

**Submission by Sudan on behalf of the Africa Group:
Elements of the draft negotiation text under the ADP**

The Africa Group welcomes the opportunity to express its views on the elements of the draft negotiating text for a new climate agreement under the Convention as envisaged in paragraph 2 of Decision 1/CP.17, taking into account further substantive guidance in paragraphs 3-5. It is the Group's view that, the work of the ADP is to enhance action under the Convention, as such its principles, provisions and annexes, building on progress made to date including under the Kyoto Protocol, and the agreed outcome pursuant to Decision 1/CP.13 as reflected in decisions of the sixteenth, seventeenth, and eighteenth sessions of the Conference of Parties.

From an African Group perspective, the 2015 Agreement, at a minimum, should reflect the following elements:

- Definitions to minimise ambiguity on terms reflected in the agreement
- Preamble, covering the context and legal basis of the agreement, including recognition of progress made to date as reflected on previous decisions
- General aggregate commitments, reflecting global objectives as agreed/to be agreed, including mechanisms for ensuring fair and adequate contributions to the global effort
- Record of specific commitments by Parties in line with their Convention obligations, including mitigation, adaptation, finance, technology development and transfer, capacity-building and transparency of action and support, , as envisaged in paragraph 5 of Decision 1/CP.17.
- Elaboration of how operational mechanisms for finance, adaptation, and mitigation, technology development and transfer, transparency of action and support, and capacity-building, including those under the Convention - will support the delivery on the agreed general and specific commitments.

- Definition of accountability, compliance provisions as well as review process for the implementation of general and specific commitments, including adequacy of the operational mechanisms
- Agreement on other considerations, including adoption, amendment, entry into force, reservation and options.

This submission further elaborates each of the six elements of the draft negotiating text for the 2015 Agreement to be adopted at COP 20 in Lima, Peru.

A: Definitions

1. xxx
2. xxx

Preamble

1. Reaffirmation of the agreement as being under the Convention, as such its principles and provisions, including its annexes shall apply
2. Specific reference to the guidance by science, equity, common but differentiated responsibilities and respective capabilities, historical responsibility, whilst taking into account national circumstances
3. Recognition of sustainable development, gender issues, and poverty eradication that are the priorities for Africa and other developing countries, therefore the agreement should reinforce a fair, multilateral rule-based regime that brings to effect the right to equitable access to sustainable development, further recognizing developmental context of environmental policies, and that standards applied by some countries may be inappropriate and/or unwarranted economic and social cost to other countries, in particular developing countries, in line with the principles and provisions of the Convention.
4. Affirming that responses to climate change should be coordinated with social and economic development in an integrated manner with a view to avoiding adverse impacts on the latter,

taking into full account the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty,

5. Recognizing that all countries, especially developing countries, need access to resources required to achieve sustainable social and economic development, as such their energy consumption will need to grow, whilst taking into account the opportunities for achieving better energy efficiency and reduce greenhouse gas emissions, including the application of new technologies on terms which make such an application economically and socially beneficial,
6. The agreement should therefore result in a fair sharing of atmospheric space and resources, recognizing the historical use of such resources by Annex I Parties, and equally the global adaptation responsibility, and access to finance technology and capacity support
7. Reaffirm the agreement as a further elaboration of the Convention, particularly commitments outlined in Article 4.1, 4.2, 4.3, 4.4, and 4.5 on emission reductions, finance adaptation, capacity building and technology development and transfer, whilst noting special considerations in Articles 4.6, 4.7, 4.8, 4.9, 4.10.

B: General aggregate commitments

1. In accordance with Article 2 of the Convention the agreement should address both the mitigation and associated adaptation needs in a context of agreed temperature goal that does not lead to dangerous anthropogenic interference
2. Affirm the agreed temperature goal of keeping temperature increase well below 1.5°C from pre-industrial levels, based on the review as contemplated in paragraph 4 and 138 of decision 1/CP.16
3. Define and agree on the required aggregate emission reduction goal; a goal for adaptation recognizing the global nature of adaptation responsibility, including finance and technology support for adaptation; and quantified goals for the associated finance and technology consistent with the temperature goal, taking into account both adaptation and mitigation needs of developing countries, and based on the available studies, country needs assessments, while having a process for regular update of those quantified commitments

4. Agree and define an ex-ante mechanism to facilitate fairness and adequacy of contributions by various Parties in accordance with their common but differentiated responsibilities and respective capabilities towards the achievement of the global goals, including to provisions of support provided by developed countries

C: Record of commitments by all Parties

1. Recall the commitments provided for in Article 4 of the Convention, where all Parties commit to act in accordance with Article 4.1, whereas developed countries further undertake differentiated commitments in Articles 4.2 to 4.5, and taking into account the special circumstances provided for developing countries and economies in transition in Articles 4.6 to 4.10
2. Recall the differentiated commitments for developed countries in respect of quantified economy-wide emission reductions in Article 4.2, whilst Annex II Parties commit to finance and technology transfer to support developing country action in respect of mitigation and adaptation in Articles 4.3 and 4.5, and to assist developing countries in meeting the costs of adverse effects in Article 4.4.
3. Reiterate the linkage between level of action by developing countries and level of support provided by developed countries as per article 4.7 of the Convention
4. On adaptation,
 - a. Agree on how developing country commitments to adaptation in accordance with Article 4.1 will be reflected, building on existing mechanisms and processes for the National Adaptation Plans (NAPs) and National Adaptation Programme of Action (NAPAs), as well as an option for the recognition of such efforts towards the required global goal.
 - b. Agree on how developed country commitments in accordance with Article 4.1 should be reflected, further agree on how the obligation for adaptation support to developing countries by Annex II as set out in Articles 4.4, as well as Articles 4.3 and 4.5 relating to finance and technology, respectively, will be reflected in accordance with realizable temperature scenarios

- c. Define and provide further guidance for the Nairobi Work Programme, Adaptation Committee, and the Cancun Adaptation Framework, Loss and Damage Mechanism on how to integrate these into the Agreement and operationalise the agreed commitments on adaptation

5. On mitigation,

- a. Agree on the form, type, process of presenting and assessing commitments for developed country Parties in accordance with Articles 3.1, and 4.2, reflecting science-based, economy-wide, and comparable absolute emission reduction commitments and how they will be reflected in the agreement, with provisions for counting, accounting, and building on existing rules under the Convention and its Kyoto Protocol
- b. Agree on the form, type, sequencing and consideration of commitments for developing country Parties in accordance with Articles 4.1 and 4.7, and how they will be reflected in the agreement, with provisions for counting, accounting, and building on existing rules under the Convention
- c. Building on the agreed outcome, and existing mechanisms under the Convention, agree on market and non-market mechanisms, LULUCF rules, implementation of REDD+, further guidance to the NAMA Registry, and a mechanism for Response Measures in order to enhance environmental integrity and understanding of effort under the agreement

6. On technology,

- a. Agree on developing country obligations as outlined in Article 4.1 to cooperate in the development, application and diffusion, including transfer of technologies, building on the Technology Needs Assessments and Technology Action Plans for mitigation and adaptation, and the recognition of such actions
- b. Agree on how developed country obligations to cooperate in the development, application, diffusion, and the transfer of technologies, including the specific obligations for transferring technologies in all relevant sectors as contemplated in Article 4.1 (c), for promoting, facilitating and financing the transfer of and access to technologies by

developing countries, and for enhancing endogenous capacities and technologies in developing countries, as contemplated in Article 4.5, will be reflected in the agreement including accounting for such provision.

- c. Define and provide further guidance to the Technology Executive Committee, and the Climate Technology Center and Networks (CTCN), including its Advisory Board will support the operationalisation of these commitments and accounting

7. On finance,

- a. Recall the provisions of the convention, in particular Articles 4.3, 4.4, 4.7 with respect to agreed full incremental costs to be provided by Annex II Parties for developing country actions under Article 4.1, full costs for reporting, and costs for adaptation, recognising that the extent to which developing countries can fulfil their commitments depends on effective provision of finance and technology support as per Article 4.7,
- b. Define and agree on the various instruments for providing support from developed countries, including assessment of adequacy, country needs assessments as well as the counting and accounting rules for the different types of financial commitments
- c. Define and agree on quantified targets for provisions of finance related to the agreed temperature goal and based on different sound reports and country needs assessments, with a process for review of adequacy and predictability and sustainability, while providing clarity on the burden sharing process between developed countries
- d. Provide further guidance to the operating entities of the Finance Mechanism under the Convention, Standing Committee on Finance, Green Climate Fund, Adaptation Fund, and LDC Fund in respect of counting and accounting rules for obligatory support by developed countries and recognition of developing country contributions through cooperative actions

8. On capacity building,

- a. Recall Decision 1/CP.17 which identified capacity building as important element of the 2015 Agreement, and Decision 2/CP.7 which created a platform for exchange of views on

how to address capacity needs of developing countries, provide for coherence between needs and implementation.

- b. Define a mechanism for capacity building under the Convention, which includes institutional arrangements such as a Capacity Building Committee to provide normative guidance to the Convention on capacity related issues, as such informs other mechanisms under the Convention
- a. Agree on measurement, reporting and verification of support received for capacity building against needs identified by Parties, and assessment of the effectiveness of implementing capacity building activities including clear performance indicators on an international level

D: Operational mechanisms

1. Recall the various operational mechanisms under the Convention and their role in supporting the delivery of commitments by various Parties. These include the mechanisms for adaptation, finance, technology, capacity building, and the mitigation related instruments on markets, response measures, and transparency
2. Recall the ex-ante mechanism for the assessment of adequacy and fairness of contributions by Parties in B.4 above, including the necessary institutional arrangements for implementation

E: Accountability, compliance and review provisions

1. Recall agreement on reporting systems already agreed under the Convention, including National Communications, Biennial Update Reports, the International Assessment and Review and the International Consultation and Analysis as a sound platform for transparency in the agreement through facilitative compliance.
2. Define and provide further guidance to the operational mechanisms of the Convention in accordance with Article 12.1 and 12.2 on transparency in a differentiated manner, including provisions of Article 12.3 on the assessment of finance, technology and capacity building support

3. Recall the periodic review starting in 2013-15 provides a basis from which a review mechanism under the 2015 Agreement should be premised, with the objective of assessing the adequacy of the long term global goal, as well as the progress towards achieving it
4. Define common accounting rules for all the Annex I Parties on their post-2020 emission reduction targets as well as on the commitments on finance and technology support by Annex II Parties.

F: Other considerations

1. Amendments to the agreement; ...
2. Adoption and amendment of Annexes; ...
3. Signature; ...
4. Ratification, acceptance, approval or Accession; ...
5. Entry into force; ...
6. Reservations and options; ...
7. Withdrawal; ...
8. Authentic texts; ...