



CAN Briefing: Equity

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If we are to close the ambition gap, we must also close the equity gap. We've known this for years, and the Durban Platform gives us an opportunity to act on this knowledge. The challenge now is to very rapidly build both momentum and trust. They can only be built together.

EQUITY IS NEEDED TO CLOSE THE AMBITION GAP

What would the fair sharing of mitigation and adaptation costs actually mean? How can sustainable-development rights be defined and protected, even in the face of extremely challenging global decarbonization goals? How can all this be done fairly? These are fundamental questions. Our lack of a common understanding of their answers has long been a critical stumbling block.

Without such a common understanding – even if it is only rough and approximate – we'll face a low-ambition future, and with it an unacceptable wave of suffering and danger. Without such a common understanding, and its codification in agreed rules and procedures, parties will continue to fear that they're being asked to do more than is their fair share, and conversely that other countries will “free ride” off their efforts. They will continue to temporize, and we will fail to close the ambition gap.

An equitable post-2020 global accord is essential to climate protection. In the shorter run, increased ambition is both necessary and possible. As for the present, the defining fact is that most all developed countries' mitigation pledges fall far short of their fair share under any reasonable approach to effort sharing. Developing country pledges have been more ambitious, but if they were provided with the financing and technology needed to support real low-carbon development, their pledges could and would be more ambitious still. Increased 2020 mitigation targets, NAMAs, and appropriate levels of international financial support must be quickly agreed if any adequately ambitious global goal is to remain within reach.

WE ALREADY KNOW THE KEY EQUITY PRINCIPLES

Many fundamental equity principles are embodied in the Convention. The most famous are those in Article 1, the ones that refer to “common but differentiated responsibilities and respective capabilities,” and the responsibilities of developing parties to “take the lead.” But there's also the Article 3.2 text that calls out the “specific needs and special circumstances of developing country Parties.” And the Article 3.3 language that notes the importance of “precautionary measures,” and the need to construct them in ways that take account of “different socio-economic contexts.” And, of course, there's the Article 3.4 text that stipulates that Parties have “a right to, and should, promote sustainable development.”

This list is far from complete. We've seen dozens of equity principles proposed, and little effort to evaluate and prioritize them. This has led to a situation in which the entire equity agenda can be and is dismissed as unhelpful and counter-productive. Thus the common claim that parties simply support (or oppose) equity principles on the basis of their short-term national interests, and that, as a practical matter, all such principles must therefore be set aside. We'll hear this argument repeatedly in the years ahead, but it does not stand up to honest scrutiny. In fact, a close analysis of a large range of proposed equity principles (see CAN's [Effort Sharing Principles Paper](http://www.climatenetwork.org/publication/can-position-effort-sharing-principles-nov-2011)^[1]) indicates that only a small number of “core” principles are essential to the international negotiations.

Core equity principles:

[1]The *CAN Fair Effort Sharing Principles Position Paper*: <http://www.climatenetwork.org/publication/can-position-effort-sharing-principles-nov-2011> identifies the equity principles within the Convention, and gives some ideas as to how these could be operationalized. For even more detail, see the *CAN Fair Effort Sharing Discussion Paper* at <http://www.climatenetwork.org/publication/can-discussion-paper-fair-effort-sharing-jul-2011>.

- **The adequacy principle**, which is an equity principle for the simple reason that climate catastrophe would be the ultimate injustice. If any proposed regime is incapable of delivering an ambitious global mobilization (using 1.5°C and the survival of the most vulnerable as our benchmark) it simply cannot be accepted as equitable.
- **The principle of common but differentiated responsibilities and respective capabilities (CBDRRC)** remains key. We badly need a common understanding of equitable effort sharing, one that reconciles the abstract principle of CBDRRC with a concrete model of global differentiation that is adequate to the complexities of the emerging world system. Such an approach, obviously, must give due account to both *responsibility* for the climate problem and the *capability* to act on it.
- **The right to sustainable development.** This principle (and its reach beyond “poverty eradication”) is inevitably controversial, but, in truth, there will be no effective global ambition without it. To be very clear, “equitable access to sustainable development” implies no right to unconstrained emissions; such a misinterpretation would conflict with the fundamental objective of the Convention (to protect the climate system).

WE CAN NEGOTIATE EQUITY IN A TIMELY FASHION

Parties must achieve at least a rough common understanding on *equity as a precondition of increased ambition* while, at the same time, they close the ambition gap. CAN envisages a number of phases and processes in such negotiations. It is time for the equity discussion to begin anew, with a return to first principles.

Our strategy should be to establish a commonly understood “equity corridor,” a channel of broader principles and approaches within which to begin moving, even as we narrow the debate to more detailed, more technical and more difficult questions.

Phase 1: Discussions should begin anew, with **all parties making good faith efforts to understand each other’s predicaments**. Expert external input is essential during this phase. The May LCA session on equitable access to sustainable development, in particular, should be a first step in a new effort towards a shared understanding of equity, one that reconciles responsibility (past and future), capacity, sustainable development as a right and a political necessity, scientifically driven mitigation imperatives and, irreducibly, the right to survival. Other opportunities must be created during the Bangkok session in September, and at the Qatar COP. ***The key is that equity must formally become integral to the ADP agenda. To that end, country submissions, Secretariat analyses, and further workshops in Bangkok and Qatar would all be in order.*** The ADP should encourage broad discussions by various bodies and organisations, including civil society, and request them to bring their findings through in-session workshops into the ADP process.

Phase 2: **In 2013 Parties should begin negotiations with the aim of reaching agreement on equity principles and criteria for their appropriate operationalization.** These negotiations should specify the agenda items under which this work would be undertaken, and be supplemented by the work of SBSTA and SBI, particularly with respect to the technical unpacking of the concept of “equitable access to sustainable development.”

Phase 3: **In 2014 Parties should begin negotiations on the application of principles and criteria to the issues under negotiation** – the level of collective ambition, differentiated post-2020 commitments on mitigation and finance, loss and damage, and so on. This phase would necessarily require discussion on the interaction between finance, mitigation and adaptation. This phase should include an indicative set of COP 20 commitments, thus allowing 2015 to be treated a milestone by which to assess the overall adequacy of commitments.

What’s essential is that we begin again with a determination to establish a principled foundation, even as we negotiate on the application of principles and criteria to the key issues – the level of collective ambition in light of the ambitious global goal, justly differentiated post-2020 commitments, the interaction between finance, mitigation and adaptation, and all the rest.

It’s time, now, for the hard work of defining a global treaty that’s fair enough to actually succeed.