

**Submission by the Independent Alliance of Latin America and the Caribbean -  
AILAC<sup>1</sup>**

**March 1, 2013**

**ADP – Planning of Work in 2013**

AILAC would like to share views on the questions on the ADP work plan in response to the paragraph 13 and paragraph 15 of Draft conclusions proposed by the co-Chairs with respect to the Planning of Work.

**Strong political signal**

It is our view that we need to gradually bring more structure into the program of work to underscore our *political commitment* to deliver a new legally binding agreement by 2015, in the form of a Protocol under the Convention. We welcome the initiative by the Secretary General of the United Nations to call for a Summit of Leaders by 2014. For this initiative to be successful in building political momentum for the new agreement and for further ambition pre 2020, all Parties must work throughout 2013 and 2014 to make meaningful and transparent advances in the implementation of their mitigation commitments and pledges already existing under the Kyoto Protocol and the Convention, as well as the timely and consistent delivery of financial resources committed for developing countries. With significant advances in these areas, the Summit of Leaders could help increase momentum for building positive synergies between *domestic* dynamics—the growing and unprecedented levels of climate action around the world, in particular in developing countries—and the negotiations of the 2015 agreement, which need to increase level of ambition around the world if we are to attain the ultimate objective of the Convention.

**New procedures 2013-2015**

It is important to recall that in Doha Parties agreed to consider elements for a draft negotiations text no later than COP 20 with a view to making available a negotiating text before 2015. Furthermore, as mentioned in paragraph 2 of the Co-Chair's draft conclusions, "*The ADP has expressed its determination to complete its work as early as possible and no later than 2015.*" Considering this ambitious timeline agreed by the Parties, we fully recognize that will need to identify and test new and more efficient working procedures in 2013 and 2014. With this in mind, AILAC requests the support of the Co-Chairs of the ADP in helping the Parties identify and test new working procedures that could be used throughout 2013 and 2014 in order to make our discussions more focused, efficient, and effective for reaching a legally binding agreement applicable to all by 2015.

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At this point in time, we are open to a number of procedures that could be used to facilitate productive negotiations, but these could include a range of options, including:

- Opportunities for general discussion on overarching issues that will frame the new agreement, including the application of the principles of the Convention and the architecture of the new agreement.
- Focused discussions that address specific questions, to be posed by the Co-Chairs, where Parties and technical experts (in particular from think tanks, academia and NGOs) present views and discuss specific topics.

As highlighted above, these discussions held under the ADP must move the negotiations forward substantially through 2013 and 2014, in order to produce the content for elements for a draft negotiating text no later than COP 20. To facilitate advancement, we suggest that the Co-Chairs use the April/May session to broadly address the issues already identified in their informal note released on February 18<sup>th</sup>, under the two separate workstreams.

Under workstream 1, we would encourage the Co-Chairs to foster a very focused, specific discussion by using targeted questions as they have in the past, in order to address the main issues outlined in the informal note, including:

- Defining how the principles of the Convention will be applied. For example: Will all principles of the Convention be applied in the same manner and to the same extent as others? Is it possible to identify or separate principles that can be addressed qualitatively versus quantitatively? Will the principals apply in the same manner to all of the elements to be included in the new agreement?
- Working to define a spectrum of commitments and options for ensuring the agreement will be applicable to all and enable ambitions participation from all countries. For example: What type/form of commitments would the spectrum include? What form would these commitments take? How would individual countries identify or be assigned what type/form of commitment to take? How to harmonize the notion of a spectrum of commitments from a spectrum of respective responsibilities and capabilities?
- Engage on how to incorporate adaptation, mitigation, and means of implementation in the final agreement. Does each element need to be addressed individually or should certain elements be addressed jointly in combination? Should we begin to think about how some elements may be addressed in a distinct legal framing than others? How do we take advantage of the new institutions created under the AWG-LCA to streamline our negotiations?

Under workstream 2, the April/May session should take the first step in operationalizing a process whose final objective is closing the pre-2020 mitigation ambition gap. The first step in this process should involve presenting Parties with technical information on the size of the ambition gap pre 2020 and an analysis of potential emissions reductions globally and regionally from all IPCC sectors and sub sectors. Technical presentations and discussions can be used to facilitate Parties

understanding of what different policies and actions exist, and what technologies exist that can facilitate an increase in mitigation ambition. These discussions should include a discussion on the marginal costs of various mitigation options.

With these substance-related discussions underway in the April/May session, we should also set aside a specific, time-limited space (perhaps 2 or 1.5 hour discussion blocks) to specifically address the process that will be used to continue the ADP discussions from June 2013 onward. We would support the Co-Chairs efforts to propose to Parties different possibilities for structuring the coming negotiations, with the goal of helping Parties identify concrete elements for a draft negotiating text at COP 20. This could include the formation of contact groups on specific issues; however, these would have to be defined in a way that would prevent cyclical discussions, allowing discussions to advance in parallel.

## **Views on Workstream 1: 2015 Agreement**

### *1. Application of the Principles of the Convention.*

The Principles of the Convention should be applied in a contemporary context, evolving over time along with changing national circumstances. While the Principles are enduring, they are also dynamic, allowing for a broad spectrum of differentiated commitments for all. In addition, they should safeguard and promote sustainable development opportunities, enabling poverty eradication and climate resilient growth. In Bonn in the April/May session, we suggest having *workshops* that allow parties to present their views on what this evolution of the interpretation of the Principles means. Equity and Common but Differentiated Responsibilities and Respective Capabilities are very critical issues and we support proposals to have an open discussion about the meaning of these principles in the context of the 2015 agreement. We also recognize that other Principles of the convention are equally important.

For AILAC, a key part of the equity concept centers in the right of our vulnerable communities to live and prosper without having their lives and livelihoods threatened and affected by impacts of climate change. It is due to this view, that we believe a new approach to mitigation and adaptation is needed under the UNFCCC. We believe that all countries should have mitigation commitments, based on their contribution in terms of GHG emissions and their economic capacity, among other variables, and that all countries vulnerable to the impacts of climate change should be supported in their struggle towards resilience.

### *2. The scope, structure and design of the 2015 agreement*

This topic is of critical importance for the ADP. We need to have a discussion of what issues require to be embedded in the agreement, how they will be embedded and what elements can be addressed by existing institutional arrangements established in previous

decisions by the Conference of the parties, in particular in the context of the AWG-LCA. The agreement should have a compact and focused structure, addressing both mitigation and adaptation as interrelated processes in domestic and global climate action. Given the ultimate objective of the Convention and the growing evidence that our collective efforts are insufficient to put the world on a 2 degree C trajectory, mitigation will necessarily be at the core of the 2015 agreement. However, adaptation is an equally integral aspect of the future agreement, aiming at reducing vulnerability and improving resilience capacities. To this end, there should be specific objectives for mitigation and adaptation in a separate context that addresses the need for all countries to have some form of mitigation commitments as well as the need to have all countries taking efforts to develop and implement adaptation plans. Additionally, countries with less capacity to act on mitigation and adaptation must be provided with the necessary means of implementation, including finance, technology and capacity building.

According to this context, we consider that the work of the first workstream should be organized around the three following elements:

The *first element* should deal with issues related to the architecture of the new regime. This element would include the considerations related to the legal form of the instrument to be agreed upon, as well as those regarding the differentiation and nature of the commitments of parties under the agreement.

The *second element* will address the operationalization of mitigation. Under this element, four main issues should be taken on board: a) the mitigation commitments of parties to the agreement; b) accounting and transparency of action; c) support, including finance for mitigation, technology transfer, capacity building and the MRV of support for mitigation; and d) the market mechanisms.

The *third element* will address the operationalization of adaptation. Under this element two issues are to be addressed: a) support, including finance for adaptation, technology transfer, capacity building and the MRV of support for adaptation; and b) measuring and reporting of climate change impacts and national adaptation responses.

Initially, on the basis of the content structure suggested above, a future contact group on item 3a of the agenda (2015 long-term agreement) could work with three spin-off groups: i) group on architecture and legal nature; ii) operationalization of mitigation; iii) for operationalization of adaptation. Regarding the prioritization and time allocation, it is advisable to initially prioritize work under the operationalization of adaptation and mitigation, and once the content under those two elements has acquired sufficient maturity, move on to the discussion on architecture (including differentiation) and legal nature. Priority should not be given to this in 2013 in order to avoid regression and renewed questioning of what legal form can or cannot mean.

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