



WWF International Submission

The Information Requirements for INDCs

October 2014, In reference to ADP.2014.7.DraftText

WWF welcomes the ADP Co-Chairs' draft decision text on "intended nationally determined contributions of Parties in the context of the 2015 agreement"¹ (hereafter referred to as "the Co-Chairs' draft").

The conclusions from ADP2.3 in Warsaw² states that the ADP invites "Parties and admitted observer organisations to provide further information, views and proposals on the work of the ADP before each session."

WWF would like to take up the invitation and hereby submits its views on the Co-Chairs' draft text.

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¹ ADP.2014.7.DraftText

² FCCC/ADP/2013/3

1 Summary

WWF believes that “Intended Nationally Determined Contributions” (hereafter INDCs):

1. Should be communicated as early as possible.
2. Should have mitigation contributions as its primary focus and must also include financing and other means of implementation
3. Should capture adaptation measures;
4. Should contain sufficient and quality information to enable a Review in terms of ambition (based on inputs from the latest science) and equity;
5. Contributions on mitigation and means of implementation should be subject to a review of adequacy and equity before COP21 and COP/MOP11 in Paris;
6. Should be re-considered, re-negotiated and scaled-up by Parties before COP21 and COP/MOP11 in case the review process finds the INDCs, collectively and individually, to be insufficient;
7. Should be captured in the 2015 agreement

This submission aims to provide proposals that build off the good starting point captured in the Co-Chairs draft, but which WWF believes can and should be strengthened. WWF further strongly recommends that the COP20 decisions reflect these strengthened proposals on INDC’s.

The 5th Assessment Report of the IPCC³ makes it clear that cumulative emissions cannot exceed 655 – 815 Gt CO₂ between now and 2050, and therefore we propose that Parties must base their INDCs on the level of ambition required to ensure that aggregate efforts are on a trajectory to limit warming to well below 2 degrees Celsius above pre-industrial levels, with a reasonable chance of not exceeding 1.5 degrees Celsius. This means that Parties collectively need to reduce global GHG emissions by at least 80% by 2050 below 1990 and that globally renewables must deliver roughly 45% of all primary energy by 2030 while energy intensity must improve at 4.5% annually over the same period. For WWF this level of effort has to be equitable and take into account responsibility and respective capability,

In WWF’s view therefore, the primary purpose for Parties submitting their INDCs has to be to enable a review of the global level of action in relation to mitigation as well as support, to ensure that the emissions trajectories are consistent with staying well below 2°C and 1.5°C of global warming above pre-industrial levels. COP20 decisions on INDCs should therefore serve to clarify the entire process of dealing with INDC’s, from its initial consideration, to its submission, through to how it is captured in the 2015 global agreement.

³ IPCC AR5 WGIII SPM page 17

We provide our views on specific details in the submission below:

1. **Areas of contributions:** The first, and best, response to the challenge of climate change is undeniably through mitigation efforts that reduce emissions of greenhouse gases (GHG). Therefore WWF believes that mitigation efforts should be at the heart of the INDCs and its review processes. However, developed country Parties have largely failed to meet their mitigation and financing responsibilities to date, and the scale of the mitigation and adaptation challenge is now correspondingly greater. Thus, to enable global climate action with sufficient levels of ambition and equity, means of implementation and adaptation measures must also be captured in countries' INDCs. Neither adaptation nor means of implementation can be a substitute for mitigation action but they are necessary in their own right.
2. **Information requirements of ambition and equity:** Parties' views on how their INDCs serve ambition and equity must be provided in INDCs. The formulation in the current Co-Chairs' draft text is sufficient as a minimum but the section has to be elevated in accordance with its importance.
3. **Clarity on global mitigation efforts:** Two principles should be captured in the annex to the Co-chairs draft text and guide Parties in the preparation of their INDCs:
 - To enable calculations of total global anthropogenic GHG emissions⁴.
 - To transparently show other measures that affect contributions, such as, for example, carbon market mechanisms or non-market-based approaches.
4. **Differentiation:** Differentiation in the INDCs can be achieved through both the timing of when countries submit their INDCs as well as the type of mitigation contributions that are put forward in accordance with countries' respective responsibility and capability. Furthermore, INDCs submitted by developed country Parties should include indications of how they will support adaptation and mitigation beyond their own borders, and developing countries with similar responsibility and capability should be encouraged to do so. Those developing countries with low responsibility and low capability should clearly indicate which portion of their efforts will require international support and which portion they will undertake themselves.
5. **Effective ex ante review modalities:** The main purpose of having INDCs submitted well in advance of the Paris COP is to allow sufficient time for Parties to ramp up their ambition levels if the aggregate of intended contributions are not in line with a trajectory that provide a reasonable chance of limiting warming to below 1.5°C above pre-industrial levels and to examine the fairness and equity of parties' proposed contributions. Therefore the information submitted in INDCs should be compiled and made publicly available by the Secretariat as suggested in Co-Chairs' draft. However, the Technical Paper on assessing aggregated effects, fairness and equity and individual

⁴ Including CO₂ and non-CO₂ gases as well as emissions from land use, land use change and forests

Parties ambition should be tasked to a reputable body with relevant expertise and broad support, and complementary analyses from a range of institutions should be invited. Parties should agree in Lima to convene two formal *ex ante* review sessions under the ADP in 2015 before Paris. At these sessions experts on equity and other relevant areas, civil society representatives and Parties should interrogate and debate the INDCs that have been submitted. . The outcome of these review sessions should be summarized in an informal paper and Parties should be strongly encouraged to reconsider and revise their INDCs based on the paper and feedback that they receive.

6. **Pre-2020 enhancement information:** Parties “should” (not “may” as in the current Co-Chairs’ draft text) provide information about what actions they will be taking to enhance mitigation efforts in the pre-2020 period in order to enable a comprehensive *ex ante* review of INDCs.

2 Areas of contributions

WWF believes that the primary purpose of communicating INDCs is to enable a proper review (see Section 4 below) in terms of ambition and equity and the list of items of information that Parties must provide should be determined accordingly.

Ambitious mitigation action remains the best response to the climate challenge. However, due to the differences in capabilities and historical responsibility for climate change between countries, it will be necessary that countries with more responsibility and capability provide support for developing nations on the other end of the spectrum. In fact, support for action beyond national borders should be considered a key part of the responsibility of countries with high responsibility and capability. Therefore WWF believes that INDCs should also reflect means of support. For countries with high responsibility and capability the INDCs must include information on the support that they will provide for climate action (mitigation and adaptation) beyond their own borders. Developing countries with high responsibility and capability should be encouraged to do so too. Developing countries, with low responsibility and capability, need to indicate which portion of action they will undertake on their own and for which portion they need support.

And finally, since significant climate change impacts are now inevitable, and the global community has a clear responsibility to ensure that vulnerable countries, communities and populations are able to adapt and strengthen their resilience, adaptation measures (including domestic action and support provided or required) must also be part of the INDC information requirements.

Countries should not be penalized or disadvantaged if they are not able to come up with comprehensive adaptation strategies, plans and needs in their INDCs, but more information will be useful to assist the global community to respond adequately. Countries should be allowed and encouraged to update their information both before and after the Paris COP.

2.1 Clarity on global mitigation efforts

The primary purpose for information requirements relating to mitigation should be to ensure that there is sufficient information on proposed climate change mitigation action to compare the level of effort to the emissions reductions scenarios for staying below 1.5°C of warming above pre-industrial levels. This is necessary so that efforts could be ramped up if necessary.

WWF agrees with the proposed approach in the Co-Chairs' draft where the main text requires Parties to provide "*...the relevant information identified in the annex*". The annex with the information requirements must be based on two principles:

1. The information requirements relating to mitigation in INDCs must **make it technically possible to estimate the amount of greenhouse gas emissions** (including emissions from land-use, land-use change and forests) that will enter the atmosphere during the entire commitment period (e.g.2020-2025 and 2025-2030). In other words, the portion of the global carbon budget that the country in question will be using has to be clear.
2. **All other measures that affect a Party's contribution should be captured transparently.** One immediate example in this respect is the assumed use of carbon market-based mechanisms (e.g. CDM, various approaches, new market-based mechanisms). Likewise, if a country intends to use approaches other than market-based measures to use emission reductions outside its own borders towards its own contributions, they have to explain the justification for and modalities of such approaches. Whether they are market-based or non-market-based, any kind of external factors that affect Parties' contributions must be clarified. The Annex in the Co-Chair's draft should require this clarification from countries in their INDCs.

2.2 Differentiation of mitigation INDCs

The Co-chairs' draft presents the following two options in the "annex" with respect to differentiation of countries' in the INDC information requirements:

1. No upfront differentiation and
2. Distinction between Annex I and Non-Annex I Parties under the Convention.

WWF strongly believes that differentiation of INDCs is necessary to fulfil the principles of the convention but that the two options captured in the Co-Chair's draft do not reflect all available options. We strongly believe that the post-2020 framework must be based on the principle of common but differentiated **responsibility** and respective **capability** as well as other principles enshrined in the Convention. However, the post-2020 framework also has to create opportunities to reflect the changing conditions of countries and should evolve over time to reflect changing responsibility and capability of countries in a way that ensures continued ambition, fairness and equity.

With these core principles in mind there are several ways in which INDCs could be differentiated. Among others these could include:

1. **When INDCs are communicated:** It is WWF's view that developed countries, and developing countries, with similar responsibility and capability, must lead by presenting their INDCs well before March 2015. All other developing countries should submit their INDCs by no later than May 2015, to enable a meaningful *ex-ante* review to ensure that aggregate ambition is in line with emissions trajectories to limit warming to well below 2°C with at least a reasonable chance of staying below 1.5°C above pre-industrial levels. These deadlines should be clearly spelt out in the Lima decisions.
2. **Information requirements for INDCs related to mitigation contributions:** The annex in the Co-Chairs' draft should be modified to list the following possible types of mitigation:
 - Economy-wide GHG emission reduction targets below a defined and independently verified base year such as 1990 and/or a national carbon budget figure for the period in question (eg. X Gt between 2020 and 2025).
 - Economy-wide GHG intensity targets defined as GHG emissions per GDP for a given year or period or GHG emission reduction targets for selected major sectors of economy defined as GHG emissions per specific sectoral output;
 - Other contributions such as NAMAs including quantified domestic renewable energy, energy efficiency and deforestation reduction targets, policies and measures, sectoral intensity targets, etc.)

For Parties to be able to submit different types of mitigation contributions the annex needs to incorporate text such as:

“Parties should adopt an appropriate type of mitigation contribution in accordance with their respective levels of responsibility and capability. Parties with higher responsibility and higher capability should communicate mitigation contribution types in accordance with the first type listed in the previous paragraph. Countries with little responsibility or capability may present mitigation INDCs in accordance with the third type listed above. In light of the urgency of climate change the Lima decisions must make it clear that **Parties’ contributions must not backslide from what has been pledged for the period up to 2020 in terms of both types and levels of emission reduction.** The Lima decisions could provide guidance to parties on what types of mitigation contributions are expected from different categories of countries. One proposal is that differentiation could build on the current structure of the convention. Developed countries and others with similar conditions could be expected to have absolute economy-wide reduction targets. Within developing countries there could be further differentiation, with specific recommendations for types of contributions from emerging economies at one end, and LDCs at the other, for example.

2.3 Clarity on Means of Implementation

Finance and other means of implementation will continue to be a fundamental part of global efforts to prevent climate change, and shift to low-carbon, climate resilient development pathways. The fundamental shifts in production and consumption patterns, energy systems, low carbon infrastructure, and adoption of the most efficient and appropriate technologies worldwide will only be possible on the scale required with a systemic change in financial markets that should start with concerted efforts to mobilize public and private resources and shift investments on a massive scale. According to the International Energy Agency, the amount of new and additional investment in the energy sector alone required to shift to a below 2 degree Celsius trajectory is in the order of \$700 billion annually, of which the majority will be in developing countries. Governments in particular must use all the instruments at their disposal to direct and channel investments, and create the appropriate regulatory environment and incentives and disincentives to ensure investments flow to those areas required to ensure low carbon and prosperous economies. The Lima decisions should require that Parties to the UNFCCC, in communicating their INDCs, should provide concrete indications of the measures they intend to implement to ensure that necessary financing is available.

Firstly, for developed countries, including Annex 2 countries, as well as also other countries with similar levels of capability and responsibility, in accordance with the principle of CDBRRC – it will be essential to commit to the provision of public finance, including by:

- Indicating specific sources, levels and channels for transfers of public finance to support developing countries for the period beyond 2020, including through the Green Climate Fund;
- Commitment to continually increasing levels of public finance beyond current levels to meet the commitment of \$100 billion per annum by 2020 and to continually increasing levels of public finance thereafter.
- Indication of support for developing new internationally coordinated mechanisms for generating and mobilizing public finance, including carbon pricing instruments, financial transaction taxes, public guarantees to enable SME's and ETIs to access green bonds, other dedicated revenue streams, etc.
- Agreement to effort sharing principles and methodologies for developed countries and other countries with similar capabilities and responsibilities, for provision of public finance.
- Ensuring that the sum of domestic mitigation and internationally supported mitigation adds up to the countries total obligation, based on its responsibilities and capabilities.

- Each country must indicate in its INDC why it deems that the sum of its mitigation and finance contribution is equitable and sufficiently ambitious to fulfill its total obligations, based on its respective responsibilities and capabilities.
- Ensuring access to appropriate climate-friendly technologies in developing countries through joint research, development, demonstration and dissemination efforts, including through the UNFCCC technology institutions, and measures to ensure that IPRs do not become a barrier to access to urgently needed technologies.

Secondly the Lima decisions should require that all countries, but in particular those with high capability and responsibility, should indicate measures that will be undertaken to shift investments into renewable energy and low carbon development, especially in the pre-2020 period. Specific information requirements on this front include:

- Monitoring and reporting on overall public and private sector investment flows for climate change related investments;
- Commitments (with deadlines) to shift domestic and international investment of publically controlled funds away from fossil fuels and related infrastructure and into renewable energy and other zero carbon infrastructure, to avoid lock-in of fossil fuel based infrastructure;
- Commitments to phase out fossil fuel subsidies under a broad development-based approach, while monitoring and mitigating social impacts on vulnerable segments of population;
- Commitments to steady and relevant public investment in research, development and innovation of low carbon, climate resilient technologies, and ensuring these technologies are available where needed and required, including by Small and Medium-sized Enterprises (SMEs) in developing countries;
- Regulatory, fiscal and other measures to ensure that private sector actors take into account the risks, costs and benefits related to climate change in their decision-making;
- Concrete proposals on how regulatory frameworks and policy environments, along with public finance, will be used to shift private finance away from high-carbon investments to low/zero-carbon investment. This could involve creating enabling environments (in both developing and developed countries) for shifts in private sector investments, through regulating pension funds and other pools of finance, the banking sector, etc.
- Contributions to international efforts to guarantee access to renewable, affordable modern energy sources for poor communities in developing countries;

- Ensuring economic measures for dealing with energy poverty in developing countries, mostly with energy efficiency and renewable energy solutions.

Finally, developing countries should indicate their financing needs for adaptation and mitigation under a comprehensive climate and sustainable development policy framework, and where possible distinguishing what actions and emissions reductions they are able to achieve with their own resources, and what additional actions and emissions reductions they can achieve with international support.

2.4 Clarity on Adaptation Measures

During the June 2014 sessions of the ADP, Parties were divided on whether adaptation should be included as part of the information requirements for INDCs. WWF believes that the advantages of including adaptation in the INDCs outweigh the disadvantages. The reasons for including information requirements on adaptation measures include:

- Adaptation is part of the collective responsibility of the global community to address climate change. However the imbalances in historical responsibility for causing climate change as well as in the capacity to respond to the challenge means that those countries with greater capability and responsibility must assist developing countries with less capability and responsibility through financial, technology and capacity-building support to identify and implement adaptation and resilience-building measures. This support must be set out in the INDCs of countries with high capability and responsibility since it is part of the essential global response to climate change.
- Adaptation is not just a priority for developing countries, IPCC AR5 concluded that all countries are vulnerable and in the Cancun Adaptation Framework (CAF) all Parties agreed to "...plan, prioritize and implement adaptation actions". Furthermore, in the CAF, Parties affirmed that adaptation must be addressed with the same level of priority as mitigation. To give substance to these agreements it is now time for countries to come forward with their intended adaptation measures to fulfill the Cancun decisions. By submitting their adaptation actions countries would also contribute to a database of good practices that others could learn from.

However, it should be clear from the Lima decisions that adaptation efforts in INDCs cannot be a substitute for mitigation action, and that adaptation efforts should be additional to each country's mitigation efforts.

WWF proposes that the following information requirements should be included in the Annex in the Co-chairs draft text to serve as a foundation for the development of adaptation INDCs:

1. Description of the type of adaptation contribution
 - Description of adaptation approach;
 - For countries with low responsibility and capability: A description of actions requiring either unconditional, conditional or partially conditional international support
 - For countries with high responsibility and capability: A description of the level of support provided for adaptation action in countries with low responsibility and capability

2. National vision for adaptation and climate resilience.
3. National policy or framework for adaptation.
4. Description of vulnerable sectors: People, ecosystems, institutions, etc.
5. Strategy to address instances where adaptation measures is insufficient to respond to extreme slow onset events (displacement, migration, irreversible loss and damage of biodiversity and habitat etc.)
6. National and local adaptation institutions for effective adaptation implementation.
7. Programmes and projects per sector, including those as identified by NAPA and NAPs where appropriate.

Including Adaptation in the information requirements for INDCs could raise legal questions about the bindingness of internationally tabled actions on matters that largely have national implications. However, these concerns could be addressed through:

- Creating instruments and decisions that clearly distinguish between binding mitigation actions, and adaptation actions that are either voluntary or subject to less stringent requirements under a differentiated compliance regime.
- Following clear precedents from other international treaties that combine legally binding and non-binding commitments through clear legal provisions, and to differentiate the type of commitments or contributions to avoid confusion.
- Creating space in COP decisions for more flexibility in the adaptation measures from countries in the LDCs, SIDS and Africa.

4. Effective *ex ante* review modalities

The Co-Chairs' draft indicates, in Paragraph 7 and 8, that INDCs communicated by Parties will be "considered" by the ADP. WWF believes that INDCs communicated by Parties should be properly reviewed, and if necessary, scaled up, by Parties before COP21 and COP/MOP11 in Paris (hereafter this review process before COP21 is referred to as the "*ex ante* review"). WWF believes that the main purpose of the *ex ante* review is **to assess Parties' INDCs with respect to ambition and equity. Parties and other stakeholders should have an opportunity to discuss proposed efforts in order for those countries whose contributions are deemed insufficient to ramp them up before Paris.**

WWF welcomes the proposal in the Co-Chairs' draft text but we suggest some important changes.

Paragraph 7 of the draft text states that Secretariat would be responsible for the following three things:

1. Making INDCs publicly available on the UNFCCC's website;
2. Compiling all INDCs into a MISC document;
3. Summarizing in a technical paper (TP) the aggregated effect of contributions relative to the 2°C goal, the fairness of their relative efforts and the level of ambition of the contributions for consideration by the ADP.

Among these, WWF believes that the third item should be tasked to a reputable body with relevant expertise and broad support. In addition, it is preferable that the TP includes analyses and recommendations on how gaps can be closed by *individual* Parties and not just generalized *global* recommendations. It should be stressed that the third task has three components of assessment: aggregated effects, fairness and ambition of individual INDCs.

Furthermore, in addition to the work stipulated for the Secretariat and another body, WWF believes that the *ex ante* review itself should be conducted in a dedicated, structured setting under the ADP and that the outcomes of those discussions should be summarized and captured formally. The decisions taken in Lima could cover the following aspects:

- **An "Ex ante Review Meeting"**, attended by all Parties and observers, **should be established by a COP decision at COP20**. Two sessions of the Meeting should be held during the June 2015 SB/ADP session and the ADP session in September or October (it is assumed that there will be one) respectively.
- These sessions should start with brief presentations by the Secretariat and the experts tasked with the technical analysis on the status of INDCs and the TP mentioned above. Since it is not realistic to allow all Parties to present their INDCs, **sections of the session**

should be structured on either regional basis (e.g. European countries, Asian countries, Africa countries, etc) or on the basis of simple order of communication (e.g. the first set of 20 parties which communicated their INDCs first, the second 20, and so on). During these sessions countries or regions should then answer questions and comments by other Parties, civil society and experts.

- The discussions during the review sessions could be captured in informal **summaries by the co-facilitators** and made available on the UNFCCC website.
- **A COP20 decision should strongly encourage Parties to re-consider their INDCs if they are found to be insufficiently ambitious or inequitable**, based on the discussions in the review sessions and the findings by the body or organisation responsible for preparing the technical paper.

5. Pre-2020 as the basis for the future

In all climate change mitigation scenarios it is clear that it becomes much harder to limit aggregate global warming the later global emissions peak. Therefore, the lack of ambition in the pre-2020 period significantly reduces chances to keep average warming well below 2°C, let alone 1.5 °C above pre-industrial levels and increases the required level of mitigation efforts in the post-2020 period.

In addition, there are legitimate concerns that the failure of developed countries to fulfill their responsibilities in the pre-2020 period might shift more responsibility to developing Parties in the post-2020 framework.

Therefore it is important that the INDCs also include information related to Parties' efforts for enhancing action in the pre-2020 period. The co-Chairs' draft suggests Parties "may" provide information related to enhancing ambition in the pre-2020 period but **we believe Parties "should" provide information about any additional actions that they are taking or support that they are providing to enhance mitigation efforts in the pre-2020 period** in order to enable a comprehensive *ex ante* review of INDCs.

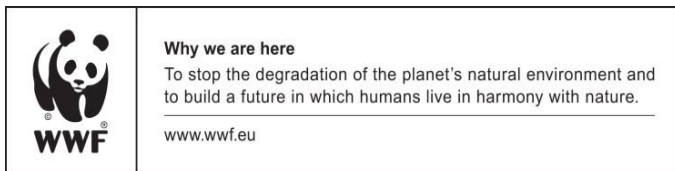
6. Information requirements of ambition and equity

As stated above, WWF believes that mitigation, ambition and equity are the key criteria for the *ex ante* review and thus each Party's INDC must allow for clear assessment of their contribution towards these.

The information requirements related to mitigation and means of implementation mentioned above are essential for this purpose. On top of this Parties must include their reasoning and justification for why their INDCs serve ambition and equity.

Parties' views on what is "fair" or "equitable" contributions vary and therefore it is important to get a science and equity reference framework agreed by Parties' as a basis for informed discussion in the *ex ante* review.

The Co-Chairs' draft has a section called "Other information" in its annex and it asks Parties to provide "indicators" and "description" of ambition and equity. WWF generally agrees with the current formulation but requests that, given its importance, **this information should be elevated as an independent section and it should be titled as "views on ambition and equity.**



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