

Views of the Like-Minded Developing Countries on Climate Change (LMDC) on Workstreams 1 and 2 of the ADP

This submission is being made by the Republic of Ecuador and the Republic of El Salvador on behalf of the Like-Minded Developing Countries on Climate Change (LMDC), in response to the call for submissions contained in FCCC/ADP/2013/L.2, paragraphs 4, 5 and 6 in relation to Workstreams 1 and 2 of the ADP.¹

I. Introduction

The developing country UNFCCC Parties making this submission 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. These Parties believe that in order for the global community to effectively combat climate change for the benefit of both present and future generations, the principles of equity and common but differentiated responsibilities (CBDR) are crucial. These principles will ensure that both environmental and developmental goals are met with the objective of achieving sustainable development through the full, effective and sustained implementation of the Convention. It should be recalled that Decision 1/CP.17 and Decision 2/CP.18 acknowledged that the work of the ADP shall be “under the Convention” and “guided by the principles of the Convention”. Hence, all the principles of the Convention must fully apply in the work of the ADP in both workstreams.

The Convention and its Kyoto Protocol are the fundamental basis to guide the Parties to further cooperate and address climate change in the new century, which should be strengthened and enhanced. Therefore, adherence to the Convention must be the fundamental basis for the work of the ADP. The ADP negotiations must not replace, rewrite, restructure, renegotiate, nor reinterpret the Convention and its principles, provisions and structure. Commitments made under the Convention must become commitments kept under the Convention and enhanced through the post-2020 agreed outcome.

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. Although the world has changed in a number of ways during the past two decades, the historical responsibilities of developed countries for causing climate change remain unchanged. Social and economic developments and poverty eradication are still the first and overriding priorities of developing countries. The differentiation between developed and developing countries should be maintained. Therefore, it is still of great significance and necessity that developed countries demonstrate their leadership in combating climate change

Together with the other Parties in the Group of 77 and China, the Parties making this submission wish to see the work of the ADP move forward in a constructive and progressive manner under the principles and provisions of the Convention, on the basis of equity and common but differentiated responsibilities and the specific circumstances of developing

¹ This submission is without prejudice to the views and perspectives of individual Parties in their own national submissions.

countries. Finding equitable and durable “win-win-win” solutions for the people, the climate, and sustainable development under the Convention is our urgent task.

II. On Workstream 1 – Matters Related to Paragraphs 2 to 6 of Decision 1/CP.17

The agreed outcome of the ADP under Workstream 1 in relation to, inter alia, mitigation, adaptation, finance, technology development and transfer, capacity-building, and transparency of action and support, must adhere to and reflect the principles, provisions and Annexes of the Convention.

The arrangements for international cooperation of climate change for the post-2020 period that under such agreed outcome must be consistent with and based on the Convention. Such arrangements must continue to follow the structure, provisions and design of the Convention, based on the principles of equity and common but differentiated responsibilities, between the commitments of Annex I Parties to take the lead in emission reductions and the commitments of Annex II Parties to provide financing, capacity building, and technology transfer support to developing countries and work effectively to avoid or at least minimize the effects of their response measures on developing countries, on one hand, and the enhancement of the ability of developing countries to implement the Convention in the context of their pursuit of sustainable development, on the other hand. This is the essential requirement of equity and fundamental differentiation between developed and developing countries that must be reflected in the agreed outcome for Workstream 1.

The basic elements for the Workstream 1 agreed outcome are, therefore, already embedded in the ADP’s mandate. These are as follows:

1. Based on the four pillars of the Convention and other relevant agreed elements from the mandate of Durban and Doha, the following elements must be in the agreed outcome:
 - Mitigation: enhanced and more ambitious mitigation commitments from Annex I Parties that encompass all sectors and gases; and nationally appropriate mitigation actions of developing countries in the context of their sustainable development which are enabled and supported by the provision of finance and technology development and transfer from Annex II Parties;
 - Adaptation: the prioritization of enhanced support to adaptation action in developing countries and having an effective international mechanism on loss and damage;
 - Finance: the enhanced provision of finance by developed countries, including for developing countries’ enhanced action on mitigation, adaptation, technology development and transfer, and capacity building;
 - Technology development and transfer: enhanced technology access, transfer, and development, including through providing financial support to developing countries for their technology development and removal of barriers such as intellectual property rights; and
 - Other relevant issues: enhanced capacity building from developed countries to developing countries; addressing forest activities, including through non-market-based mechanisms; effectively addressing the economic and social consequences of response measures on developing countries; enhanced economic diversification and resilience; and transparency of both action and support and compliance.

2. In this context, it should be recalled that the Conference of the Parties agreed in paragraph 2 of Decision 1/CP.18 that “Parties’ efforts should be undertaken on the basis of equity and common but differentiated responsibilities and respective capabilities, and the provision of finance, technology transfer and capacity-building to developing countries in order to support their mitigation and adaptation actions under the Convention, and take into account the imperatives of equitable access to sustainable development, the survival of countries and protecting the integrity of Mother Earth.”
3. All of these elements above must be addressed in the post-2020 agreed outcome in a balanced, comprehensive and holistic manner. Each element of the agreed outcome must be based on, specifically linked to, and be consistent with a specific provision of the Convention, or with previous COP decisions that relate to the implementation of a specific provision of the Convention.
4. The principles of equity and CBDR must be reflected in each element of the outcome in an operational manner, which should be consistent with the specific provisions related to the four pillars of the Convention, not utilizing some “new concepts” or “dynamic interpretation” deviating from the principles of the Convention.

The Convention itself has already established the ultimate framework for equity through its principles, provisions and Annexes. The outcome must strengthen the multilateral rules-based regime under the Convention that brings into effect equitable access to sustainable development taking into account cumulative historical responsibility. The outcome must contribute towards fulfilling the objective of the Convention under its Article 2 through enhancing the four pillars of the Convention, in particularly through increasing the emissions reduction ambition of developed countries and ensuring that they provide adequate financing, capacity building, and technology development and transfer to support and enhance the actions by developing countries in combating climate change and addressing its adverse effects, in order to demonstrate their leadership and avoid shifting their responsibilities to developing countries.

III. On Workstream 2 – Matters Related to Paragraphs 7 and 8 of Decision 1/CP.17

Enhancing ambition in the pre-2020 is not limited to mitigation only. Current research on climate change action gaps show that enhanced ambition on adaptation, finance, technology transfer and capacity building are even more needed. As such the range of actions for enhanced ambition pre-2020 should holistically include adaptation, finance, technology transfer and support and capacity building.

This means that enhancing ambition in the pre-2020 period, including enhancing ambition on mitigation, adaptation, finance and technology transfer and support and capacity building, should be primarily achieved through the implementation of the Bali Outcome, includes:

- The immediate ratification by Annex I Parties to the Kyoto Protocol of the amendment to the Kyoto Protocol relating to the 2nd commitment period and the revisiting and increase of their mitigation targets under the Kyoto Protocol by 2014 to at least 40% below 1990 levels by 2020;

- 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 2nd 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 2nd commitment period, including increasing such mitigation ambition by 2014 under the Convention to at least 40% below 1990 levels by 2020; and
- The full operationalization of the mechanisms for the provision of support (finance, technology transfer, and capacity building) by developed countries to developing countries, including particularly the actual delivery of such support to developing countries in measurable, reportable, and verifiable ways, through a clear roadmap of achieving US\$100 billion per year by 2020 and concrete proposals to address IPR issues related to technology transfer We are also of the strong belief that integrating our work on understanding the social and economic impacts of response measures is essential to the success of our future efforts.
- Complete research and understanding of the social and economic impacts of response measures especially on developing countries that may be adversely affected by such measures.

There are ambition gaps not only in the area of mitigation, but also in the areas of adaptation and finance, technology and capacity building support to developing countries, as well as an equity gap which hinders equitable access to sustainable development. It is important to note that the projected mitigation gap by 2020 can be closed if Annex I Parties collectively increase their ambition to reduce their emissions to at least 40% below 1990 level by 2020 and increase the provision of the needed implementation support (financing, capacity building, and technology development and transfer) to developing countries to enhance their NAMAs.

Additionally, for adaptation, the suggested range of action for improving pre-2020 ambition includes, in particular, improving adaptation capacity particularly in developing countries by:

- Improving economic diversification and resilience
- Reducing poverty
- Improving access to resources
- Improving education and information
- Supporting the implementation and enhancing the operationalization of the mechanism for Loss and Damage

Developing countries' contribution to global mitigation efforts is far greater than that by developed countries. The full and effective implementation by developed countries of their commitments on finance, technology and capacity building support is crucial for developing countries' ambition. The outcome of the ADP's work under Workstream 2 with respect to pre-2020 mitigation ambition particularly of developed countries will affect what will happen in Workstream 1. The less ambitious the actions that developed countries take before 2020, the more the burden for mitigation and adaptation will be shifted onto developing countries after 2020. "International cooperative initiatives" should be fully in accordance with the principles and provisions of the Convention and not introduce any new or additional commitments for developing countries.

The discussion on pre-2020 ambition should address the urgent gap in adaptation, finance, technology transfer and capacity building and not limit itself to mitigation only. When it

comes to mitigation, we expect that discussion will employ a balanced and comprehensive approach as outlined in the Convention. Additionally, the discussion should not include a sectorial approach to mitigation, as in the Convention the mention to sectors is related to the promotion of cooperation in the development and transfer of technologies in all relevant sectors. Moreover, it should be also taken into account that those sectors are of fundamental importance to the achievement of social and economic development and poverty eradication in developing country Parties, such as agriculture and energy.

IV. Conclusion and Organization of the Work

To conclude and summarize, the LMDC continues to engage in a spirit of urgency and solidarity in the work of the ADP. This engagement is premised on enabling enhanced action on the implementation of the Convention. This is our mandate in the ADP. The developing countries are doing their part even as they bear the disproportionate burden of the impacts of climate change and continue to struggle with the challenges of poverty eradication and achieving sustainable development.

This process is to enhance the implementation of the Convention, not to reinterpret it. The principles of equity and CBDR are fundamental to this process and must be fully respected in the process as well as the outcome of the work under the ADP. The work must now focus on the Convention's four pillars for enhanced action, i.e. mitigation, adaptation, finance, technology transfer, and the two other elements that have been agreed to, i.e. capacity building and transparency of action and support, which are also related to the four main pillars.

There must balance in the work of the ADP – balance *between* the two workstreams and in particular the elements *within* them. Therefore, we need to establish a balanced, formal, structured and organized mode of work, which must be based on the four Convention pillars of mitigation, adaptation, finance and technology transfer. Any “common ground”, “common understanding” or “written conclusion” to catch the progress could only be achieved from this formal and balanced mode of work, which should be conducted in an open and transparent, inclusive, Party-driven and consensus-based manner.

For Workstream 1, structured discussions should be set up on each of the four pillars of mitigation, adaptation, finance and technology. These discussions should be focused on the enhanced post-2020 actions in accordance with the relevant provisions of the Convention and the mandate of Decision 1/CP.17 and 2/CP.18. For Workstream 2, the work shall focus on identifying current status, existing gaps and further requirements of the implementation of the Bali Roadmap, in order to formulate a follow-up work plan for 2014 mainly on the activities to increase the emissions reduction targets of developed countries.

Workshops and roundtables could be organized if necessary, complimentary to the formal negotiation process. The questions and topics of these workshops and roundtables should be designed in a balanced manner and fully respect views by Parties. The purpose of these topics and questions will be just to inspire, reflect and elaborate the ideas of Parties.

Warsaw should be an opportunity to provide more clarity on the work we need to take forward and to enhance the collaboration among Parties.