

LMDC Opening Statement for ADP - COP 19

Mr. Co-Chairs

1. I make this statement on behalf of the Like Minded Developing Countries. We fully endorse the statement made by Fiji on behalf of the Group of 77 and China.
2. I take the liberty of making some specific points on various aspects of the 2015 Outcome so that we will be able to engage constructively with the other Parties to take the discussions in the ADP forward.
3. The 2015 Outcome for the post-2020 period should be guided by the Principles and Provisions of the Convention, on the basis of Equity and in accordance with Common but Differentiated Responsibilities, since it is "under the Convention."
4. We recall Article 3.1 of the Convention where, inter alia, it is also incumbent that "developed country Parties should take the lead in combating climate change and the adverse effects thereof."
5. It is important that we build on the principles and provisions of the Convention by preserving and reinforcing various aspects of the Convention, where enhanced actions are required to meet the ultimate objective of the Convention.
6. In addition, we see the need to make progress on enhanced action on all the elements identified in para 5 of decision 1.CP 17 of the Durban COP.
7. We see progress in enhancing the implementation of the elements as a balanced and comprehensive one. By this, we mean that the progress should be on all the elements and the progress should be symmetrical.
8. We would like to underline that whatever legal form we adopt, all elements of the post-2020 outcome should have the same legal nature. We cannot have a situation where different elements in the so-called package are treated differently under any agreement.
9. We also believe that the Annexes in the Convention are based on scientific assessments of historical responsibilities. To abolish the Annexes or to make them irrelevant would be to obfuscate the historical responsibilities of developed countries. This is clearly against the provisions of the Convention.
10. Mitigation by developed countries must be central to the post-2020 period and the developed countries should, according to Article 3.1, take the lead through ambitious emission reductions undertaken domestically.
11. There must be comparability of efforts among Annex I Parties with respect to their mitigation

commitments.

12. Mitigation contributions should be determined nationally for Non-Annex I Parties. It is inevitable that there would be a variety in the nature of actions or contributions (e.g. enhanced NAMAs) by Non-Annex I Parties. Consequently, actions of Non-Annex I Parties should be nationally determined.
13. We have put in place ICA and IAR to review the QELROs of Annex I and the NAMAs of non-Annex I made for the post-2020 period. Much work has been done on the transparency regime and we need to use it to bring greater clarity to the process.
14. Furthermore, in addition to differentiation, there must appropriate sequencing in terms of mitigation under the Convention. Developed countries take the lead on mitigation (as well as other areas) under the Convention. Developing countries may follow with enhanced actions to implement the Convention on the basis of support from developed countries according to Article 4.7.
15. We do not see any role for a two-step process in the ex-ante process for review of efforts of developing countries. Any framework which seeks to determine for developing countries what they should contribute in any future regime goes against the principle of equity and common but differentiated responsibilities based on historical responsibility. As Article 3.1 states, equity lies in developed countries taking "the lead in combating climate change and the adverse effects thereof". Non-Annex I Parties cannot be on the same template as the Annex I Parties.
16. Any enhancement of ambitions to meet any future mitigation gap, and even the current one, should be done in accordance with article 3.1 and the Annex I Parties should take the lead and meet it. Applicability to all doesn't mean uniformity in application. The ADP outcome as a multilateral instrument would be applicable to all Parties but that there can be differentiation in both its content and its application by Parties on the basis of the differentiation already established by the Convention between developed and developing countries.
17. Articles 12.1 and 12.2 of the Convention deals with reporting obligations. We have had separate tracks on reporting and accounting rules as per the nature of the responsibility we have, as reflected in the two Annexes. It is not conceivable that the onerousness of the responsibility of Non-Annex I should be the same as Annex I.
18. Common Accounting Rules cannot be for all Parties without any regard for the two Annexes and the nature of their reporting obligations. Common Accounting rules are for the Annex I parties, for both KP and non-KP Parties.
19. As regards the timing of putting forward QELROs for Annex I and of contributions for non-Annex I for the post-2020 period, we need to keep in mind the ambition levels of the pre-2020 period and Work Stream 2. What we have agreed in Doha is to review commitments and enhance the

ambition of the Annex I parties under KP. We need to know as a first step by how much the ambition levels are being increased. Consequently, we will call for the 2014 review on commitments being undertaken first by Annex I before we move to the post-2020 period. If not, then there is a real danger of ambition level of the pre-2020 period being transferred to the post-2020 period.

20. We recall Article 4.7 in the context of actions on mitigation. This means that the extent to which developing countries implement the Convention and enhance their actions depends on the extent to which developed countries fulfill their obligations under Art. 4.3, 4.4 and 4.5. Enhanced action on mitigation will require enhanced action on means of implementation.
21. We also need to respond to economic and social consequences of response measures as set out under the Bali Action Plan.
22. Adaptation is a key priority for us. Art. 4.4 defines the basis for international cooperation in this regard, under which Annex II Parties commit to support the costs in developing countries to address the adverse effects of climate change, including on loss and damage. However, adaptation has not received adequate attention as opposed to mitigation despite the large number of decisions by the COP on adaptation. This situation has to change and we need enhanced action.
23. The Loss and Damage mechanism established in Doha must be made operational.
24. Adaptation institutions under the Convention must be strengthened and fully financed.
25. Quantitative increases in the ability of adaptation financing institutions to deliver and support funding for adaptation in developing countries must be made. In this regard, the NAPs of all developing countries must be fully supported.
26. We also need to enhance action on adaptation relating to economic diversification to build resilience as set out in the Bali Action Plan.
27. The fulcrum of the balance in the Convention lies in Art. 4.7, under which the extent to which developing countries implement their commitments under the Convention depends on the extent to which developed countries implement their commitments to provide finance and technology under Art. 4.3, 4.4 and 4.5.
28. The financing obligation under the Convention is for Annex II Parties, not for their private sector. As such, public finance from developed countries must be the primary source of financing to developing countries under the Convention. Public financing could leverage private finance and other sources but should remain the primary vehicle. Financing requirements does not mean creating an enabling environment.
29. The \$100 billion to be provided by developed countries at Cancun is only the starting point for the

post-2020 period and not the ending point. This needs to be scaled up to meet the necessary levels of the real financing needs of developing countries in the context of the actions that they need to undertake in order to cope with the adverse effects of global warming up to and beyond the 2C temperature goal.

30. The Convention's financial mechanism must be made more robust, with new, additional, adequate and predictable funding going towards its operating entities such as the GCF. In this regard, Annex II parties must provide a clear roadmap for public climate financing from developed countries with specific targets, timelines, and sources. Any burden sharing for the provision of climate finance, under the Convention, must be done among developed countries. We also need to reinforce non-market approaches and mechanisms.
31. We need as much transparency in the means of implementation as in clarifying mitigation pledges and commitments.
32. We look at financing under the Convention as the commitment of Annex II only and not the role of South-South cooperation. South-South cooperation has evolved as a voluntary effort over time and completely differs from the obligatory and responsibility framework which motivates the North-South template.
33. Another important aspect on which enhanced action is required in the context of technology development and transfer are removal of barriers, especially issues related to IPRs, and enhanced financial support for technology development and transfer for developing countries.
34. Article 4.5 of the Convention is far from realising the potential for which it was inserted.
35. Enhanced action should apply to both mitigation and adaptation related technologies.
36. We call on specific windows for technology development and transfer in the Convention financial mechanism entities and funds e.g GCF, GEF, AF, LDCF, SCCF etc.
37. Annex I Parties need to put in place the enabling environment in their own countries that will remove the barriers (such as cost and IPRs) to technology development and transfer and enable them to effectively implement their technology development and transfer obligations to developing countries.
38. Transparency of the provision of support will be a key element in the ADP outcome.
39. Enhancements are needed with respect to the transparency regime for the provision of support to developing countries, including financing and technology transfer. An MRV system for enhancing transparency in financing and technology from Annex II parties must be established, including identification of specific amounts, timelines, and sources must be created that strengthens the current system of reporting.

40. Such reporting should also encompass economic and social consequences of response measures.
41. Under the UNFCCC, enhancing capacity building means that it must be effective and sustained over the long-term until developing countries have acquired the capacity to fully implement climate change actions under the Convention. It should not be focused only on mitigation or enhancing MRV of mitigation.
42. Special focus for capacity building activities must be provided to LDCs and Africa.
43. Unilateral measures that adversely affect the interests of developing countries would be inconsistent with the Convention and harm global efforts to work together on climate change.
44. We would like to underline that efforts of Parties should take into account the protection of the integrity of Mother Earth.

Mr Co-chair

45. For Work Stream 2, we reiterate that increasing pre-2020 ambition should be primarily done through implementation of earlier decisions, including the 2nd commitment period of the Kyoto Protocol in the Doha Climate Gateway and the outcome of the Bali Action Plan in a comprehensive manner, covering mitigation, adaptation and means of implementation. As we have mentioned before, we call on all Annex I Parties to commit to significantly scaling up ambition levels in 2014. This is the first step. These enhanced commitments are crucial for the success of Work Stream 1.

Mr. Co-Chair

46. We will make available a more detailed text of this statement and look forward to constructive discussions with other Parties to take our discussions forward.

Thank You.

