

**Implementation of all the elements of decision 1/CP.17, (b) Matters related to paragraphs 7 and 8.  
Ad-Hoc Working Group on the Durban Platform for Enhanced Action (ADP)**

**Submission by the Like-Minded Developing Countries on Climate Change (LMDC)**

**This submission is being made by the Philippines on behalf of the following Parties: Bolivia, China, Cuba, Dominica, Ecuador, Egypt, El Salvador, India, Iran, Iraq, Malaysia, Mali, Nicaragua, Philippines, Saudi Arabia, Sri Lanka, Sudan, Venezuela.**

**Information, views and proposals from Parties and accredited observer organizations on actions, initiatives and options to enhance ambition, including through the workplan on enhancing mitigation ambition, with a particular focus on 2013, including aspects indicated in paragraph 15 (a)-(c) of the ADP conclusions.**

**I. Introduction**

The Ad-Hoc Working Group on the Durban Platform for Enhanced Action (ADP) agreed in Doha that submissions would be requested from Parties with respect to the work of the ADP under its Workstreams 1 and 2. This submission containing preliminary views is being made by the Parties indicated above in accordance with such request, without prejudice, however, to further submissions from these Parties either collectively or individually.

The growing impacts of climate change and the loss and damage sustained therefrom, and the growing demands of mitigation and adaptation, are exacerbating the challenges of development for all developing countries. However, the extent to which Annex 1 Parties have fulfilled their commitments under the Convention has not been adequate to ensure progress toward the ultimate objective of the Convention.

Developing countries bear the brunt of the adverse effects of climate change even if they had contributed the least to the problem. Climate change impacts in developing countries adversely affect deeply the prospects of billions of poor people in these countries to aspire to better living standards and escape from poverty. This underscores the need for urgent global cooperation and action on climate change.

The Parties submitting this submission, as Parties to the UNFCCC, are all committed to the pursuit of the objective of the Convention as stated in its Article 2 and to the full and effective implementation of the principles and provisions of the Convention. In this context, it should be recalled that Article 4, paragraph 7 of the Convention states that “The extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology and will take fully into account that economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties.”

In this regard, with respect to the negotiations in the UNFCCC to be undertaken under the ADP, the Parties making this submission stress that such negotiations shall be “under the

Convention” – that is, the negotiations shall be guided by and must be consistent with the principles and provisions of the Convention, especially the principles of equity and common but differentiated responsibilities, as stated in the Doha decision on advancing the work of the ADP. These principles of the Convention, and the provisions that reflect these principles, are at the foundation of the work of the ADP.

The urgent task of ‘implementation’ of the decisions already taken under the Convention, in particular those relating to the operationalization of the mechanisms set up to assist the actions of developing countries must remain a key priority and receive equal emphasis in the work of the Parties going forward.

## **II. On Workstream 2**

### **A. General Considerations**

Any actions to increase pre-2020 ambition, no matter whether they are taken under the Convention or outside it, shall be guided by the objective and principles of the Convention. Increasing pre-2020 ambition shall primarily be achieved through the implementation of the 2nd commitment period of the Kyoto Protocol, its increase in ambition and the outcome of the Bali Action Plan. The pre-2020 ambition shall be addressed in a comprehensive manner, covering mitigation, adaptation and finance and technology support.

The work on raising mitigation ambition in the pre-2020 period should take account of the outcomes of the Doha decisions, both under the AWGLCA and the AWGKP.

It is deeply regrettable that Annex 1 Parties did not show the high ambition in terms of their emission reduction targets that science requires of them. The follow-up from Doha in this regard is most critical for ramping up the targets both under the Kyoto Protocol and for comparability of efforts for the non-KP Annex 1 Parties. The work of the Subsidiary Bodies in this regard is most critical.

In this context, the work of the ADP with respect to Workstream 2 on increasing the mitigation ambition in the pre-2020 period should be premised on and jump off from:

- the immediate ratification by Annex I Parties to the Kyoto Protocol of the amendment to the Kyoto Protocol relating to the 2<sup>nd</sup> commitment period and the increase of their mitigation targets under the Kyoto Protocol by 2014;
- the increase of mitigation ambition by Annex I Parties who are not under the Kyoto Protocol or who have decided not to take on targets under the Protocol’s 2<sup>nd</sup> commitment period, in a manner and at levels that are comparable to those undertaken by Annex I Parties to the Kyoto Protocol with targets under the 2<sup>nd</sup> commitment period, including increasing such mitigation ambition by 2014 guided by Article 3.3 of the Convention; and
- the full operationalization of the mechanisms for the provision of support (finance, technology transfer, and capacity building) to developing countries, including particularly the actual delivery of such support to developing countries in measurable, reportable, and verifiable ways.

Developed countries shall increase their mitigation ambition mainly through their domestic efforts. Any international or regional initiatives shall not introduce any new or additional commitments for developing countries.

For developing countries, their contribution to global mitigation efforts is far greater than that by developed countries. The effective and timely implementation by developed countries of their commitments on finance, technology and capacity building support is crucial for developing countries to enhance their actions. In this regard, there should be a clear roadmap for developed countries to fulfil their financial support in the period of 2013 to 2020 in order to meet the goal of providing 100 billion dollars per year by 2020, and the barrier of technology transfer, especially the IPRs issue shall be appropriately addressed. For developing countries, any activities, no matter whether they are taken within or outside the framework of the Convention, are part of their efforts to implement their nationally appropriate mitigation actions that have been presented. Any international cooperative initiatives may facilitate the implementation by developing countries of their presented actions, but shall not introduce any new or additional commitments for developing countries.

## **B. Specific Considerations**

### **(a) Mitigation and adaptation benefits, including resilience to the impacts of climate change;**

As stressed above, the ADP's work on mitigation will be ineffective unless the question of the mitigation ambition of developed countries are effectively addressed as a follow up to the Doha decisions through the work of the relevant bodies.

On adaptation, the work of the Adaptation Committee would be key to further support the efforts of developing countries and a vital aspect of this is the provision of financial resources for adaptation under Article 4.4 of the Convention. In this context, the implications of paragraphs 20-22 of Decision 1/CMP.8 with respect to the sustainability, adequacy and predictability of funding from the Adaptation Fund should also be carefully considered with respect to the need to ensure that adequate financial resources are made available to support adaptation costs in developing countries. The ADP should further consider how adaptation actions in developing countries can be supported pursuant to Article 4.4 of the Convention.

In addition, it is important to advance on the mechanism to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change according to science to enhance adaptive capacity, following from Decision 3/CP.18 in this regard.

It is important to note that these financing efforts shall be guided by and adhere to the principles and provisions of the Convention and shall not transfer, directly or indirectly, to developing countries the commitment to provide climate finance.

Further, the work of the ADP is under the Convention. Supplementary actions outside the Convention are not a substitute for actions under the Convention and the Kyoto Protocol. There should be a cautious approach in considering actions outside the Convention. Any supplementary and complementary actions must be in accordance with the principles and provisions of the Convention.

## **(b) Barriers and ways to overcome them, and incentives for actions**

For developing countries, the main barrier for greater action is the lack of the means of implementation. In this regard, the provision of financial support is absolutely imperative and finding ways of ensuring the actual delivery of new, additional and adequate financing in accordance with Article 4.3, 4.4, 4.5, 4.7, and 4.8 of the Convention remains essential.

Similarly, in the case of technology transfer pursuant to Article 4.5 of the Convention, there must not be barriers to accessible and affordable environmentally sound technologies such as intellectual property rights. When developing countries face such barriers, they must be addressed adequately in order to redress the problem.

While institutions and mechanisms have been created under the BAP through the decisions of the AWGLCA, these institutions and mechanisms such as the Green Climate Fund and the Technology Mechanism must not remain empty and ineffective but must be filled with resources so that they are able to incentivise actions on the part of developing countries.

Capacity building is also key and further work to enhance this is vital in the context of the work of the ADP.

Work should also be undertaken in the context of the ADP with respect to the further development and operationalization of non-market-based approaches or mechanisms to enhance mitigation action particularly in developed countries. It should be stressed that any further discussion as well as operationalization of market-based approaches that may be developed pursuant to Decision 1/CP.18 must be premised on developed country Parties increasing the level of their mitigation ambition and effectively complying with their mitigation targets, and that such approaches should be subject to a general framework of principles applicable to all approaches.

## **(c) Finance, technology, and capacity-building to support implementation**

It is regrettable that the Doha decisions on the means of implementation under the AWGLCA saw very little progress in terms of developed country Parties providing for a clear pathway on the mobilization of mid-term and long-term finance and address developing country concerns of intellectual property rights being a barrier to technology transfer.

Pledges for financing support of US\$ 100 billion per year by 2020 were expressed by developed country Parties in Cancun. The relevant institutions for this purpose have been created. However, the operationalization of these institutions as well as the actual delivery of the financing support continues to be a major implementation issue. Hence, the first exercise in raising global mitigation ambition both in the pre-2020 and post-2020 timeframes includes getting a specific commitment from developed countries with respect to climate financing flows during the mid-term (2013-2020) and the long term (post-2020). The benchmark for such commitment must be on the basis of the implementation of Article 4.3, 4.4, 4.5, 4.7, and 4.8 of the Convention, and must also ensure that the provision of climate financing is done under the Convention through the Convention's financial mechanism.

It is important to note that these financing efforts shall be guided by and adhere to the principles and provisions of the Convention and shall not transfer, directly or indirectly, to developing countries the commitment to provide climate finance.

The work taking place under the Convention's Technology Mechanism must ensure that technology and know-how access, facilitation, and transfer to developing countries of environmentally sound technologies in accordance Article 4.5 of the Convention do actually take place. To date, such transfers have not taken place as envisioned under the Convention. This will require developing facilitative mechanisms and approaches to scale up such transfers as well as effectively addressing any barriers, including cost and policy barriers such as intellectual property rights, to such transfers in order to ensure that such transfers do support the objective of eventually developing endogenous capacity in developing countries to produce their own environmentally sound technologies as envisioned under Article 4.5 of the Convention.