

SUBMISSION BY IRELAND AND THE EUROPEAN COMMISSION ON BEHALF OF THE EUROPEAN UNION AND ITS MEMBER STATES

This submission is supported by Albania, Croatia, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia.

Dublin, 1 March 2013

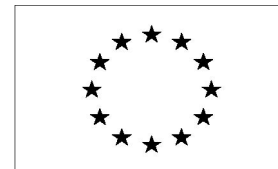
Subject: Implementation of all the elements of decision 1/CP. 17, (a) Matters related to paragraphs 2 to 6; (ADP)

2015 AGREEMENT

Introduction

1. We face potentially devastating impacts if we fail in our collective goal of limiting global temperature increases to below 2°C relative to pre-industrial levels (below 2°C objective). According to the IPCC 4th Assessment Report 2007 (AR4) these include: increased storms and floods, inundation of coastal zones, increasing risks for food production, increased diseases, increased morbidity and mortality due to heat waves, increasing drought - with hundreds of millions of people exposed to increased water stress, and loss of biodiversity, including widespread loss of coral reef systems. Recent events have also demonstrated the impacts on, and vulnerability of, developed and developing countries to weather and climate extremes. Yet the transition to a low greenhouse gas emitting and resilient future offers major opportunities for all parties to achieve their development goals in a sustainable manner.
2. Parties are collectively not yet on an emissions pathway to achieve our shared goal to stay below 2°C. Between 2000 and 2010 emissions of carbon dioxide are estimated to have increased by 3% each year. This is 3 times the annual rate for the previous decade (SBSTA Research Dialogue, 2012). Current annual emissions stand at approximately 50 GtCO₂e. This is already 14% higher than the median estimate (44 GtCO₂e) of the emission levels in 2020 consistent with a likely chance of meeting the below 2°C target.
3. In Durban we launched the ADP to urgently address the challenge that faces us. As we have said in previous submissions, we all made a decisive commitment to work towards a single, fair and comprehensive legally binding agreement under the Convention that is applicable to all Parties (the *2015 Agreement*). We have also stated that the form of that agreement should be a new Protocol under the Convention¹. This approach has a number of advantages that give us the best chance of achieving our below 2°C objective, namely: the greatest indication of national commitment; the highest level of certainty needed to generate the mutual trust and confidence necessary to ensure that we all deliver the level of ambition required to stay on track for below

¹ FCCC/ADP/2012/MISC.3, pg 19.



2°C; greatest leverage for domestic action; greatest longevity in the context of domestic political changes; and a high degree of inherent compliance value.

4. We made some progress last year under the ADP, but as we concluded in Doha, we need to move to a more focussed mode of work. 2015 is not far away. The co-Chairs' summary of the Doha roundtables captures common proposals on how we can make progress towards the 2015 Agreement. The ADP should build on that in order to focus and sequence our discussions. In 2013 workshops focused on specific topics will be of vital importance to get into the necessary detail to make progress and enable us to crystallise key issues and structure work towards elements of a negotiating text by the end of 2014.
5. This submission suggests some areas that we could focus on in the April session, and should also be read in the light of our previous submissions².

April session

6. In Doha we decided that in 2013 we need to get down to a more focussed way of working. We need to move from the general into specifics.

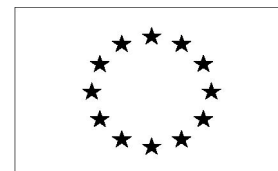
The EU would like to see a roundtable/panel in the April session that focus on the **scope, structure and design of the 2015 Agreement**.

In this context we should also address in an integrated and coherent way:

- ways of defining and reflecting enhanced action
- the application of the principles of the Convention
- experiences and lessons learned from the Convention and from other multilateral processes

7. We have trust in the co-Chairs as to how to organise the session most efficiently to achieve focussed discussions under both workstreams of the ADP. However, we would like the co-Chairs to consider the possibility of parallel working between workstream 1 on the 2015 Agreement and workstream 2 on pre 2020 mitigation ambition so as to make the best use of time available and promote a more concrete conversation about the issues at hand. We would also propose that the April session does not necessarily need to focus on all issues – but that some could be discussed at subsequent sessions.
8. On the specific issue of contact groups that you raise in your information note of 18 February 2013 we again have trust in what the co-Chairs propose as the best way forward, but we are mindful that in Doha we successfully produced a COP decision and ADP conclusions without the formation of a contact group and do not see a particular need for the formation of a contact group

² FCCC/ADP/2012/MISC.3, pg 19; Submissions of 18 July 2012; 17 October 2012.



at this stage. However, if a contact group is formed, the work should be clearly organised around the two established workstreams of the ADP.

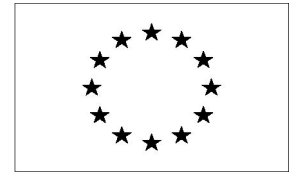
The scope, structure and design of the 2015 Agreement

9. The 2015 Agreement should be a helpful tool in transforming the development pathways of countries, by putting in place the right incentives for further action, enabling all Parties to achieve sustainable development, poverty eradication and climate-resilient growth, taking into account vulnerability to climate change.
10. Clearly the 2015 Agreement will need to cover the substantive elements identified in the Durban Platform. As we said in a previous submission³, one could imagine a Protocol with the following elements: objectives; mitigation and accounting (including market mechanisms); adaptation; means of implementation (finance, technology transfer, capacity building); transparency of action and support; mitigation review and simplified ways to raise ambition; and compliance.
11. Any particular provision should only be included in the 2015 Agreement if it is clear that it adds value in terms of furthering the ultimate objective of the Convention. The 2015 Agreement should build on the Convention and the Kyoto Protocol; on-going implementation work and processes; and existing institutions. In that context we welcome the intention of the co-Chairs to invite the Chairs of SBSTA, SBI and other appropriate bodies under the Convention to brief the ADP on relevant work being undertaken – and would welcome this on an on-going basis. It is essential that the 2015 Agreement is designed in such a way so as to ensure broad participation and to reflect, and be flexible enough to adjust to, an evolving world. We should also take account of the experiences and lessons learned from the Convention process, the Kyoto Protocol and other multilateral processes, including those supporting cooperation and implementation of actions to tackle greenhouse gas emissions and climate impacts in specific areas.

There are a number of questions that could guide the roundtable/panel, including:

- How can the provisions of the 2015 Agreement be designed so as to add value over and above the current regime in relation to mitigation, adaptation and means of implementation in a way that builds on on-going implementation work and institutional structures and avoids duplication?
- How can the 2015 agreement be designed so as to enable and incentivise ambitious participation by all Parties in light of science and our common below 2°C objective?
- How can the 2015 Agreement be made dynamic and flexible enough to accommodate a rapidly changing world and continuously evolving responsibilities and capabilities, as well as facilitate easy ratcheting up of mitigation ambition in response to the latest science, so that it is fit for purpose well beyond 2020?

³ FCCC/ADP/2012/MISC.3, pg 19.



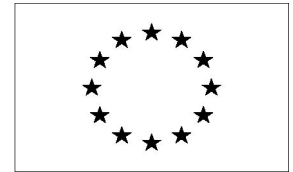
- What should be the role of the 2015 Agreement in the decade up to 2030 with respect to the finance, market-based mechanisms and technology needed to ensure ambitious global mitigation ambition?
- How could the 2015 Agreement promote and incentivise the involvement of a wide range of actors, such as the private sector and local governments to join efforts towards meeting the transformational challenges needed to combat dangerous climate change?
- How can the 2015 Agreement ensure environmental effectiveness and minimise the potential risk of carbon leakage between highly competitive economies, while steering towards sustainable low-carbon development?

Ways of defining and reflecting enhanced action

12. Consistent with the ultimate objective of the Convention, reducing emissions of greenhouse gases in light of the below 2°C objective will have to be at the heart of the 2015 Agreement. Therefore, looking at ways to define and reflect enhanced mitigation action will be a critical component of the scope, structure and design of the 2015 Agreement.
13. We all agreed in Durban that the 2015 Agreement must be applicable to all such that 100% of GHG emissions are addressed. That means all Parties must take on legally binding mitigation commitments. However, commitments must be formulated in accordance with Convention principles including common but differentiated responsibilities and respective capabilities, recognising that responsibilities and capabilities evolve over time.
14. We will need to explore how the principles of the Convention can be applied in a way so as to ensure that those commitments are fair and reflect Parties' evolving responsibilities and capabilities in a dynamic way. We would expect those Parties with the greatest responsibilities and capabilities to take on the most ambitious mitigation commitments, in the form of economy wide targets.
15. We also need to explore options that could be open to Parties with other levels of responsibilities and capabilities. A useful start may be for Parties to describe the approach they are currently taking domestically, and to set out their reasoning for their domestic policy choices. This would be a good first step towards understanding, evaluating and then defining the possible range of appropriate commitments that might be possible in the 2015 Agreement. At the April session we need to start identifying the design elements of an appropriate spectrum of commitments that responds to the challenges that the 2015 Agreement will need to address, and we need to have an open conversation on what each of Party plans to do within this spectrum to deliver on the below 2°C objective.

Some questions that could usefully guide roundtable/workshop discussions in April:

- How can we define a spectrum of legally binding mitigation commitments for all Parties that



may vary in substance and their associated level of ambition in order to reflect different responsibilities and capabilities in a way that is widely perceived as equitable and fair while being sufficient to keep us on track for below 2°C and the latest requirements of science?

- There is a wide variety of targets that Parties have put forward through the Cancun agreements for the 2020 framework (e.g. absolute targets, relative targets, carbon neutrality, emissions reductions in comparison to a base year, or below a BAU scenario etc.). Which types of targets do we foresee to be part of the spectrum of commitments for the 2015 agreement that can reflect the different circumstances of Parties? How can we design this spectrum to incentivise Parties to commit to more ambitious targets?
- A variety of targets implies additional accounting methodologies and additional information not covered by the current system. How can we design an effective accounting and transparency regime, in the context of a spectrum of commitments, that ensures comparable and transparent emissions data, builds mutual trust and monitors progress towards the below 2°C objective?
- How can we encourage ambition to ensure that there is no gap between commitments and the reductions that are required to achieve the below 2° C objective?
- What is the role of Means of Implementation in this context?