

**Statement by the Like-Minded Developing Countries (LMDC) at the ADP Plenary
made by Malaysia on 14 Dec 2014**

Our expectations and why the new Decision text is not satisfactory and cannot be accepted by us.

We had a few key points that are essential for us (red lines). Unfortunately we find that the new text does not address any of our key points adequately.

This includes affirming that (1) this text is operating under the principles of the Convention especially equity and CBDR, (2) differentiation between Annex 1 and non Annex 1 in INDCs is recognised and operationalised, (3) no introduction of new terms such as “other parties in a position to do so” or “willing to do so”, which undermines the differentiation, and which are not terms or concepts agreed in the Convention, (4) The scope of the INDCs includes all the elements—mitigation, adaptation, loss and damage, finance, technology, capacity building, transparency. It should not be mitigation centric. In particular, there has to be parallel information on finance contributions which is required to support the developing countries’ contributions on mitigation and other climate actions, (5) the contents of the Decision will not prejudge the terms and content of the 2015 agreement. (6) There should not be activities on assessment of the INDCs in 2015 (ex ante assessment) and a process of assessment can be considered after 2015 on terms to be agreed to. (7) In the process to build the negotiating text for the 2015 agreement, the submissions of Parties are crucial components that will be drawn on.

We have provided a lot of ideas and then a lot of textual language on the above as well as other points. However we are disappointed that our points are not taken on board in the new text. For example:

(1) The CBDR and other principles of Convention are not adequately recognised and especially not operationalised. (2) There is no recognition of CBDR or differentiation relating to INDCs and information to be submitted on INDCs. (3) Terms such as “other countries willing to do so” are introduced. (4) The finance issue is inadequately treated in the text with no requirement for developed countries to provide information on their finance contributions. (5) The text is mitigation centric. (6) The draft Decision is prejudging the core elements of the Paris agreement. This is because of the above factors, including the absence of differentiation, the establishment of a mandatory system of mitigation in the text, and the lack of finance commitment in the text. (7) There are activities on assessment in 2015, such as a workshop and Secretariat paper. (8) Para 4 elevates the co chairs’ elements non paper to be the basis of continuing the work on elements, even though it has no legal status, and there has been little discussion on it, while the views and submissions of Parties are not mentioned. (8) We have several other points including on the pre 2020 workstream.

We are ready and willing to continue to engage in a process under the Presidency since it appears the ADP process in Lima has been exhausted. We hope our key points can be

included in any future text. We are willing to provide our ideas and language. We would like to point out that only a genuinely Member drive process can result in a consensus. We have been strongly requesting the Co Chairs to allow and arrange a genuinely member driven process, with views and submissions of members placed on the screen and in compiled texts and with party to party negotiations.

Unfortunately this open and participatory process only began in the middle of the first week in Lima. We were satisfied with this process as it enabled Parties to see the common and different views and to negotiate. In our view, it is not this process that is wrong but that this process was not given its proper chance until it was too late. We propose that the genuine member driven process be followed when the ADP resumes. The process by which Co Chairs provide one draft after another, which does not satisfactorily reflect the various views of Parties, is unlikely to produce an outcome that everyone can own and that therefore succeeds.