



The COP21 Paris Agreement on Climate Change: Outcomes and way forward for ACP Countries and the ACP Group

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The Paris Agreement:

- ◆ The outcome of COP21 – almost 5 years in the making: Durban 2011- Paris 2015
- ◆ Continuation of the UNFCCC process started in 1992, with Kyoto in 1997
- ◆ A compromise on differences in concepts, context, content and policy approaches:

Environmental problem and Economic Development Challenge

- ✓ Global goal on adaptation (and reference to ‘adaptive capacity’)
- ✓ Reinforce emphasis on sustainable development
- ✓ Recognition of LAD (averting, minimizing...loss and damages..)

◆ An ambitious Deal? Primacy of Bottom up Approach

- 1.5C aspirational target
- Transparency of Actions and support/ Enhance transparency Framework
- Global stock take/ Compliance mechanism

The Paris Agreement: A Situational analysis

- **Creates a new governance structure the CMA (Meeting of the Parties to the Agreement (How does it relate to existing COP Framework? Upon entry into force will the PA for all practical purpose replace the COP in intent ???)**
- **Creates a new working group the AWG_APA (Decision 1/CP.21, SectionI, paras 8-11)**
- **Core: I/NDCs and Enhance Transparency Framework (with built in flexibilities/Global Stock take)**
- **Does not go beyond existing obligations for developed countries**
- **Does not imply any new financial obligations for Developed countries**
- **Weakens the existing obligation of developed countries, vis a vis provision of financial resources, including the transfer of technology and capacity building for developing countries*** A step back from the provision of resources to the MOBILIZATION of resources (as part of the ‘global effort’).**
- **De-links all climate change actions in the Agreement from UNFCCC article 4.3, 4.4, and 4.5—particularly with regard to the obligations of Developed country Parties and other developed Parties in Annex II on the provision of financial resources, meeting costs of adaptation, and the transfer of and access to EST...**

The Paris Agreement: A Situational analysis-2

Whither finance principles such as new and additional, adequate and predictable?
(References to adequate and predictable with regard to forest financing but not generally to the flow of climate finance)

- ◆ Creates new obligations for developing countries on all climate actions
- ◆ Ignores or is silent on historical responsibility and climate justice

BUT

- ✓ Reference to Human rights, Gender and Sustainable Development
- ◆ CBDR is clearly referenced (4x explicitly—preamble, principles & mitigation section (I/NDCs & LEDS); but not in finance or with regard to adaptation issues→differences in terms of interpretation and application)
- ✓ Maintains ‘subtle differentiation’*: LDS, SIDs, particularly vulnerable
- ✓ Maintain broad differentiation: Developed versus Developing countries (14x...)

Procedural differentiation*: timeline, scope and frequency of reporting (see Global stock taking and transparency)

* See Mbeva and Pauw 20, Self-Differentiation of Countries’ Responsibilities German

5 Key Climate Change Considerations for Developing Countries going into Paris COP21 and Important for the critical Implementation process of the PA



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1. ***Carbon Space*** – mitigation effort over time (also link to issues of the adverse impacts of Response Measures, and industrialisation)
2. ***Fiscal Space*** – fiscal resource allocation over time—adequacy & predictability of C_finance, ODA & Debt etc.
3. ***Technological Space*** – shift of technological base over time—access to EST technologies (links to issues of IPR and finance)
4. ***Sustainable Development Space*** – economic development/ poverty eradication/social protection & Equity
5. ***Policy Space*** – policy flexibility and policy choices

The Paris Agreement: Key Features

Some Positives for Developing Countries

- Recognition that resources for adaptation should be mainly be public and grant based
- The global stocktake (review every 5 years) includes review of the adequacy and effectiveness of adaptation, including adaptation support”
- Loss and damage treated separately from adaptation, but not as a basis for liability or compensation
- Developed countries continue UNFCCC obligation to provide finance to assist developing countries (but this was very watered down to commitment to mobilize, in context of mitigation, from various sources, at least \$100B/year from 2020 to 2025 and then negotiate a new goal by 2025 starting from \$100B/year)
- Technology framework established, linking existing UNFCCC tech and finance mechanisms to support collaborative approaches in R&D and facilitating access to technologies; and also includes assessment of transfer-ready technologies

The Paris Agreement: Key Features

Some Positives for Developing Countries

- The 5-yearly global stocktake review (beginning in 2025) is not only about emission reductions (mitigation), but also about adaptation and MOI provision, in light of equity and best available science
- Technology framework established, linking existing UNFCCC tech and finance mechanisms to support collaborative approaches in R&D and facilitating access to technologies; and also includes assessment of transfer-ready technologies (but will still need to be negotiated to be made operational)
- Transparency framework provides for flexibilities for developing countries, taking into account different capacities and building on the differentiated MRV regime between developed and developing countries under the UNFCCC (but will still need to be negotiated in order to operationalize flexibilities)
- Paras 53 and 56 of the Decision is amenable to the provision of financial resources based on the needs of developing countries as identified in their policies, strategies etc. (Linked to para 5 of article 9). Points to the need for NEEDS assessment (can be financed by GCF readiness programme)

The Paris Agreement: Key Features

Some Negatives for Developing Countries

- Developed countries (as well as developing countries) have no obligation to actually achieve specific emission reduction targets (like in Kyoto Protocol). The only obligation to take measures with aim of achieving such targets, and to report on actions being taken.
- Low level of INDC 2015 ambition for the period 2020-2025/2030 essentially means no increased ambition from developed countries (especially) between 2016-2030, as it is only in 2025 that new NDCs will be put forward to cover the period post-2030. This means inadequate mitigation relative to the 2C or 1.5C goals will take place over the next 15 years to 2030
- Adaptation support is only hortatory, without any concrete mechanism for delivery, and subject only to review as part of global stocktake every 5 years
- The loss and damage provision is weak, essentially eliminating itself as a basis for liability and compensation vis-à-vis developed countries
- The finance provision essentially continues the current state of play in climate financing, with inadequate or non-existent flows and minimal accountability by developed countries

The Paris Agreement: Key Features

Some Negatives for Developing Countries

- The technology provision still has to be negotiated to be made operational if it is to live up to its potential of facilitating climate tech R&D and transfer, but avoided giving mandate to tackle tech transfer barriers such as finance and IPRs
- The level of emissions reduction ambition remains very low. The 188 INDCs submitted for 2025 and 2030 not sufficient to meet 2C or 1.5C goals, but resulting in projected temperature growth of 2.7-3.5C by 2100 instead of 4-5C on a business-as-usual pathway). BUT the scale of the challenge was made bigger due to the fact that so little action was taken by developed countries in reducing emissions between 1992-2015 and in supporting developing countries to mitigate and adapt during the same period
- Going forward, this will likely result in pressure being increased by developed countries on developing countries, especially the big developing countries with large populations and large aggregate emissions, for them to do more climate actions (even if no or little finance or technology support will be provided)

The Paris Agreement: Outcome and Africa

In General Africa sought

- ◆ Binding agreement under the UNFCCC
- ◆ Respect for CBDR
- ◆ Parity between Adaptation and Mitigation
- ◆ Below 1.5C temp goal
- ◆ Capacity Building prioritized and upgraded
- ◆ Ambition and progressively increasing climate finance from a floor of US \$100 billion per year by 2020

The Paris Agreement: Outcome and Africa-2

Analysis of African countries INDCs submitted by October 2015 (Mbeva et al 2015) show:

- Climate change actions framed in the context of sustainable Development
- Three adaptation elements prioritized: Agriculture, water and health. With Food security a a major development issue.
- Linking all this to the sustainable development and the SDGs (2, 6, 11, 15 etc.
- Energy: Africa's biggest Mitigation Priority (+ 600 million men, women and children in SSA without grid connections) → low carbon and RE energy

PA deliveries:

+++**Global adaptation goal** to enhance adaptive capacity, strengthen resilience and reduce vulnerability, art 7.1 (Enhance transparency in adaptation & flexibility in the transparency framework; reporting not mandatory for all esp. LDCs and SIDS) Parties to submit update ADAPTATION COMMUNICATIONS)

The Paris Agreement: Outcome and Africa-3

GGA Challenges for Africa

what is the structure of adaptation communication and its measurability?

- How to best integrate adaptation issues into the global stock take (art 14)?
- How to undertake 'Transparency for adaptation (article 13)?

++ Energy (recognition of energy needs of Africa. Related support for AREI)

+ Finance (weakest element of PA and related decision; Africa not specified in Finance)

(Support for MOI) was reflected in all African INDCs: \$100 B reaffirmed and extended to 2025 (Decision). No clear pathway. No new financial commitment. Many countries pledge to commit domestic resources for climate as unconditional actions but all expected extensive external support.

African also emphasized adaptation finance and balance in adaptation and mitigation finance.

In the wider context, Africa received pledges and support for continental wide activities, including Africa Adaptation and LAD Initiative and AREI.

The Paris Agreement: Outcome and Africa-4

++Capacity Building Committee: (will help define capacity development needs and actions of developing countries so as to meet NDCs). Africa sought a capacity building Facility under the GCF to directly finance and support capacity building needs.

+/- Mechanism to expedite R&D and the export of **technology** to developing countries

Additionally, Africa received support for:

AREI: African Renewable Energy Initiative/ Africa Adaptation Initiative: to boost RE to at least 10 GW of capacity by 2020 at least 300 GW by 2030. \$500 b. to be funded through AfDB and World Bank and donor countries. Led by AU commission, NEPAD agency, AGN, UNEP and IRENA.

PA acknowledged the need to promote **universal access to energy** in developing countries, particularly Africa

PA also referred to restoration of degraded lands in Africa. BUT agriculture not explicit in the agreement (though there is reference to food security).

The Paris Agreement: Outcome and SIDS

++PA is a ratifiable treaty (though not a protocol) art. 20; but provisional application of the agreement allowed (1/CP21.para 5)

+++1.5 C temp. limit relative to pre-industrial levels (art 2.1 (a))

++/- LAD as a separate article (article 8) , distinct from Adaptation. (but at a high cost: para 52 of the decision... article 8 of the agreement does not involve or provide a basis for any liability or compensation. Note this may not exclude developing countries seeking funds to address the adverse impacts related to LAD???. No New Mechanism. But WIM to continue

---A bottom up regime (with a high degree of 'voluntariness... nationally determine contribution (not COMMITMENTS). Only DC to take economy wide emissions target.

---No legally binding targets (but a registry with in Annex , art 4.12)

---No strong compliance mechanism (but simplified compliance, art 15e)

+++Global review/Stocktake (communicate NDC every 5 years)

+++SIDS a special case for NDC (art 4.6)

---SIDS not particularly cited as particularly vulnerable, art 7.6

+++SIDS recognised as special case for finance (art 9.4)



Paris Agreement – Specific Activities for ACP coordination

Activities and Task to collaborate around:

- **AWG_APA : Ad hoc working group on the Paris Agreement**
- **Implementation on the Work Programme in decision 1/CP.21:**

MITIGATION

further guidance for NDCs (to be adopted by the CMA)

Elaboration of work on the Forum on the impact of the implementation of Response Measure

Work programme on Non market approaches to sustainable development (art 6.8)

Paris Agreement – Specific Activities for ACP coordination-2

ADAPTATION

- **Modalities to recognise the adaptation efforts of developing countries (art 7.3)**
- **Mobilisation of support for adaptation in developing countries**
- **Expediting support for LDCs and other developing countries for NAPS (GCF)**

LOSS AND DAMAGE

- **Clearing house for risk transfer...towards comprehensive risk management strategies**
- **Taskforce and work of the task force to develop recommendation for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change**

Paris Agreement – Specific Activities for ACP coordination-3

FINANCE (article 9)

- Modalities for accounting of financial resource provide and mobilised through public interventions (art 9.7)
- The Future of the Adaptation Fund
- Reaffirm current goal to mobilise \$100 billion per year by 2020 through 2025
- A new collective quantified goal beyond 2025 with \$100 billion as floor (in the decision)

ACP countries may consider working to ensure that ‘finance flows consistent with a pathway towards low GHG emission and climate resilient development’ (art 2.1c).]

ACP countries should push to ensure that the provision of financial resources is well laid out in the COP decisions before the entry into force of the PA (2020)

ACP countries should work to ensure that the GCF works to meet the need of developing countries... that it functions as an operating entity of the financial mechanism of the Convention/PA.

Paris Agreement – Specific Activities for ACP coordination-4

ACP and Climate FINANCE (article 9)...

ACP countries may consider working to support the initiation of process by the COP for the identification of the needs of developing countries for financial support, including technology and capacity building. This can be carried out via the Standing Committee on Finance. A mandate for needs assessment programme for the identification of needs and the tracking of climate finance.

An initiative among ACP countries to track climate finance

Paris Agreement – Specific Activities for ACP coordination-5

TECHNOLOGY DEVELOPMENT AND TRANSFER

- Elaboration of technology framework (art 10.4)
- Assessment of the effectiveness and adequacy of the support provided to the Technology Mechanism vis a vis Technology development and transfer
- The development and enhancement of endogenous capacities and technologies

CAPACITY BUILDING

Elaboration and implementation of capacity building should be guided by the needs of developing countries for information, technology, finance and projects and programmes linked to their national climate strategies and national development planning. With a focus on strengthening and building national institutional capacity and human resources.

Paris Agreement – Specific Activities for ACP coordination-6

ENHANCE TRANSPARENCY FRAMEWORK* a key outcome of COP 21

links NDCs and Mitigation, Adaptation and support goals

need for agreement on modalities, procedures and guidelines for the ETF (has built in flexibilities for developing countries). These need to be further elaborated and protected

ACP will have to engage intensively on the various transparency related work programme under the AWG_APA and SBIs, including the development of modalities, procedures and guidelines for the ETF. Ensure rules etc. are grounded on what countries need and design simply from 'blue sky analysis' or motivated to serve interest that were not agreed under the PA.

including modalities for:

TRANSPARENCY OF ACTION AND SUPPORT

Finance—Outstanding issues of definitions and methodologies; no common understanding of 'scaled up', and 'progression'**

Adjustments NDCs: What is needed and how will it be funded?

Paris Agreement – Specific Activities for ACP coordination-7

GLOBAL STOCKTAKE help to contribute to work on:

Sources of input for the GS

Modalities for the GS

Enhanced Actions Prior to 2020, continue to reinforce work on

TEP on Mitigation

TEMs

Paris Agreement: General Directions for the Way Forward for ACP – Summary

Sustainable Development (including and industrialisation, human development and adequate social protection)

- Transition to sustainable development requires economic, social, environmental aspects → more energy requirements
- Building social infrastructure
 - Energy required to provide clean water and sanitation
 - Climate resilient housing and work spaces, rebuilding from damage as ‘opportunity’
 - Infrastructure investment for development, including irrigation, flood control, transportation

Greater energy will be needed to meet SDG6 (access to water and associated goals: 6.1 achieve universal and equitable access to safe and affordable drinking water for all; and 6.2. Investment in RE in an effective international regime (with adequate means of support: Finance and Tech Transfer)
Impacted by the cost of the cheapest available environmentally friendly technology

INDCs indicate contribution and achievement are based on conditional access to resources to be made available to developing countries in the context of pre 2020 and post 2020 (PA).

Paris Agreement The Way forward for ACP – 2 Summary

In the context of Agenda 2030 and the Paris Agreement, it will be important for ACP countries to make explicit and detailed national and local government plans on how to meet both agenda. These include areas such as:

- formal education (primary-secondary-tertiary) to meet higher demand for capabilities

- Technology transfer (including FDI and global value chains with domestic research and policies)

- Market information with regard to public procurement, feed-in tariffs etc.

- Risk sharing mechanisms

- Building linkages between: universities, firms, regional knowledge networks

- IPRs & TT vis a vis geothermal energy, wind and solar power and energy-efficient buildings and lighting/ insulation

- Role of the state with the stages of technology development

Paris Agreement The Way forward for ACP – 3 Summary

It puts in place a bottom-up approach that gave developed and developing countries alike the flexibility to choose its “nationally determined contributions” (though with some enhancement parameters), with weak or non-existent compliance mechanisms, which could lead to low ambition actions up to 2030

Much work needs to be done before PA comes into force, including addressing some of the finance lacunae through COP decisions; and re-addressing the LAD decision via the APA framework/

Additionally important issues to be addressed under the APA and CMA:

The INDCs on the table are not sufficient to meet the 1.5 degree C targets; they are on track to 2.2 -3.0 C world; INDCs 2015 will not address the 55 gigaton gap

The question of equity and Historical responsibility will not wither away

No binding commitment on emissions reductions and on finance for developing countries

PA has some flexibilities for developing countries that must be maintained

Paris Agreement The Way forward for ACP – 4 Summary

PA is a continuation of international efforts since 1992 (UNFCCC and 1997 Kyoto Protocol) to develop greater level of understanding and international coordination on climate change. Its implementation leaves the door open for future agreements on more ambitious climate actions.

Implementation and development of the Transparency Framework etc. must not become substitute for re-negotiating the agreement. New guidance and 'rules' elaborated for TF and GS must build on what now exists, refining where necessary, and must reflect what is in the agreement, which was arrived at through a finely balance process of negotiated consensus.

Ultimately, the success of the implementation of the PA will depend on the overarching approach, which should be one grounded in the needs and priorities of sustainable development efforts in developing countries, including adjusting for the achievements of the sustainable development goals/Agenda 2030



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Thank you

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