COP 20 in Lima: Setting the Stage for Paris

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Recent events help build momentum

September:

• Ban Ki-moon summit in New York

October:

• EU Council decision on 2030 GHG target: 40% below 1990

November:

• U.S. pledge of up to $3B to Green Climate Fund ($9.3B from 21 countries)
• Joint announcement by US and China of post-2020 ‘actions’
  • Builds momentum for an agreement
  • Underscores the need for an agreement
  • Offers clues to what the agreement will look like
Two decades of the UNFCCC offer lessons

• 1992 UN Framework Convention on Climate Change (UNFCCC)
• 1997 Kyoto Protocol
  • Binding emissions targets and timetables for developed countries only
  • 2nd round of Kyoto targets (2013-2020) cover only 13% of global emissions
• 2009 Copenhagen Accord/2010 Cancún Agreement
  • Voluntary pledges from 90+ countries with 80+% of global emissions
  • Aggregate pledges fall well short of 2°C pathway

• What have we learned?
  • Kyoto: strong legal and technical rigor; shrinking participation
  • Copenhagen/Cancún: broad participation but low ambition
  • Neither approach is getting the job done
The emerging “hybrid” paradigm

A blend of *bottom-up* and *top-down* elements that balances *national flexibility* and *international discipline* to achieve both *broad participation* and *strong ambition*
• **COP 17 (2011): Durban Platform for Enhanced Action**
  
  • Established the Ad Hoc Working Group on the Durban Platform (ADP) to deliver an agreement in 2015 that will:
    – Be “under the Convention”
    – Be “applicable to all Parties”
    – Have “legal force”
    – Apply from 2020

• **COP 19 in Warsaw (2013)**
  
  • Invited parties to communicate their “intended nationally determined contributions” (INDCs) to the new agreement well in advance of Paris
    – In the first quarter of 2015, for those “ready to do so”
  
  • Called for a decision in Lima on the information parties should provide with their INDCs
  
  • Explicitly “without prejudice to the legal nature of the contributions”
**Expected outcomes in Lima**

- **COP decision on steps leading to Paris**
  - What information should parties provide when presenting their INDCs?
  - How will parties conduct their *ex ante* consideration of the INDCs?

- **“Elements” text**
  - Mandate is for parties to consider “elements for a draft negotiating text... with a view to making available a negotiating text before May 2015”
  - Starting point in Lima will be a new “non-paper” from the ADP co-chairs
Issues: Framing the INDCs

• Scope
  
  • Draft decision says “all Parties should include a mitigation component” in their INDCs
  
  • Offers three options on information to accompany INDCs:
    – Mitigation; adaptation; finance, technology and capacity-building
    – Differentiated for developed and developing countries
    – Mitigation only

• Form
  
  • Unlikely to be prescribed; could be economy-wide emissions targets (absolute or intensity), sectoral targets, or other types of policies and measures
  
  • Non-paper: they should be “of a type, scope, scale and coverage no less ambitious compared with those previously undertaken” (no backsliding)

• Timeframe: 2025 vs. 2030
  
  • Unlikely to establish a common timeframe for initial INDCs
  
  • More important to set a common timeframe for initiating the next round of INDCs
Issues: Framing the INDCs

• Differentiation

• How to apply the principle of “common but differentiated responsibilities and respective capabilities” (CBDRRC)
  – Some developing countries calling for Kyoto-like differentiation between Annex I (developed) and non-Annex I (developing) countries
  – US, EU and others favor de facto self-differentiation of “nationally determined” contributions

• Legal character

• Draft decision is “without prejudice to the legal nature of the contributions”

• Non-paper refers to “commitments/contributions,” reflecting divergent views
Issues: *Ex ante* consideration

• Warsaw decision: INDCs are to be communicated “in a manner that facilitates the clarity, transparency and understanding of the intended contributions”

• It’s widely anticipated that, outside the UNFCCC, parties, experts and civil society will make their own assessments of ambition and fairness

• Within the UNFCCC, draft decision calls for:
  • Online Q&A for “clarification” of INDCs
  • Workshops on the “aggregate effect” of the INDCs
Issues: The rest of the package

• **Paris outcome will likely be a set of legal instruments**
  - 1) a core legal agreement; 2) an instrument (annex, schedule, etc.) housing the NDCs; and 3) supporting COP decisions
  - Non-paper doesn’t try to distribute content among different instruments; does contain provisions typical of a legally binding agreement

• **Mitigation**
  - A new long-term goal?
    - Options in non-paper include carbon neutrality or net zero emissions by 2050
  - Procedural commitments
    - Non-paper: “All Parties to prepare, maintain, communicate and implement commitments/contributions”
Issues: The rest of the package

• **Adaptation**
  • “Political parity” with mitigation?
  • A clearer adaptation vision or goal?
  • Commitment by all parties to prepare national adaptation plans?
  • Assurances of increased support for developing countries?

• **Finance**
  • New finance goals for the post-2020 period?
  • From whom? Toward what priorities? How much public vs. private?

• **Transparency**
  • Lots of progress on measurement, reporting and verification (MRV) under Copenhagen/Cancun
    – Something to watch for: US and 16 other countries will undergo first “multilateral assessment” in Subsidiary Body on Implementation
  • Challenge: creating a common system that still allows for differentiation
Issues: The rest of the package

• **Accountability**
  - Any mechanism to address implementation or compliance?
  - With an enforcement and/or a facilitative function?

• **Updating contributions**
  - How often?
  - Will the parameters of commitments/contributions be any different for future rounds?

• **Legal form/character**
  - Central issue is what legal character to assign to different elements of the agreement
• Parties have made progress (albeit slow) and largely avoided major procedural fights

• We’ll see in Lima whether recent momentum-building steps translate into stronger progress within UNFCCC

• An early test will be whether some parties aggressively challenge the ADP co-chairs on process

• There’s a strong tendency in these negotiations to hold onto issues until the final moment, which isn’t until Paris, so substantive progress may be modest

• Essential outcomes: a decision on INDCs; a reasonably clean “elements” text; confidence in the process
Success in Paris?

• **Why do we need an agreement?**
  
  • To build confidence that all countries are doing their fair share, which enables each to do more than it otherwise would

• **Numbers will provide one measure of success**
  
  • Initial NDCs are unlikely to put us on a 2°C pathway

• **A more qualitative measure**
  
  • A durable framework that gets all the major players on board, ensures accountability, and works to build ambition over time
Additional resources

• Toward 2015 Dialogue – Report of the Co-Chairs
  • http://www.c2es.org/international/toward-2015

• Other C2ES resources (policy briefs, overview of party submissions, etc.)
  • http://www.c2es.org/international/2015-agreement

• Draft COP decision
  • http://unfccc.int/resource/docs/2014/adp2/eng/12drafttext.pdf

• Non-paper on elements for a draft negotiating text
  • http://unfccc.int/resource/docs/2014/adp2/eng/11nonpap.pdf