.5°C by 2015. Cancun agreement also established a registry for [Nationally Appropriate Mitigation Actions \(NAMAs\)](#) by developing countries and enhances procedures on MRV/ICA.

4.4 **LOSS AND DAMAGE:**

The Cancun Adaptation Framework established a work Programme on [Loss and Damage](#), which refers to the negative impacts, and irreversible loss caused due to climate change in the developing countries and the discussion of measures to compensate this impacts and loss in the UN climate negotiations.

LEAST DEVELOPED COUNTRIES GROUP (LDCS): LDCs has shown active participation in the work programme on loss and damage. On [LDCs Submission](#) they have expressed their views on convention's role on the key issues and needs related to loss and damage.

ALLIANCE OF SMALL ISLAND STATES (AOSIS):

AOSIS raised the issue of the insurance mechanism to the sea- level raise in 1991 and also played key role and worked on the acknowledgment of loss and damage in Bali Action Plan, Cancun adaptation framework and implementation of the work programme on loss and damage.

Work Programme on loss and damage is the first attempt to address loss and damage and parties in COP 16 and COP 17 designed work programme under three thematic areas.

- Assessing the risk of loss and damage associated with the adverse effects of climate change and the current knowledge on the same;
- A range of approaches to address loss and damage associated with the adverse effects of climate change, including impacts related to extreme weather events and slow onset events, taking into consideration experience at all levels;
- The role of the Convention in enhancing the implementation of approaches to

address loss and damage associated with the adverse effects of climate change. COP 18 recognized **loss and damage** in the final document of the conference and agreed on the setting up work programme on loss and damage, which will set up international mechanism to address loss and damage.

4.5 TECHNOLOGY TRANSFER AND DEVELOPMENT: Technology Executive Committee (TEC) and Climate Technology Centre and Network (CTCN) were established by the Cancun agreement.

4.6 EQUITY: The Principle of common and differentiated responsibilities and respective capabilities (CBDR-RC) has been discussed since the beginning of the climate negotiation and the equity was one of the major discussion agenda in COP-18, Doha. To have an effective agreement in 2015 developed countries that have capacity need to take bold action and faster compared to the developing countries. If not done so it will be hard to keep temperature raise below 2°C above pre-industrial levels.

4. 7 REDD: At COP-11 in 2005, REDD was introduced as an agenda item and in 2006 SBSTA started to note the potential of REDD for mitigation. REDD+ was official adopted at COP 6 in 2010.

4.8 NEW MARKET MECHANISM: To complement CDM and JI parties at COP-17 Durban decided to set up a new international market mechanism under the convention. Doha Climate Gateway agreed on a work programme will work on the elaboration and operation of the new market- based mechanism under the convention. The framework also recognized the need of establishing a framework for recognizing mechanisms outside the convention, which includes nationally administered or bilateral offset programmes. These mechanisms will assist countries to meet their mitigation targets.

4.9 CAPACITY BUILDING:

Capacity building has been one of the major negotiation issues since last 2 decades because country needs to have a capacity to run mitigation and adaptation activities on

climate change. Under the Convention capacity building includes national communications, greenhouse gas inventories, technology transfer and adaptation.

[Capacity building](#) is very essential for countries to mitigate and adapt the adverse impacts of climate change. Capacity building is categorized in 3 levels under the Convention and Protocol:

Individual level: Develop educational, training and awareness raising activities

Institutional level: Promoting overall development of the organization and support Cooperation between institutions

Systemic level: Operationalization of the institution and individual level based on economic and regulatory policies and the accountability frameworks creating enabling environments through in which institutions and individuals operate.

Durban outcome has established [Durban Forum on Capacity-building](#) to address the need of dialogue among the parties. Dialogue will monitor and reviews the effectiveness of capacity building within the international climate change regime. In [Warsaw Climate conference](#) COP-19 under SBI, Parties will continue the discussions initiated at COP 18 on establishment of work programme on capacity building under the Convention for developing countries.

4.10 AGRICUTLURE:

Agriculture accounts 14% of global green house emission and in UNFCCC negotiations it is observed as both mitigation and adaptation. There has not been much progress on agriculture issue in the climate negotiations though it has been featured in many countries national mitigation plans.

At COP 19 discussions on the three documents; [developed country mitigation](#), submissions of parties outlining their [views on the current state of scientific knowledge](#) on how to enhance the adaptation of agriculture to climate change impacts and [developed country reporting](#) will be carried under SBSTA.

5. LATEST MAJOR ADOPTIONS UNDER UNFCCC (2010 onwards)

5.1 CANCUN AGREEMENT: COP 16 adopted Cancun agreement, which established the Cancun Adaptation Framework and the Adaptation Committee, and the Technology Mechanism, which includes the Technology Executive Committee and the Climate Technology Centre and Network. Agreement also set up the Green Climate Fund (GCF), which agreed on 24-member board.

Under the Convention track, parties recognized deeper emission cuts to maintain the global average temperature to 2°C. Parties agreed to keep the global long-term goal under regular review and consider strengthening it during a review by 2015, including in relation to a proposed 1.5°C target. Convention took note of emission reduction targets and nationally appropriate mitigation actions (NAMAs). Parties also recognized the commitment by developed countries to provide US \$30 billion of fast -start finance in 2010-2012, and to jointly mobilize US \$100 billion per year by 2020.

Under AWG-KP the CMP urged Annex I parties to raise the level of ambition towards achieving aggregate emission reductions as identified IPCC 4th assessment report. The mandates of the two AWGs were extended until COP 17 and CMP 7.

5.2 DURBAN OUTCOME: The Durban outcome agreed to set up a commitment period under the Kyoto protocol and operationalize the green climate fund. Parties agreed to launch Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) that mandated to “to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties ” completing the negotiations by 2015 and entering in to force by 2020.

Under the Protocol track, CMP decided the time line of the second commitment period that shall begin from on 1 January 2013 and end either on 31 December 2017 or 31 December 2020 which to be finalized in AWG-KP 17. The decision also ensured the emission reduction by at least 25-40% below 1990 levels by 2020, noting the relevant

review to be carried by 2015.

5.3 DOHA CLIMATE GATEWAY: “Doha Climate Gateway” adopted amendments to the Kyoto Protocol to establish the second commitment period and terminated the AWG-KP and AWG-LCA. Gateway also agreed to consider loss and damage, “such as” institutional mechanism to address loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change. Doha further agreed to establish work programme to further understand the diversity of NAMAs. Doha transferred issues like the 2013-15 review of the global goal; developed and developing country mitigation; the Kyoto Protocol’s flexibility mechanisms; national adaptation plans; MRV; market and non- market mechanisms; and REDD+ which need further consideration to SBI and SBSTA.

5.4.ADP - AD HOC WORKING GROUP ON THE DURBAN PLATFORM FOR ENHANCED ACTION (ADP):

The Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) is a subsidiary body that was established at COP 17, Durban an outcome of Durban decision. ADP is mandated to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties, which is to be completed no later than 2015 in order for it to be adopted at COP 21 and for it to come into effect and be implemented from 2020.

5.4. A OBJECTIVE OF ADP:

The ADP was established with two major objectives:

- Firstly develop "a protocol, another legal instrument or an agreed outcome with legal force under the UNFCCC applicable to all parties".
- Secondly to enhance ambition through identifying and exploring options for a range of actions that can close the current ambition gap with a view to ensuring the highest possible mitigation efforts by all Parties.

5.4.B TIMING: The ADP is to complete its work as early as possible but no later than 2015 in order to adopt this protocol, legal instrument or agreed outcome with legal force

at COP25 (in 2019) and for it to come into effect and be implemented from 2020.

5.4.C TWO WORK STREAMS: Parties agreed ADP work should be undertaken in two separate Work streams.

Work- Stream 1 addresses the visions and aspirations for the ADP, which aims to develop key characteristics and features of the new agreement.

Work-stream 2 addresses enhanced mitigation ambition which aims to progress concrete options in order to close the emissions gap to keep the increase in global average temperature below 2°C or 1.5°C. The underlying idea is to find ways to achieve enhanced mitigation pending the entry into force of the new agreement under Work stream 1.

6. RECENT KEY SUBMISSION BY PARTIES TO THE UNFCCC

<u>WORK STREAM 1 UNDER ADP</u>		
Country/ Groups	Submission Date	Document
Nepal on behalf of LDCs	18 October 2013	Submission on costs, benefits and opportunities for adaptation
Nepal on behalf of LDCs	03,September 2013	Submission on Least Developed Countries Group on the ADP Work Stream 1: The 2015 Agreement, Building on the Conclusions of the ADP 1-2
United States of America	17 October 2013	U.S. Submission on the 2015 Agreement
Swaziland on behalf of the African Group	08 October 2013	Submission Under Work stream I of the ADP
Swaziland on behalf of the African Group	08 October 2013	Submission on adaptation in the 2015 Agreement
European Union	16 th September 2013	Adaptation in the 2015 Agreement
India	13 th September 2013	Submission on ADP- work stream 1
Like-Minded Developing Countries on Climate Change	12 th September 2013	Submission on the costs, benefits and opportunities for adaptation based on different drivers of climate change impacts, including the relationship between adaptation and mitigation
Canada, Japan, New Zealand, Norway and the United States of America	6 th September, 2013	Submission on Costs, benefits and opportunities for adaptation under different drivers of climate change, including the relationship between adaptation and mitigation
<u>Work stream 2 under ADP</u>		
Country/ Groups	Submission Date	Document

Nepal on behalf of LDCs	5 th September, 2013	Submission on ADP work stream II: the pre 2020 mitigation ambition, building on the conclusions of the ADP 1-2
United States of America	9 th October 2013	U.S. Submission on Ambition
Swaziland on behalf of the African Group	19 th September, 2013	Submission Work stream II of ADP
European Union	16 th September 2013	Submission on Enhancing pre-2020 mitigation ambition
India	13 th September, 2013	Submission on Work stream- II ADP
<u>COP</u>		
Country/ Groups	Submission Date	Document
Nepal on behalf of LDCs	22 April 2013	Submission on views and recommendations on elements in the development of the further guidelines for the fifth review of the financial mechanism
<u>SBSTA</u>		
Country/ Groups	Submission Date	Document
Nepal on behalf of LDCs	18 th October 2013	Submission on the SBSTA agenda item relating to methodological issues under the Kyoto Protocol: Land Use, Land Use Change and Forestry under Article 3, paragraphs 3 and 4, of the Kyoto Protocol and under the Clean Development Mechanism
Nepal on behalf of LDCs	3 rd September 2013	Submission with respect to Modalities and Procedures for Applying the Concept of Additionality as called for in FCCC/SBSTA/2013/L.5
Nepal on behalf of LDCs	16 th September 2013	Submission on Nairobi Work Programme on impacts, vulnerability and adaptation to climate change
Nepal on behalf of LDCs	2 nd September 2013	Submission on Agriculture
<u>SBI</u>		
Country/ Groups	Submission Date	Document

Nepal on behalf of LDCs	25 th May 2013	Submission on Arrangements for Intergovernmental Meetings (AIM) pursuant to decision FCCC/SBI/2012/15, paragraph 238
Nepal on behalf of LDCs	8 th February 2013	Submission on Experiences on the Application of Guidelines for the Formulation of National Adaptation Plan Process for Least Developed Countries
Nepal on behalf of LDCs	21 st April 2013	Submission on behalf of the Least Developed Countries Group on Joint Implementation
Nepal on behalf of LDCs	21 st April 2013	Submission on issues of adequate and predictable support for the implementation of REDD+ activities, including financial resources, technological support, and institutional arrangements to improve the coordination of this support

SUBMISSION BY OBSERVER ORGANIZATIONS:

Organization	Submission Date	Submission
Climate Action Network International (CAN-International)	4 th September 2013	Submission to ADP Chairs on Workstream 1: Post-2020
Climate Action Network International (CAN-International)	4 th September 2013	Submission on ADP: Workstream 2
WWF	30 th August 2013	Submission on Increasing pre-2020 Mitigation Ambition through scaled up Renewable Energy and Energy Efficiency Initiatives
CEN	3 November 2012	Work Programme on Loss and Damage

7. COUNTRY POSITIONS AHEAD OF COP-19

COUNTRY	POSITION
India	<p>Indian Government submission on ADP work stream 1 mentions that 2015 agreement should address all four pillar of the convention: India has emphasized countries should be divided in two categories based on the annexes to the convention, if not done so it will violate the mandate of the negotiations.</p> <p>Under Compliance, India calls for a mechanism based on the Kyoto protocol that suggest science based obligation for the Annex- I Countries and recommends provision of positive incentives to enhance compliance for Non Annex 1 countries.</p>
Brazil	<p>Brazil discusses parties should be differentiated on the annexes to the convention where the group need to be separated legally. Brazil has made two proposals in its submission. Initially they have suggested cumulative historical emissions should be considered while agreeing on the commitment on the emission reductions. They recommends for assessment, which should consider emissions from 1850 and incorporate IPCC. Further they have added that this process will help countries to evaluate their historical emission at the UN climate summit organized by Ban Ki- Moon in September 2014.</p> <p>Secondly Brazil suggests having National debates on the fight against climate change after Warsaw climate conference to have mandate from national level for the commitment on 2015 Paris climate agreement.</p>
South Africa	<p>South Africa stands in different position with its allies from Basic members however it discusses the adoption of the new protocol as expressed by India.</p> <p>South Africa has expressed that the protocol need to be have legal binding obligations and argues for targets based on the economy for the developed nations and relative emission reduction for the developing countries. South Africa proposes the registration of the commitment on the basis of successive commitment periods accompanied by a compliance mechanism as of Kyoto Protocol. Further they suggest the target to be</p>

	defined through step wise process, which will be followed by the quantified targets in 2015 and reviewed by the Paris climate conference. They have added that Paris will amend these targets on the equity reference framework and on the outcomes of the 2013-2015 review of the global goal.
African Group	African group submission demands for new global goal based on limiting the temperature increase and pillars of the convention. They have also called for the review of the commitments based on the reference framework including scientific and equity elements. They have suggested for facilitative compliance mechanism for annex- 1 Countries. Further groups recommends for national level country consultations for country's commitment starting in end of 2014 and reviewed by science and equity after 2015.
Like Minded group of Developing Countries (LMDC)	LMDC emphasizes the importance of balancing work stream 1 and 2 and emphasizes the obligation of industrialized countries (Annex II) for technological and financial assistance.
Least Developed Countries (LDCs)	LDCs submission refers to limiting the global temperature to 1.5 degrees and calls for adoption of the legally binding protocol. LDC suggests the new protocol should respect the rule-based commitments, which should be based on the latest science.
USA	<p>US submission has proposed for working on pledges that will be determined nationally and argues that it will not guarantee the required level of the commitment to achieve the goal but recommends that this plan will pressure parties to pledge for the ambitious actions.</p> <p>The US submission calls for agreement in 2015, which will be a mix between ambitious and binding commitments. Commitment on emission reduction will be registered after consultation in March 2015.</p> <p>US stresses the importance of redirecting investment flows and the function of climate finance in delivering comprehensive post-2020 framework in relation to the finance.</p>

European Union	<p>European Union appeals for the global deal and advocates for ambitious, legally binding protocol, addressing the issues, like mitigation, adaptation, means of implementation and transparency in 2015. US and few other developed countries agrees on flexibility and pragmatism to deliver the ambition whereas EU submission focuses on trust (implementing via rules based system) to play the main role in the agreeing for stronger mitigation action. EU Focuses on the adoption of a legally binding reporting and accounting framework building on Protocol and the agreement after the Cancun.</p> <p>EU calls for conversation on the operationalization of finance in COP 19, Poland and proposes parties to put their mitigation targets in the discussion in 2014. They further suggest such commitments be based on the economy wide emissions reductions targets for the country that have obligation of the emission reductions.</p>
Environmental Integrity Group	<p>The Environmental Integrity Group submission calls for legally binding outcome with ambition target, comprehensive participation and effective compliance mechanisms.</p> <p>Under CBDR-RC they emphasizes on having dynamic and flexible framework to enable further ambition. They have emphasized all mitigation efforts need to be legally binding and stressed for advancement in the text on the modalities and the timeline in ADP in COP 19.</p>
Independent Alliance of Latin America and the Caribbean	<p>AILAC has emphasized the need of adaptation framework and role of means of implementation in the new framework. It submission focuses to have same time line for means of implementation and mitigation commitments.</p>
Japan	<p>Japan has recommended G8proposal of emission reduction by 50% in 2050 where developed countries need to reduce their emission by 80%. There vision for post 2020 climate agreement contains flexible hybrid system where commitments are based nationally, agreed on international rules and review process.</p> <p>Japan's submission specifies the expectation for the consultation on the review of the national commitments internationally before the adoption of the new agreement. Further they have suggested flexibility in the timeframe for submission of commitments. They have also suggested the possibility country's action on climate change other than emission reductions.</p>

8. ESSENTIAL DOCUMENTS ON NEGOTIATIONS

S.N	Title of the Documents	Links
1.	Essential Background to the Climate Change Negotiations	http://unfccc.int/essential_background/items/6031.php
2.	The Convention	http://unfccc.int/files/essential_background/background_publications_htmlpdf/application/pdf/conveng.pdf
3.	Kyoto protocol	http://unfccc.int/resource/docs/convkp/kpeng.pdf
4.	Organizational matters adoption of the rules of procedure	http://unfccc.int/resource/docs/cop2/02.pdf
5.	Bali action plan	http://unfccc.int/resource/docs/2007/cop13/eng/06a01.pdf#page=3
6.	Copenhagen accord	http://unfccc.int/resource/docs/2009/cop15/eng/107.pdf
7.	Cancun Agreement	http://unfccc.int/meetings/cancun_nov_2010/items/6005.php
8.	Durban Outcome	http://unfccc.int/key_steps/durban_outcomes/items/6825.php
9.	The Doha Climate Gateway	http://unfccc.int/key_steps/doha_climate_gateway/items/7389.php
10.	Doha amendment to the Kyoto Protocol	http://unfccc.int/files/kyoto_protocol/application/pdf/kp_doha_amendment_english.pdf