

MICHAEL SUCCOW FOUNDATION  
for the Protection of Nature

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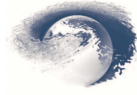
View of Observer Environmental Non-Governmental  
Organisation to the United Nation Framework Convention on  
Climate Change,  
the *Michael Succow Foundation for the Protection of Nature*,  
on options to strengthen opportunities for cooperation and  
collaboration among Parties related to agenda sub-item  
(SBI/SBSTA)

**Forum and work programme on the impact of the  
implementation of response measures**

(FCCC/SB/2014/L.2, para. 4).

Greifswald, Germany

September 2014



## **Preface:**

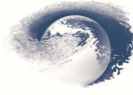
This submission is part of a working paper series under the **Marion Doenhoff Fellowship in the Michael Succow Foundation**, to be published in spring 2015.

The future paper would account for legal developments of the **Response Measures Forum**, reviewing relevant contributions and illustrating the importance of best practices. An analysis of opportunities and challenges of establishing an operating mechanism will be presented, taking note of differentiating priorities of relevant political groupings. The conclusion will aim to encourage greater participation of minor groupings affected by this process; namely, Economies in Transition and Mountain-Landlocked Developing Countries.

The text of this submission accounts chronologically for most prominent matters to date, including past sessions, presentations and submissions under the Convention. All summary of views and stated information is presented for evaluation purposes only, and the authors do not claim any legal responsibility in lieu thereof.

The main goal of this submission is to facilitate the general understanding of issues at hand, and to present best possible solutions forward.

*22<sup>nd</sup> September 2014, Greifswald, Germany.*



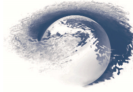
## I. Reviewing previous relevant developments:

The impact of the *implementation of response measures (IRM)* requires governing actors to adjust and respond to henceforth created environmental hazardous conditions via directed socio-demographic implementations in sectors concerning regional politics, economics and sustainable infrastructures.

We would like to stress that the impact on future resilience to climate change is directly touching upon human lives globally and unilaterally, and is hence of paramount importance; further recognizing that to this day, *UNfccc* has the most significant global political platform where this discussion has taken place in depth. The *response measures forum (RM Forum)* had been addressing impacts of implementation due to 'specific needs and concerns of developing countries in economic, social and environmental areas'; allowing exchange of expertise and best practices in a highly productive manner until its revision in 2013.

Notably, the RM Forum allowed non-governmental actors to come forward to share case-scenarios and possible resolutions to upcoming complexities; under the revision process of this forum, governments have remarked that this exchange had been a unique setting for fruitful dialogue, whilst providing crucial exchange of expertise.

Previously, at the technologies for adaptation workshop (11/2003, India) mountain-landlocked developing countries presented on local climatic consequences in relevance to implementing response measures. Uzbekistan remarked on extreme weather, listing phenomena such as droughts, high temperatures, heavy precipitation, floods and hurricanes as causing considerable damage in different regions, with need for an evaluation of frequency change; emphasising that the Central Asian region experiences severe deficit of water. Kazakhstan illustrated agricultural awareness-raising from existing practices for the similar climatic zone, as a coping strategy to restoration of land fertility and snow reservation practices. United

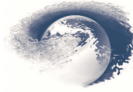


Nations Development Programme (UNDP) outlined long-term strategies, inclusive of water sourcing through infrastructural and agricultural renovations, and early warning mechanisms on local scale. Participants of this event highlighted, in particular, iRM relevance to agriculture via food security and health safety, inter alia, rainwater management; community-based drought proofing plans (CBDPP); and further need for capacity-building due to uncertainties in socio-economic data and development scenarios.

Hence at the Asian regional workshop on adaptation (04/2007) participants further discussed agricultural management in view of growing population, with emphasis on technology transfer, research and data, and capacity-building. In particular, it was then noted that many countries of Asian region have insufficient regulatory frameworks, and additional low awareness is hindering efficient response measures being implemented. Thus the need for expertise exchange on a bi- and multi-lateral level would be vital in fostering institutional cooperation and enhancing stakeholder involvement. Tajikistan emphasized increased temperatures in high mountain areas resulting in growing drought frequency as well as glacial water loss. Azerbaijan illustrated loss in forest boundaries and sea level rise at the Caspian coast. Furthermore, workshop participants engaged in a discussion on coastal zone problematics, including the issue of climate refugees in socio-economic context; wherein Indonesia stressed that “people [should] not return to their original unsafe locations”.

Notably linkages to other **Rio Conventions** – *Convention on Biological Diversity* (UNcbd), *Convention to Combat Desertification* (UNccd) – were underlined in aspect of environmental resilience and human security.

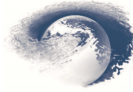
Herewith we would like to note that such linkages point back to the *1992 United Nations Conference of Environment and Development* (UNCED) meeting, wherein the underlying aim was for governments to **establish implementation of responses** towards a more environmentally resilient future.



The COP14 (Poznan iRM) round-table reviewed submissions from three (3) non-Party organisations: International Fund for Agricultural Development (IFAD), United Nations World Tourism Organization (UNWTO), and World Health Organization (WHO). Additionally the submitted G77/China statement (06/2008) commented on progress of implementing Decision 1/CP.10, including point (o) on page 4, for increasing “the dialogue with disaster risk reduction communities in the work on adaptation at the national and regional levels, so that experiences in disaster reduction can be applied to adaptation to climate change.”

The summary note of joint (SBI/SBSTA iRM) event (SB 34 – 06/2011) states that “the objective [...] was to provide an opportunity for Parties to listen to, consider and discuss presentations by Parties and observer organizations to deepen the understanding of issues relating to the economic and social consequences of response measures” and that “more than fifty (50) Parties and twelve (12) Observer organizations participated in the event [;] three (3) regional Groups, five (5) Parties, [as well as] OPEC and six (6) Observer organizations made presentations” on issues such as tourism; air travel; water; infrastructure; agriculture and fisheries; dependence on fossil-fuels; and economic diversification, among other risk factors relevant to iRM.

Thereupon following joint SB workshop (Bonn – 09/2011) provided an opportunity for more in-depth expertise sharing in context of all previous decision documents. In particular, Saudi Arabia noted relevance of *Decision 31/CMP.1* in reference to *KP 2.3.2 and 3.14*, stating a need for minimizing adverse effects through optimizing “research and assessment; enhancing reporting and verification; and enhancing support to developing country Parties, particularly those identified in Article 4, paragraphs 8 and 9, of the Convention”. World Trade Organisation (WTO) attended the event with emphasis on its operating regulations not being specific to climate change negotiations, yet seeking specialized committee function for trade– and climate-related issues, such as “incentives to promote inventions of new climate change technologies”. International Centre for Trade and Sustainable Development (ICTSD), likewise as a workshop participant, illustrated the importance of RM through



varied socio-demographic areas, including the *Clean Development Mechanism* (CDM) via Emission Trading Schemes (ETS); carbon tax and border measures; environmental standards via Corporate Social Responsibility (CSR); energy efficiency and sustainable applications; regulation of infrastructures such as transport; and Government Relations (GR) via subsidies and FCCC committees.

This last workshop was noted as a particularly productive session, leading to an adopted COP [17] decision later that year.

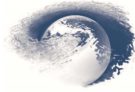
## II. Progress of negotiating Response Measures implementation:

The establishment of a forum was discussed periodically in workshops since 2002, under *Articles 4.8 and 4.9 of the Convention*, and in reference to *Articles 2.3 and 3.14 of the Kyoto Protocol*; henceforth it was officially established to operate under the adopted *Decision 1/CP.10*, and as a joint item under *both Subsidiary Bodies*. This forum allowed participation in exchange of expertise and best practices between Parties and non-governmental experts, in order to promote bi- and multi-lateral dialogue on findings; comparison of results; and improving of understanding.

Herewith we would like to stress that it proved useful in highlighting major areas of socio-demographic concerns.

In its revision in 2013, Parties were asked to consider either conclusion; or prolonging of the forum; or establishing a *mechanism under the Convention* to operate further developments. As to date Parties did not reach conclusions on this matter, iRM became an emphasized topic for upcoming COP 20/21 (SB 40-44) sessions.

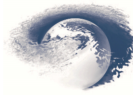
Previous submissions from **Parties** and **Observer organisations** are depicted below to demonstrate relevant points for a plausible approach to future negotiation process in order to **implement** response measures under climate change adaptation.



International Human Rights Law Clinic Berkeley made a submission (03/2011, ref. [FCCC/AWGLCA/2010/L.7 – par. 93-94]) wherein it notes on “advanc[ing] global human development, security, equality, and freedom [...] to include the full range of stakeholders — including state representatives, international human rights and humanitarian agencies, and civil society” in respect of mitigation and population resilience. This submission further refers Parties to the *International Covenant on Social, Cultural and Economic Rights*; *UN Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention)*; *Hyogo Framework Monitor (HFM)* online access system; and works of *United Nations Office of the High Commissioner for Human Rights (OHCHR)* and *United Nations Environment Programme (UNEP)* to underline response measures modelling and varied stakeholder involvement to benefit implementation processes.

Center for International Environmental Law; Earth justice; Friends of the Earth; and Nord-Sud XXI made a joint submission (03/2011) wherein they noted the **original UN Rio Conventions decision** that 'Parties must consider how to avoid or minimize the human rights impacts of the implementation of response measures to mitigate or adapt to climate change' (05/1992, UNTS 107; 165; Art. 4, paras. 8-9), and stated a strong support for the “establishment of a permanent mechanism on response measures as part of this decision [...] Such a mechanism should: (i) provide guidance on rights considerations that will inform the implementation of response measures; (ii) establish a process to consider and address communications by those affected by response measures; and (iii) provide relevant technical assistance.”

Food and Agriculture Organization of the United Nations (FAO) made a submission (04/2011) to highlight that “food security could be considered within the context of economic and social consequences of response measures”, and hence, with reference to *Article 2 under the Convention*, “increasing awareness within climate change and food security policy agendas of the linkages across these two areas can be a first step in helping countries to maximize potential synergies and minimize trade-offs and perverse outcomes”.



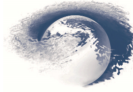
International Labour Office (ILO) made a submission (04/2011) in regards to *section E of the Cancun Agreement*, illustrating impact modelling for labour market mechanisms and economic diversification programmes; and stating that “socio-economic challenges and opportunities need to be better understood and anticipated in order to maximize benefits for development and achieve a socially fair transition. However, if labour, employment and incomes are not included among the socio-economic information taken on board when defining and implementing mitigation measures, these measures may become drivers for increasing already existing vulnerabilities”.

World Health Organization (WHO, 06/2011) submitted prior the *special joint (SB 34 iRM) event*, highlighting that “poorly-designed climate mitigation policies can potentially pose significant risks to socio-economic development, health and welfare” and thus stressing a “results-based approach” in reference to *Article 4.1 (f) of the Convention*, in order to “ensure that mitigation efforts support, rather than compete with, other sustainable development objectives”.

International Trade Union Confederation (ITUC, 03/2013) made a submission concerning *area (g) of RM Forum*, also referring to *Decision 8/CP.17, par. 1*; wherein it is stressed that “just transition could be applied to any number of employment impacts, [as] it is particularly important in those situations where society contemplates regulatory or public policy approaches to environmental protection”. In particular, ITUC refers to 'tripartite social dialogue' case-study of an *ILO* report as 'a valid instrument in the analysis of the effects on competitiveness, employment and social cohesion in policies related to climate change'.

European Trade Union Confederation (ETUC) likewise submitted views on *areas (c), (d), (e) and (g) of RM Forum* work programme, illustrating possible worker participation mechanisms for a just transition process. International Centre for Trade and Sustainable Development (ICTSD) likewise submitted a view encouraging the RM Forum “to address these impacts”, inclusive of possibilities for allocation allowances free of charge and border tax measures.





At the special events in 2011 Parties and Party groupings made submissions and presentations concerning the future RM Forum for developing the implementation process under the Convention. In respect thereof, particularly –

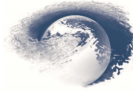
The Secretariat and its consultancy (A. Cosbey; IISD, 2011) outlined in their presentations, inter alia, the historic timeline from 1999, organisation of related workshops, to 2011, back-to-back workshops; as well as non- and trade-based policy development for quantifying adverse impacts of response measures.

European Union underlined, inter alia, that stakeholder involvement is crucial for policy-making under RM Forum, especially regarding impact assessments wherein “all affected stakeholders should be engaged, using the most appropriate timing, fora and tools”.

Grenada, on behalf of the Alliance of Small Island States, encouraged, inter alia, in their submission (04/2011) both organisations, the *International Maritime Organization* (IMO) and the *International Civil Aviation Organization* (ICAO), to continue relevant research into the modelling of iRM for advising “SBSTA at appropriate junctures, including the reports and findings from such studies”.

The Group of 77 and China noted in their presentation, inter alia, *paragraph 89 of the Decision 1/CP.16* wherein Annex I Parties “avoid negative social and economic consequences for developing country Parties, taking into account *Article 3 of the Convention*” and further assist by “providing support, including financial resources, transfer of technology and capacity-building, in accordance with *Article 4 of the Convention*”.

The Russian Federation made two submissions, firstly (04/2011, ref. [Par. 94 1/CP.16]) encouraging, inter alia, both subsidiary bodies of the Convention (*SBI/SBSTA*) to “undertake objective assessments of economic and social consequences of response measures, especially for all developing countries and countries with economies in transition[, such as] stock data evaluation methodologies”; and secondly (09/2011, ref. [FCCC/SBSTA/2011/L.16 – /L.18])

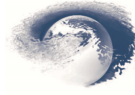


listing, inter alia, optional RM Forum elements, such as “synthesis reports [and] technical papers, with a work programme of up to five (5) years, with possible “new programme initiated” thereafter. Furthermore, this Party noted earlier views expressed by other Parties in requiring “targeted efforts along with provision of expert support [... due to] lacking data for surveys” on iRM. Thus following, the RM Forum “should promote for minimization of negative impact of the implementation of the response measures on social and economic sectors of [thereby affected] vulnerable countries”.

Saudi Arabia mentioned, inter alia, short-term adaptation tactics relating to insurance and financial risk management under economic diversification, stressing that “sharing experiences and opportunities on the development and dissemination of measures, methodologies and tools aimed at increasing economic resilience” would be crucial.

United States of America emphasized, inter alia, importance of education as well as state and local activities in the implementation process. This presentation of USA also noted provision of “social safety nets to help those dislocated by the shift to more environmentally sound consumption”.

The Republic of Uzbekistan made a submission (04/2011) expressing supportive views on iRM development, acknowledging, inter alia, a “need in cooperation for realization of measures aimed at climate change prevention within the framework of efficient mechanisms”. Welcoming constructive dialogue, this Party emphasized “discussion of: outcomes of scientific, technological, technical, social-economical and other studies; systematic observations and creation of data banks related to climate system; [... and] decreasing or elimination of the rest uncertainties in regard to the causes, after-effects, scales and time of climate change”.



### **III. Lessons learnt from 2011-2014: RM Forum**

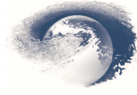
It is important to be fostering country-driven processes, with a possibility of customized approaches depending on national and regional contexts. Bi- and multi-lateral dialogue could be enhanced through South-South and North-South exchange of relevant expertise and technology transfer. Furthermore established and/or already existing support systems of technical and financial nature should be efficiently addressing gaps in a value-added manner for different country groupings. Particularly regional exchange of various stakeholders and specialized institutions, including decision- and policy-makers, as well as public and private organisations, should prove beneficial to enactment of RM implementations; given that such activities would require enhanced coordination between different sides.

Herewith we would like to take this opportunity to stress that it would invoke greater non-governmental and/or public contribution in view of its socio-demographic effects of future generations globally.

### **IV. To-date considerations in stepping forward:**

The overall aim in current context becomes one of seeking efficient facilitation and effective cooperation between differentiating sides, particularly in reference to medium- and long-term adaptation strategies in a socio-demographic and sustainably economic context.

Linkages to other institutional frameworks, including the likes of *National Adaptation Programmes* (NAP(A)s) and relevant *Convention committees*, such as on compliance and adaptation, should be explored and enhanced to strengthen infrastructural support and to impart knowledge.



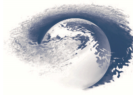
Adaptation as a specific term is referenced in *Article 4.1 of the Convention* for Parties to “cooperate in preparing for [...] impacts of climate change”, whereas *Decision 11/CP.1* considers funding for adaptation measures, followed by *Decision 5/CP.7* on adverse effects of climate change. Thereby this further links to implementation-related activities, such as the *Nairobi Work Programme on Impacts, Vulnerability and Adaptation to Climate Change* (NWP) which emphasizes resources; knowledge; and capacity as main priorities for cooperation, whilst also holding a mandate to advise the SBI.

In addition to work performance under the UNfccc, Parties should consider multidisciplinary actions with relevant fora, such as both other **Rio Conventions**, *Convention on Biological Diversity* (Uncbd); *Convention to Combat Desertification* (UNccd), as well as, respectively, the *United Nations Habitat Disaster Management Programme* (DMP); *Secretariat of the International Strategy for Disaster Reduction* (ISDR); *Collaborative Partnership On Forests* (CPF); and relevant research, id est, *United Nations Water Development Report III* (published by UNESCO; chapters 11-13); Report of the *Intergovernmental Preparatory Meeting of the Commission on Sustainable Development 17<sup>th</sup>* (2009) session (2009; II. Chairman’s draft negotiating document - [G.] Inter-linkages, cross-cutting issues and means of implementation).

The RM Forum had been in a culmination point in ministerial discussions of the last two COPs (18 – 2012; 19 – 2013) and will remain this political highlight for this year (COP20), next year and the year after at least.

This fact alone could be perceived either as negative or positive, given Party grouping positions and further following negotiation process. Yet it remains as paramount a decision topic for non-governmental actors in fields of trade, travel, risk management, research and agriculture; and not least for any countries facing socio-demographic issues in aspects to long-term development.

In particular, Eurasian and pan-North/South countries, who are members of political groupings of Mountain-Landlocked Developing Countries (MLDC; *Afghanistan*,

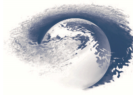


*Armenia, Kyrgyzstan, Tajikistan*) and Economies In Transition (EIT; *Belarus, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Russian Federation, Slovakia, Slovenia, Ukraine*), also including some other single countries – such as *Azerbaijan, Georgia and Uzbekistan*, – who have previously demonstrated increased interest in both, drastic needs of implementing response measures in adapting to changing climate, as well as, reforming the negotiation process toward a more realistic platform in regards to their regional needs. For representatives of these groupings the iRM process provides an opportunity to take part in these discussions with increased force as they enter as intermediates between affairs of major groupings of developed and developing countries, which helped shaping the current negotiation process.

## V. Historic Background

SBI 18 (06/2003) considered decision 5/CP.7 in relation to awareness-raising and capacity-building activities, which evolved into i) decision 1/CP.10 (12/2004) – the '*Buenos Aires programme of work on adaptation and response measures*', allocating three regional workshops (Local coping strategies and technologies for adaptation, 11/2003; Options of non-Annex I Parties for economic diversification, 10/2003; Cooperation with other conventions, 07/2003), and ii) SBI 19 agenda item (7a), wherein “SBI invited Parties and relevant international organizations to submit [...] information [...] arising from the adverse effects of climate change, implemented in support of the various provisions of decision 5/CP.7.”

Further workshops were conducted (Expert Meeting for Small island developing States, 02/2007; Workshop for Asian region, 04/2007) prior COP13 (12/2007) wherein SBI established possible elements to be considered under agenda item (8a)([FCCC/SBI/2007/15] Annex III p32) in regards to i) *adverse effects of climate change* and ii) *impact of the implementation of response measures ([iRM])*, wherein



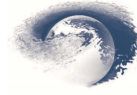
*Annex III* should serve as *Terms of Reference* to “explain how Parties will assess the status of the implementation of adaptation action by inviting Parties and relevant organizations to provide submissions that will feed into an assessment of work”.

Another workshop session 'on progress on the implementation of decision 1/CP.10' (05/2008) subsequently allowed Parties to further review implementation of Article 4.8 and decisions 5/CP.7 and 1/CP.10 ([FCCC/SBI/2008/MISC.4]).

SBI 31 (12/2009) further reviewed the status of implementation of Art. 4.8; decisions 5/CP.7, 1/CP.10; and all documentation issued under the *Buenos Aires programme*, as well as with regards to the implementation of the *Nairobi work programme* ([SB 29: FCCC/SBI/2008 - /MISC.4 -/MISC.9 -/MISC.10 -/MISC.11/Rev.1]).

AWG-LCA 14 (04/2011) adopted item 3.2.6 '*Economic and social consequences of response measures*', followed by a joint SB 34 (06/2011) [FCCC/SBI/2011/L.12; FCCC/SBSTA/2011/L.12] event that provided exchange of expertise between Parties and Observer organisations on issues concerning 'economic diversification; just work force transitions; health and trade', whilst AWG-KP 16 considered *Articles 2.3 and 3.14*, in lieu of possible institutional arrangements to deal with potential consequences of response measures, and agreed to further conduct a joint workshop to review issues relating to 'sharing of information; minimizing adverse effects; research and assessment; reporting and verification; as well as enhancing support to developing country Parties', in regards to *Article 4.8 and 4.9 of the Convention*.

Joint SBI/SBSTA workshop on the impact of the implementation of response measures was held in Bonn (09/2011) and noted a fruitful exchange of expertise on related matters. Hence following AWG-LCA 14 and AWG-KP 16 (III, 10/2011) intersession considered a possible institutional arrangement regarding iRM, and continued this discussion at COP17 (12/2011) wherein the issue was forwarded to the COP President and subsequently adopted as COP decision, establishing a joint SB forum on iRM, mandated to meet at every subsidiary bodies session – until its review at SB 39, issuing recommendations to the COP19. Likewise, AWG-LCA 14 and AWG-KP 16 (IV) recognized the establishment of this forum.



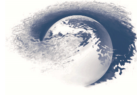
The decision 8/CP.17 hence mandates the following areas for expertise exchanged under this forum:

- a) sharing of information and expertise;
- b) cooperation on response strategies;
- c) assessment of impacts;
- d) opportunities for economic diversification;
- e) modelling socio-economic trends;
- f) aspects relating to implementing all previous decisions;
- g) just transition of the workforce;
- h) awareness-raising capacity for resilient societies.

SB 39 (11/2013) session initiated the scheduled review of this forum, however, without conclusions reached by Parties; the COP hence included this item on SB 40 provisional agendas, in reference to the submission by *G77/China* ([FCCC/CP/2013/L.14]).

Subsequently at SB 40 (06/2014) Parties concluded the review process and requested the Secretariat to prepare a technical and a synthesis paper based on the reports of the forum; submissions; presentations; and statements.

\*NB: The Secretariat announced a call for submissions of views ahead of COP20 (12/2014); this work therefore is intended as an aiding contribution to this process.



The **Michael Succow Foundation for the Protection of Nature** (MSF) is an international environmental non-governmental organization based in Greifswald, Germany, and observer to the United Nations Framework Convention on Climate Change (UNfccc).

The foundation's focal activities lie in the field of ecosystem-based Climate Change mitigation and adaptation and developments in the LULUCF sector with special emphasis on carbon-rich ecosystems as peatlands, forests and steppes.

In several international projects and initiatives MSF contributes to the reduction of GHG emissions from organic soils and builds resilience of local population by climate-smart land use practices like paludiculture and safeguarding measures like fire and drought protection.

MSF is cooperating with governmental, non-governmental and intergovernmental organizations in Central and Eastern Europe, Western and Central Asia and beyond. Key involvement focuses to establish and foster environmental protection, nature conservation, social awareness and knowledge in economies in transition.

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The **Marion Doenhoff Fellowship in the Michael Succow Foundation** facilitates research studies for young scientists from post-Soviet countries. The fellows work on individual research topics with support of the expertise of the Michael Succow Foundation and affiliated organisations.

The working papers are published to promote certain topics to a broad audience including relevant representatives of civil society, politics, economy, and science to promote the debate on environmental journalism, political ecology, nature conservation and sustainable development in the countries of the former Soviet Union.

In the spirit of Marion Doenhoff, the Fellowship programme supports a critical East-Western dialogue on environment and sustainability, furthers regional and international networks, and explicitly includes issues concerning human rights.

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