

Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) in 2012: necessary achievements and organisation of work

ADP 2

The EIG is pleased to submit our views on the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) in 2012, including the necessary achievements and organization of work in 2012. Further, we are pleased to set out our views in the context of the full negotiation period of the ADP until COP21 (2015).

1. The ADP includes two distinct workstreams: matters related to paragraphs 2 to 6 (agenda item 3a), and matters related to paragraphs 7 and 8 (agenda item 3b). Consequently, the EIG supports two contact groups under the ADP, ie one for each workstream;

Matters related to paragraphs 2 to 6 (agenda item 3a)

2. Under agenda item 3a, Parties agreed to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties (referred to hereafter as the "*future legal instrument*") which is to come into effect from 2020 (1/CP.17). Consequently, the process on the *future legal instrument* must focus on the period from 2020, without prejudice of the obligation not to defeat the object and purpose of the instrument prior to its entry into force.
3. The EIG envisages a legal instrument based on the objectives and the principles of the Convention, and with a common bindingness on and the participation of all Parties, according to the differentiated responsibilities and respective capabilities.

Progress on substance and organisation of work in 2012

4. The substantial work on the *future legal instrument* must start with no delay and as a matter of urgency. In view of the adoption of the of the *future legal instrument* by COP21 (2015) there is no time to lose. As a consequence, the following progress must be achieved by Doha.
5. A common understanding of the Parties on the concepts such as the principles and the elements of the *future legal instrument* must be advanced. In Doha, common ground on these issues should be captured. On this basis, the conceptual work should be continued until mid 2013 (ie phase on concepts 2012 –mid 2013 as outlined below).
6. At the negotiation sessions scheduled for Aug/Sept and Nov/Dec in 2012, the EIG envisages interactive discussions and submissions, including the participation of stakeholders and organisations with the relevant technical, social and economic expertise. Discussions should be framed in view of the *future legal instrument* from 2020. Sufficient time should be allowed for substantial discussion between Parties. The interactive discussions should, inter alia, address the following thematic areas:
 - **Principles / CBDR/RC and equity.** A common understanding on their operationalisation in the *future legal instrument* is needed, including a common understanding of the common bindingness with differentiation of commitments needs to be achieved. The discussions could be set in the framing of the social or economic realities and national circumstances of the Parties.
 - **Elements of the *future legal instrument*.** A common understanding of the elements of the *future legal instrument* is necessary, taking into consideration para 5 of 1/CP.17.

7. The Ministerial Segment in Doha should be informed by the interactive discussions undertaken through reports of the Co-Chairs. Areas of convergence as well as differing views should be presented to a Ministerial roundtable for further discussions. The outcome of the roundtable should be captured in a decision.
8. Based on the Ministerial guidance from Doha, the conceptual work should be continued until mid 2013 through further interactive work and submissions, or as necessary.

Broad Plan of Work up to 2015: milestones in a broad timeline and mode of work

9. The ADP must complete its work as early as possible but no later than 2015 in order to adopt the *future legal instrument* at COP21 (2015). An efficient, structured and smooth organisation of work until 2015 is necessary for this to be achieved. To this aim, the EIG strongly supports a broad plan of work up to 2015 to be set out by Doha, including milestones in a broad timeline, and the mode of work. The plan of work should serve as an orientation guide on the necessary achievements and timelines throughout the process up to 2015. Further guidance to the plan of work maybe provided throughout the process, taking into account the progress achieved.
10. The EIG encourages the Co-Chairs to set out by Doha such a broad plan of work for the full period up 2015, including milestones in a broad timeline, and the mode of work under the ADP. We encourage the Co-Chairs to draw on the submissions of Parties and observers and guide our work in view of a successful outcome by 2015. The plan of work should be captured in the ADP decision in Doha.
11. While recognizing the need to keep the work under constant review and to adjust it as needed, the following elements should be reflected in the broad plan of work :
 - Phase on Concepts until mid 2013: During this phase, Parties may gain a common understanding on the **principles** and **elements** of the *future legal instrument*. We support the form of interactive discussions and submissions, including with the participation of stakeholders and organisations with the relevant technical, social and economic expertise. Further detail to the work in 2012 has been outlined above. Common ground on the principles and elements should be captured in a ADP- decision in Doha.
 - Phase on Content mid 2013 until mid 2015: During this phase, Parties may elaborate on the **content** of the elements and the **architecture** of the *future legal instrument*. From 2013, the EIG envisages spin off groups on the agreed elements of the *future legal instrument*. They should start their work in a timely manner so as to allow to build on the experience gained from the evolving Cancun institutions. Work on the architecture of the *future legal instrument* should be initiated through conceptual discussions. At COP19 (2013), progress should be captured including on the content and architecture of the *future legal instrument*, and crystallise in the first draft text of the ADP outcome by mid 2014.
 - In view of the adoption of the *future legal instrument* by COP21 (2015), it is necessary to present the final text for adoption at COP21 no later than mid 2015.

Matters related to paragraphs 7 and 8 (agenda item 3b)

12. Under agenda item 3b, Parties agreed to identify and explore options for a range of actions that can close the ambition gap with a view to ensuring the highest possible mitigation efforts by all Parties, ie in the workplan on enhancing mitigation ambition (1/CP.17). The timeframe of this work plan should initially focus on the period up to 2020 and then include the period post-2020. As it is broadly recognized, the current global level of ambition, as reflected in pledges by 2020, is insufficient in view of the ultimate objective of the Convention. An global ambition level that meets recommendations from science and is supported by enhanced means of implementation as appropriate , must

be achieved as soon as possible to keep the global temperature rise below 2 degrees Celsius.

13. The workplan on enhancing mitigation ambition should identify concrete options to increase mitigation action, deepen the technical understanding (technical dialogue) of these options and bring the adequate political attention (political dialogue) to the issue, taking into account CBDR/RC and equity. The activities should be conducted in parallel to the negotiations on the *future legal instrument* under the ADP.
14. The technical dialogue should address on mitigation potential, costs (mitigation costs and co-benefits), and readiness (national policies and implementation plans, technical knowledge and means, financial means and capacity for implementation) and the role of international cooperation and support. The technical dialogue may be structured around thematic areas (*see below*) to allow for a focused analysis and sharing of information and best practice. Basis of work may be presentations/submissions by Parties on national possibilities for mitigation action, including information on correspondent costs and co-benefits, conditions and needs, their perspective on best ways of international cooperation, and best practice examples. Further, an analysis of mechanisms and measures, including at international level, and consideration of their mitigation effect is necessary. In addition, to the inputs of Parties, submissions from and presentations by relevant experts, technical papers prepared by the UNFCCC Secretariat and other relevant information will be helpful. An early integration of stakeholders with relevant expertise, including those with the potential to provide financing for climate measures, will benefit the process. According to the urgency of the matter, workshops or other activities under the workplan need to be held on a frequent basis and at least at the occasion of the regular negotiation sessions throughout the year. Findings of the workplan activities should be summarised and reported to the COP.
Thematic areas of interest for the technical dialogue: sectors and approaches with considerable global mitigation potential and areas where experience sharing is particularly helpful. This includes global approaches both under and outside the UNFCCC to mitigate emissions from international aviation and maritime transport in close cooperation with the relevant global organizations representing these sectors (ICAO and IMO), the phasing down of the production and the consumption of hydrofluorocarbons (HFCs), and the mitigation of emissions from the agriculture sector, including consideration of synergies with adaptation efforts. It also includes approaches such as removal of fossil fuel subsidies, promotion of enabling environments for the implementation of clean technologies and climate-friendly investments, and the elaboration of ecological standards and development of global environmental labels through a multistakeholder process.
15. The political dialogue between Parties on options and ways to increase global ambition, taking into account CBDR/RC and equity, including through the deepening of mutual understanding of Parties' opportunities and conditions to increase their national efforts and to engage in international measures and initiatives. The political dialogue may be held at high level "Roundtables on Ambition" on an annual cycle at or prior to the COPs or as deemed timely.
16. The workplan on enhancing mitigation ambition should be informed by the outcomes of efforts carried out in any other relevant fora.

Outcome and Organisation of Work in 2012

17. In Doha, the identification of the global ambition gap must be advanced based on the ongoing work on understanding the Parties 2020-Pledges. Further, the findings on options for a range of actions that can close the ambition gap with a view to ensuring the highest possible mitigation efforts by all Parties need to be captured and made available to the Parties and relevant subsidiary bodies to inform their work.

18. To this aim, at the negotiation session in Bangkok, a full day workshop under the technical dialogue should be held. Parties and other participants may be invited to share their experiences with various sectors and approaches to reduce greenhouse gas emissions. The EIG encourages the Co-Chairs to structure the workshop around thematic clusters so as to allow for focused discussions. Sufficient time should be given for questions and answers. Parties and other participants may further outline their views on what thematic areas should be deepened through the workplan over the next year.
19. Furthermore, at COP18, a political dialogue in the form of a *high-level roundtable on ambition* should be held. The discussions should be informed by the technical dialogue and summarised in a report made available to all Parties. The COP may consider the work and progress achieved under the workplan and provide guidance on further activities.