

Environmental Integrity Group (EIG), comprising Liechtenstein, Mexico, Monaco, the Republic of Korea, and Switzerland

**2015 Agreement: contours and core elements,
specific views in the area of mitigation, adaptation and means of implementation,
and respective deliverables in 2013, and planning of work 2014/2015**

ADP 2.3, workstream 1

The EIG is pleased to submit in this document its views on a) the “protocol, another legal instrument or agreed outcome with legal force under the Convention applicable to all Parties” (referred to as the “2015 Agreement”), including on means of implementation, and specific views and respective deliverables in 2013 in the area of b) mitigation and c) adaptation under workstream 1 of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP/WS1), and d) on the planning of work 2014/2015.

a) EIG’s views on contours and core elements of the 2015 Agreement:

- An effective international regime must be **sufficiently ambitious**, have **comprehensive participation**, and **ensure compliance**;
- Therefore the 2015 Agreement must include a **legally binding instrument (LBI)** as only such legal form will provide the necessary certainty to all Parties to take today ambitious action and invest in a low carbon future. COP decisions or other outcomes will complement the **LBI** as part of the 2015 Agreement;
- **Scope of the 2015 Agreement: mitigation – adaptation – means of implementation – transparency and support** are all crucial elements of the 2015 Agreement.

Greenhouse gas emissions reductions in accordance with **the ultimate objective of the Convention and the long term goal** are key; adaptation capacities of Parties must be enhanced as an integral part of the package; means of implementation must adequately underpin the 2015 Agreement in view of mitigation, adaptation, and transparency; transparency of action and support needs to be ensured;

- **Participation of all Parties** is necessary: an ambitious response to climate change will only be possible if everyone does its fair share. As such CBDR/RC, equity and the other principles of the Convention shall be seen as an enabler of action that will need to be operationalized across different elements of the 2015 Agreement. A **dynamic and flexible framework** for the participation of all Parties is necessary for allowing increase of ambition and development in differentiation reflecting the changing economic realities, national circumstances, common but differentiated responsibilities and respective capabilities;

Mitigation: all Parties take appropriate mitigation commitments, including targets or actions (hereinafter referred to as “mitigation commitments”), of the same legal form and under the same rules but at different depths in terms of type, stringency and timing among other according to CBDR/RC and equity. Differentiation between all Parties according to the principles of the Convention is necessary to ensure fairness and equity in Parties’ commitments, including incentives to foster greater action where there is major potential are key;

Adaptation: all Parties develop and implement plans and strategies, as appropriate, to build resilience, minimize and cope with the adverse effects of climate change; all Parties cooperate in adaptation efforts and share knowledge, best practices and experience; support is provided to developing country Parties vulnerable to the adverse effect of climate change; ad-hoc multilateral arrangements such as the Adaptation framework is effectively articulated with the 2015 Agreement;

Means of implementation: developed Parties and those in a position to do so, according to CBDR/RC and equity shall support country-driven actions and capacity building in developing countries through a variety of instruments according to the recipient countries national circumstances and respective capabilities and in the context of meaningful mitigation action and transparency of implementation. Existing multilateral arrangements are effectively articulated with the 2015 Agreement;

- Under the 2015 Agreement, Parties shall **nationally determine their contributions** guided by the principles of the Convention and taking into account recommendations by science in view of the ultimate objective of the Convention and the long term goal;
- Further work under the ADP WS1 must **deepen a common understanding on fair differentiation at international level**, including through consideration of relevant factual information and self determined indicators;
- **Common rules for accounting and MRV** must underlay the regime to allow for ex ante comparability of efforts, with CBDR/RC taken into account, and verification of achievement of committed action. Such a rules-based regime will provide the certainty to the Parties to act collectively and, thus, foster trust and ambition ;
- Responsive to **science**, provide **flexibility** for national circumstances to ensure highest possible mitigation effort by all Parties, **incentivize** ambitious participation, foster **cost-effectiveness**, and ensure **environmental integrity** ;
- Mindful of the **institutions and processes already established** by the international community to ensure effectiveness and overall functionality of the international climate regime.

b) Specific views of the EIG in the area of mitigation:

- Invitation to all Parties to **submit mitigation commitments** under the 2015 Agreement **based on the internationally agreed rules and modalities**;
- **Modalities of mitigation commitments** must be internationally agreed as soon as possible: all mitigation commitments must be **internationally legally binding and have the same end year of the commitment**; all Parties should exhibit, as clearly as possible, their **unconditional low end of commitment**, and **quantifiable** (in terms of reduced/avoided tonnes of CO2 equivalent) mitigation efforts through their mitigation commitments;

- The **rules based foundation of the 2015 Agreement for accounting, MRV and compliance** must be established as soon as possible:
 - Under the 2015 Agreement, all Parties shall use the same IPCC guidelines and the same UNFCCC guidelines for **measuring and reporting**, on a biennial bases, their emissions and removals;
 - Under the 2015 Agreement, all Parties shall use in **accounting** of their emissions and removals towards their mitigation commitment the latest IPCC inventory methodologies (as for reporting). For accounting in the land sector, technical work must be advanced towards a common accounting framework under the 2015 Agreement;
 - Under the 2015 Agreement, all Parties shall participate in a **verification process and compliance regime**;
 - Under the 2015 Agreement, all Parties shall submit **ex ante information** on their mitigation commitments, including the following elements, if relevant and available:
 - reference
 - information on any parameters used for defining the reference
 - assumptions underlying any parameters used for defining the mitigation commitment
 - information on accounting in the land sector and in relation to transferable mitigation outcomes within the accounting framework and on any deviation in accounting from IPCC sectors and gases
 - any other relevant parameter underlying the commitment;
- Establishment of a **consultative phase** which is to commence when a certain number of commitments have been submitted to facilitate achievement of the UNFCCC objective;
- Determine the **modalities of the consultative phase**;
- Explore options and ways for **unilateral enhancement of mitigation commitments** by a Party concerned under the 2015 Agreement;
- Encourage **recording of additional voluntary goals, pathways, strategies** beyond the internationally agreed target year under the 2015 Agreement.

Elements of a decision at COP19 in the area of mitigation under ADP/WS1, incl next steps

In the context outlined above and in order to deliver on the work under the ADP WS1 by 2015, to allow all the Parties to prepare meaningfully for their contributions to the 2015 Agreement, and to build trust between Parties the following elements must be captured in Warsaw:

- **progress** on internationally agreed **modalities of mitigation commitments** (EIG's views above);
- **progress** in the establishment of a common regime for all Parties for **MRV, accounting and ex ante information** on mitigation commitments (EIG's views outlined above);
- **progress** on the modalities and timeline of the **consultative phase**;

c) **Specific views of the EIG in the area of adaptation:**

Design and vision

Adaptation is an important component of the 2015 Agreement and it should be addressed with the same priority as mitigation and in a differentiated manner as required. The 2015 Agreement shall **promote cooperation** in adaptation actions that **reduce vulnerability and minimize and cope with the adverse effects of climate change**, foster **sharing of knowledge, best practices and experience**, and **increase adaptive capacity and resilience** of all Parties in the context of sustainable development. To this aim, the 2015 Agreement must foster in particular the development of national **adaptation strategies and action plans** to identify activities of first importance and catalyze an effective response to respective needs across all relevant sectors.

The 2015 Agreement will be based on the UNFCCC principles. The EIG would like to emphasize the **precautionary principle** in the establishment of adaptation measures, as well as the **principle of common but differentiated responsibilities and respective capabilities in regard to assistance** to developing Parties who need support in adaptation.

It is necessary to ensure a **functional link between the 2015 Agreement and the institutions and processes established under the Convention** such as the Adaptation Committee, the National Adaptation Plans Process, the Nairobi Work Programme on Impacts, Vulnerability and Adaptation to Climate Change (NWP), the Work Program on Loss and Damage as well as relevant efforts outside the Convention such as the Hyogo Framework for Action (HFA) and regional adaptation network activities. It is important that the relevant institutional mechanisms under the Convention foster **synergies between mitigation and adaptation** actions as means to generate co-benefits that increase the climate resilience of the Parties.

Scope

Adaptation under the 2015 Agreement must be addressed in a **comprehensive** way building on ongoing efforts, and foster **adaptation capacity** and promote **exchange of knowledge, best practices and experiences at all levels**, including local and regional. It should **not impose any burden on the Parties but empower** them in their efforts.

To this aim, the 2015 Agreement should promote inter alia:

- a) **Vulnerability and risk assessment and analysis tools** with a multidisciplinary, multidimensional and multi-sectoral approach;
- b) **Integrated risk management approaches** that prioritize preventive action as a preference before reactive action (damage repair);
- c) **Share progress and experience** in the development and elaboration of strategies and plans for adaptation and a respective implementation framework.

The following **key aspects** may be considered further in addressing adaptation under the 2015 Agreement .

- Adaptation actions are based on local circumstances and development dynamics (bottom up approach);
- Climate vulnerability and risk assessments as means to identify and prioritize actions;
- Assessment of current and future climate related hazard, vulnerability and exposure is a starting point including in view of adaptation strategies and plans;
- Integrated risk management across all sectors is key;
- A multi systemic approach (vulnerability of ecosystems, social systems and infrastructure) is key;
- Linkages and processes at sub-national, national and international level;
- Capacity building at local, national and regional level;
- Informed, inclusive and equitable participation of stakeholders;
- Monitoring and sharing of information on climate change and on climate related risks;
- Cross-cutting coordination and collaboration between regions;
- Synergies between mitigation and adaptation actions as means to generate co-benefits that increase resilience;
- Traditional practices of indigenous peoples; gender, ethnicity, disability, inequality, health and equitable access to services;

Support

With regard to support, the following **key aspects** should be considered, inter alia:

- Support is provided developing Parties especially vulnerable to the adverse effects of climate change;
- Provision of support from all developed Parties and other Parties in the position to do so, according to the common but differentiated responsibilities and respective capabilities;
- Simplified and improved access, including direct access to finance should be promoted/considered in the context of country driven approaches and on the basis of agreed fiduciary standards and environmental safeguards;
- Sound monitoring, reporting and verification (MRV) for support aimed at adaptation and implementation thereof must underpin the 2015 Agreement (relevant mandate has been given to the Standing Committee on Finance);
- Cost-benefit analysis of those investments implementing adaptation actions in the medium and long term Long-term support for projects and initiatives that increase resilience;
- Engagement of diverse resources including private sectors should be encouraged to provide sustainable financial support for adaptation;
- Knowledge management about lessons learned and about the effectiveness of institutional arrangements and channels of support.

Elements of a decision at COP19 in the area of adaptation under ADP/WS1, incl next steps

In the context outlined above and in order to deliver on the work under the ADP WS1 by 2015, to allow all the Parties to prepare meaningfully for their contributions to the 2015 Agreement, and to build trust between Parties the following elements must be captured in Warsaw:

- the **importance of the ultimate objective of this Convention and any related legal instruments** that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner;
- **Delay in reducing emissions** significantly constrains opportunities to achieve lower stabilization levels and increases the risk of **more severe climate change impacts**, and therefore adaptation shall be fully integrated into the 2015 Agreement.
- **mitigation and adaptation are equally important elements** of 2015 Agreement - in response to their **particular challenges and characteristics, mitigation and adaptation must be addressed in different manners**;
- **progress** on the **design and vision** of adaptation under the 2015 Agreement, including the links between the 2015 Agreement and the institutions and processes established under the Convention (EIG's views above);
- **progress** on the **scope** of adaptation under the 2015 Agreement (EIG's views outlined above).

d) Planning of work under the ADP WS1 in 2014/2015:

As agreed at COP18, the negotiation text must be presented before COP20 (2014), in order to develop draft legal text by May 2015. Thus, early 2014, Parties and relevant organizations and stakeholders should submit their specific views on the core elements and the architecture of the 2015 Agreement in view to develop draft negotiation text before COP20.