

## **Reflections on progress made at the third part of the second session of the Ad Hoc Working Group on the Durban Platform for Enhanced Action and on its work in 2014**

### **Note by the Co-Chairs**

*4 February 2014*

#### **I. From Warsaw to Lima**

1. At the nineteenth session of the Conference of the Parties (COP) in Warsaw, Poland, the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) secured a positive result, confirming its determination to achieve a timely adoption of the 2015 agreement and to enhance pre-2020 ambition. We congratulate you, the Parties, for finding solutions and making the Warsaw Conference a success, and for maintaining the momentum behind the Durban Platform. In Warsaw, you engaged in all discussions in a constructive and interactive manner. As Co-Chairs, we encourage you to maintain this positive spirit and to further intensify and deepen this open and direct exchange in a comprehensive manner that promotes delivering concrete results at each and every session and reaching agreement.

2. The ADP has now moved into the second half of its lifespan with less than two years to finalize its work. Warsaw has set the scene for 2014 and for Lima by giving further precision to the milestones of the ADP agreed in Durban and Doha and by setting out clearly where the ADP needs to focus: In line with the agreed goal to accelerate the development of the content of the 2015 agreement, producing a draft negotiating text by COP 20, taking place in December of this year in Lima, Peru is, in our view, the main purpose of 2014. In support of this task, we need to:

- Continue to elaborate all the elements of the 2015 agreement in concrete terms;
- Clarify information guidance on national contributions as early as possible, preferably by the end of the first half of 2014; and
- Unlock significant opportunities for raising pre-2020 ambition.

3. Moreover, everybody must be cognisant of the fact that in 2014 a lot of progress has to be made during a very limited number of negotiating days. In March, we will need to reflect and decide collectively on whether additional time for deepening the discussions in the second half of 2014 will be required.

#### **II. The 2015 agreement**

4. In Warsaw you agreed to further elaborate the elements for a draft negotiating text, beginning at the first session in this year.<sup>1</sup> This will require dedicated work on the content of the agreement in textual form throughout 2014, with the aim of having a comprehensive draft text by the Lima Conference. We need to focus our efforts on reaching those substantive understandings that are necessary in order to adopt the 2015 agreement at COP 21, in Paris, France.

5. It is clear that the 2015 agreement will be applicable to all Parties, that it will be under the Convention and that it will be guided by its objective and principles. This is our common starting point.

6. In the discussions in 2013, a strong common understanding emerged that the negotiations towards the 2015 agreement should not hold back national climate policy articulation and that governments should communicate their post-2020 intentions well in advance of COP 21. Warsaw, therefore, invited all Parties to prepare intended nationally determined contributions towards achieving the objective of the Convention, without prejudice to the legal nature of the contributions.<sup>2</sup> We will need to consider how to reflect those contributions in the agreement, building on the exchange from last year on, for example, how contributions will be presented,

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<sup>1</sup> Decision 1/CP.19, paragraph 2(a). The ADP will hold its first meeting in 2014 – the fourth part of its second session – from 10 to 14 March 2014, in Bonn, Germany.

<sup>2</sup> Decision 1/CP.19, paragraph 2(b).

received, considered and captured in the 2015 agreement as well as arrangements related to their implementation. In this respect, several propositions have been made already.

7. As you have indicated, the nationally determined contributions to be communicated in 2015 will be without prejudice to their legal nature. The questions around their nature, character and legal form will need to be addressed in parallel, and we need to gradually move forward as efficiently as possible towards a common understanding on these issues if we are to arrive at a comprehensive text in Lima. In this context we would be interested to explore the question of which aspects would need to be binding and how they would be made binding.

8. The nationally determined contributions will be towards achieving the objective of the Convention as set out in its Article 2. The 2015 agreement may therefore also need to address the aggregate and long-term perspective in view of the upper limit of acceptable warming of 2°C agreed by Parties.

9. Questions that arise in this context include: how the aggregate levels of ambition as expressed in national contributions will be considered in 2015 and regularly thereafter, whether and how they may be assessed, how the agreement will continue to raise ambition over the long term in order to achieve the objective of the Convention, and how equity, fairness and strong links with evolving science will be achieved, in keeping with the need for the 2015 agreement to be flexible and durable. Proposals for how this may be reflected in the 2015 agreement have been made, for instance, to develop frameworks, mechanisms or processes in this respect. Proposals as to how global goals could be expressed include the notion of a global goal for adaptation and suggestions to give expression to the relationship between mitigation and adaptation. Such proposals will still need further exploration in order to reach clarity.

10. Further aspects under exploration, specifically in the context of adaptation, include the questions of how to strengthen national adaptation plans and how to enhance the link between global and national efforts.

11. Cooperative action is seen by many as an essential part of the strategic approach to an enhanced, effective and efficient implementation of the Convention, and many new components of the implementation infrastructure are just coming on line, as seen from the overview prepared by the secretariat before the Warsaw Conference.<sup>3</sup> Now is the time to clarify the framework the 2015 agreement needs to put in place in order to facilitate, enable, catalyze and support the needed transition to a low-emission, climate-resilient development path.

12. As to finance more specifically, you expressed the need to consider ways to enhance the mobilization, scaling up, predictability and delivery of climate finance as well as the role of different sources of finance. Furthermore, you have been exploring questions as to how to address barriers and create the enabling environments that will facilitate technology development and transfer, how to facilitate access to and deployment of technology, and how to promote innovation. Correlated with this are the imperatives related to capacity-building, including exploration of institutional arrangements, enhancement of country ownership and focus on development priorities.

13. Further questions that relate to the area of cooperation include the role and choice of economic instruments, including market-based and non-market-based approaches, as well as the role of non-state actors and cooperative initiatives.

14. Many of you have also pointed to the need to address broader socioeconomic considerations so that responses to climate change and economic development proceed in an integrated and complementary manner. Such considerations may include economic diversification and resilience, the reshaping of policies that disincentivize the transition, and the promotion of a supportive and open international economic system.

15. We will need to further consider how transparency, including measurement, reporting and verification (MRV), will be enhanced, and how the 2015 agreement should build on the transparency system under the Convention, which is evolving and yet to be fully implemented, including through the submission of biennial reports and biennial update reports and the initiation of their consideration. We may wish to consider possibilities of anchoring existing transparency arrangements in the 2015 agreement and ways to enhance MRV of action and support.

16. Facilitation, including through building institutional capacity, of the implementation of transparency requirements has been stressed by many in this context. Further, many have pointed to the need to consider the development of robust rules to ensure clarity on accounting, including with regard to land use and the use of economic instruments.

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<sup>3</sup> [FCCC/ADP/2013/INF.2](http://unfccc.int/focus/overview/items/7756.php). Online version available at: <<http://unfccc.int/focus/overview/items/7756.php>>.

17. Several of you have also mentioned the need to consider possible mechanisms, rules or modalities for compliance. Initial ideas and proposals on this matter would need to be further explored.

18. The Durban Platform envisages various forms of possible agreed outcomes, and at some point we will need more clarity on the placement of each of the issues. As suggested by some of you, not all may need to be enshrined in the 2015 agreement itself. Some may be more appropriately placed in decisions giving effect to its provisions or in related substantive decisions that may complement the Durban Platform outcome in Paris. This relates to considerations as to the adaptability of the 2015 outcome and the legal nature of its components (see paragraph 7 above). While most aspects will need to be ready to be adopted in 2015, some aspects may necessarily need to be further elaborated thereafter. We do not see the need to resolve questions of placement immediately, but we may wish to give some consideration to the appropriate regulatory means.

### **III. Preparation of national contributions**

19. The Warsaw decision invited all Parties to initiate or intensify domestic preparations for their intended nationally determined contributions towards achieving the objective of the Convention set out in Article 2.<sup>4</sup> This is a clear sign of the desire to reach a meaningful agreement in 2015 and of the positive momentum behind the Durban Platform. The COP further invited the intended nationally determined contributions to be communicated well in advance of COP 21 (by the first quarter of 2015 by those Parties ready to do so) in a manner that facilitates their clarity, transparency and understanding, and requested the ADP to identify the information that Parties will provide.<sup>5</sup> Early clarity on the information needs can greatly facilitate domestic preparations.

20. This work does not start from scratch. The last two decades have seen acceleration in national actions across a range of countries to enact and implement climate legislation, to reduce emissions, to adapt to impacts of climate change, to increase capacity to prepare national communications and maintain greenhouse gas inventories, as well as a diversity of platforms for international cooperation. Therefore, and judging from the submissions and exchanges of views and ideas on this matter in the ADP discussions over the past year, there is a wealth of information and experiences to be drawn upon. These domestic and international achievements create a starting point for the above-mentioned processes launched by decision 1/CP.19 and we intend to invite a cross-section of Parties already actively engaged in the preparations to share their experience in a way that can be helpful and stimulating for others to emulate.

21. We find it prudent to focus on the types of information essential for facilitating clarity, transparency and understanding of the contributions. We wish to deepen the discussion of what level of specificity is useful and necessary without losing sight of the essentials.

22. Decision 1/CP.19, paragraph 2(d), recognizes that developed country Parties, the operating entities of the financial mechanism and other organizations in a position to do so have an important role to play in helping build capacity and in providing support for the preparation of the contributions. With the aim of facilitating active engagement and exchange we will invite relevant organizations to share experience and information in order to raise awareness as to what the needs are, what networks and initiatives exist, what support is available or being mobilized and how to access it. We will also request the secretariat to facilitate coordination among these organizations.

23. Several of you also raised questions regarding the process, including what to do with the information, how to communicate it, and how the information will be considered and/or assessed in light of the overall effort required. These issues will require further consideration.

### **IV. Pre-2020 ambition**

24. The Warsaw decision calls for important action to be taken to increase pre-2020 ambition.<sup>6</sup> In addition, you agreed to engage in intensified technical work examining opportunities for actions with high mitigation potential, including through expert meetings and fora envisaged in decision 1/CP.19, paragraph 5, and the ADP conclusions.<sup>7</sup>

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<sup>4</sup> Decision 1/CP.19, paragraph 2(b).

<sup>5</sup> Decision 1/CP.19, paragraph 2(b) and (c).

<sup>6</sup> Decision 1/CP.19, paragraph 4.

<sup>7</sup> [FCCC/ADP/2013/3](#), paragraph 30(c)(i) and (d).

25. The workshops and discussions on pre-2020 ambition that took place over the last year took a panoramic view of options for mitigation action in areas such as renewable energy, energy efficiency, carbon capture and storage, land use, urbanization, transportation and cities. We also looked at low-emission development opportunities more broadly and at hydrofluorocarbons (HFCs). The opportunities have been identified; the next step is to realize them. To this end, the above-mentioned technical expert meetings will need to focus on demonstrating how opportunities can be seized, how barriers to implementation on the ground are effectively being addressed and how the mitigation potential is being turned into reality. We will launch the technical expert meetings in March, beginning with opportunities regarding renewable energy and energy efficiency with a view to addressing other areas in subsequent sessions during 2014.

26. Many of you have pointed out the wealth of technical work that is being undertaken outside the UNFCCC process, as well as the importance of shaping the role of the UNFCCC as an effective catalyst. We must seek to benefit to the maximum from expert knowledge, from the involvement of stakeholders and from action by non-state actors, all of which was clearly strengthened by the Warsaw decision and conclusions. We believe it will be very useful to see the expert organizations taking a more active role in the preparation of events under our guidance. We encourage Parties and organizations to come forward with initiatives and experts to share their knowledge.

27. Furthermore, it is critical that pre-2020 action and post-2020 contributions reinforce each other and aim in the same direction of higher ambition. Policy choices made today, for example, on energy infrastructure, economic diversification or urban planning, will impact what will be possible to achieve after 2020. We need to ensure that early action is encouraged and that the risk of delaying action is avoided.

## V. High-level engagement

28. In Warsaw, the COP decided to intensify high-level engagement on the Durban Platform in the form of two in-session ministerial dialogues, one in June 2014 and one during COP 20 in Lima. During preparations for these engagements, we, as ADP Co-Chairs, will continue the practice of closely coordinating with the current and incoming Presidencies of the COP/CMP on how to best align the dialogues with the needs of the ADP. We believe that such ministerial engagement – as well as the Climate Summit of the Secretary-General and other high-level events – can build political momentum and help the Durban Platform move forward.

29. As your Co-Chairs, we stand ready to assist you and facilitate your work in order to achieve the objectives of this critical year for the Durban Platform, which needs to pave the way to Paris. We also intend to continue our open door policy and practice of informal bilateral consultations as well as our engagement with the different stakeholders. We are encouraged, in this context, by the responses to our letters to Parties<sup>8</sup> and observers<sup>9</sup> from December 2013. We launched the preparations for the fourth part of the second session of the ADP, scheduled from 10 to 14 March 2014. As usual, we will outline in more detail our proposals on how to organize the work at that session in a scenario note.

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<sup>8</sup> <[http://unfccc.int/files/parties\\_and\\_observers/notifications/application/pdf/message\\_to\\_parties\\_from\\_the\\_co\\_chairs\\_of\\_the\\_adp\\_06\\_12\\_13.pdf](http://unfccc.int/files/parties_and_observers/notifications/application/pdf/message_to_parties_from_the_co_chairs_of_the_adp_06_12_13.pdf)>

<sup>9</sup> <[http://unfccc.int/files/parties\\_and\\_observers/notifications/application/pdf/message\\_to\\_igos\\_ngos\\_adp\\_20131211.pdf](http://unfccc.int/files/parties_and_observers/notifications/application/pdf/message_to_igos_ngos_adp_20131211.pdf)>