

WARSAW CONFERENCE: “SMALL STEPS FORWARD WHILE AWAITING MAJOR DECISIONS AT THE 2015 PARIS CONFERENCE”

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The Warsaw Climate Change Conference (COP 19/CMP9¹), held between 11 and 23 November 2013, came about preceded by a lack of expectations on significant progress but with the aim of continuing to move forwards on the basis of the previous agreements on two fronts, at least: (1) to establish the bases for a commitment to cut emissions from 2020 onwards that will enable the aim of not exceeding a 2^o C increase in global temperature with respect to pre-industrial levels² to be achieved; (2) to make progress in the mobilising of 100,000 million dollars a year from 2020 onwards which developed countries have committed themselves to in order to address issues of adaptation and mitigation in developing countries.

The first of the issues suggested setting all the sights on the future conference in Paris (COP 21) in 2015, the deadline for approving an agreement that could provide continuity on what was achieved by the Kyoto Protocol; with a technical stopover at the Lima conference (COP 20) in 2014. The second issue continued to divide countries in relation to how to generate the resources (public and private) and how to distribute them fairly.

COP 19 started off marked by the catastrophe caused by Cyclone Haiyan in the Philippines, the tears of the Philippine representative at the conference –moved by what had happened in his country– and his subsequent announcement to go on a hunger strike in protest against the poor progress achieved in the matter of climate change.

Japan (the country with the fifth highest emission of greenhouse gases) announced during the plenary that it was relaxing its mitigation commitments: a reduction of only 3.8% with respect to 2005 levels (equivalent to a 3.1% increase with respect to 1990), instead of the aim of the 25% reduction with respect to 1990 agreed at previous conferences (Copenhagen COP 15). The reason for this reduction in its mitigation goal was the suspension of 50 nuclear power stations since the Fukushima accident in 2011.

Australia, for its part, announced it was removing the carbon tax which had been operating in the country, and suggested that it was not prepared to undertake commitments towards mitigation or funding ambitions. Canada, not keen to undertake commitments towards reduction, applauded Australia's announcements.

Key Points

- *Consensus was reached on the text on which the future global agreement in Paris 2015 on cutting emissions will be based. The countries will have to explain by means of biannual reports from 2014 onwards how they are going to fulfil the funding pledge in the long term. The establishing of requirements for the measuring, reporting and verification of emissions cuts and the financial flows remained pending.*
- *The declarations by Japan, Australia and Canada on their mitigation plans increased concern about the viability of keeping temperatures below the danger level. Brazil's proposal to develop a methodology for the distribution of mitigation efforts based on historical responsibility was not successful.*
- *The disagreement between developed and developing countries remains in terms of the priority to fix the mitigation ambitions as opposed to that of fixing financial support and the transfer of capacities and technology.*
- *The “Warsaw International Mechanism” and the “Warsaw Framework for REDD+” were set up. The first one, whose functioning has yet to be determined and which has no budget, is intended to address loss and damage. The second contains funding systems for REDD+ actions, together with methodological questions, and has an initial budget of 280 million dollars.*
- *It was agreed that support should be given to the Adaptation Fund (which was provided with an additional amount of over 100 million dollars), the Clean Development Mechanism and the Joint Implementation, the continuity of which is in danger in view of the current price of carbon.*

¹ The 19th session of the Conference of the Parties (CP) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 9th session of the Conference of the Parties (CP) serving as the Meeting of the Parties to the Kyoto Protocol (COP/MOP). The conference also hosted the meetings of the Subsidiary Bodies for Implementation (SBI), of the Subsidiary Body for Scientific and Technological Advice and of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP).

² An aim that could be reviewed until 2015 considering the proposal of not exceeding 1.5^o C (decided in Cancun COP 16).

ASPECTS DISCUSSED

The conference began and with it the multilateral meetings on various levels, the side events – in which scientists, NGOs, think-tanks and other interest groups exchanged visions, proposals and experiences with a view to resolving the various aspects being tackled in the negotiations— and the discussions in the 6 main spheres of work³. The following featured among the relevant issues:

(a) Mitigation (The Durban Platform for Enhanced Action, ADP)

At the Durban conference (COP 17) the task to develop the first universal agreement on mitigation was assigned to this working group; the aim was to gather the individual contributions of each country to be agreed upon in Paris 2015 (COP 21) and come into force in 2020⁴. Unlike the Kyoto Protocol, the approach is a bottom-up one: it is the countries that will be saying how much they are going to contribute. The greatest challenge facing this group is to put forward additional actions to close the “mitigation gap” existing between the current commitments set in Copenhagen, and the ones needed to achieve the goal agreed upon.

The European Union, represented by the European Commissioner for Climate Action Connie Hedegaard, insisted that countries should be making their commitments public during the first six months of 2014. That way, the necessary margin could be availed of to negotiate additional efforts, if necessary, ahead of the Paris conference (COP 21).

In the meantime, Brazil, supported by many developing countries, proposed that the Intergovernmental Panel of Experts on Climate Change (IPCC) should develop a methodology for sharing out the mitigation efforts following a scientific criterion based on historical responsibility. The proposal was rejected because it could lead to delays that might prevent getting to the Paris conference (COP 21) with commitments made.

While the Alliance of Small Island States (AOSIS), plus some developed countries (like the Environmental Integrity Group), supported the European proposal to work to clarify national ambitions for mitigation and tackle the shared rules for the measuring, reporting and verification of emissions reductions (MRV), other developing countries (G77/China, Least Developed Countries, the Arab Group and the African Group, among others) stressed the need to address, in parallel with mitigation, other issues like funding, support for adaptation, capacity-building and technology transfer.

The European stance is in response to a growing concern about the feasibility of the goal to increase the temperature and the effectiveness of individual efforts (which would be adversely affected by the lack of joint action). The stance of the above-mentioned developing countries is in response to the lack of capacity and/or willingness to accept the cost of a problem they have not caused. For its part, China, currently the world’s biggest emitter of greenhouse gases, announced that it will make mitigation efforts as “a requirement inherent in sustainable development,” irrespective of how the negotiations develop, while it will continue to offer support to other developing countries in the form of expertise in mitigation and adaptation. However, China refused to establish a deadline for communicating its own mitigation aims.

(b) Loss and damage.

Since they spoke in Doha (COP 18) last year about addressing this issue through an international mechanism, the more vulnerable countries cherished the hope that this year would see the setting up of the said indemnity regime. During the negotiations there was discussion on the role it would play: compensation for those affected (proposal by China and the G77), global coordination and supervision, exchange of knowledge, technical assistance and advice, among other things.



(c) Funding

At the Cancun Conference (COP 16), the developed countries committed themselves to devoting new and additional resources to the tune of 30,000 million dollars between 2010 and 2012 towards mitigation and

³Mitigation (Kyoto Protocol, Durban Platform, REDD+), Adaptation (Cancun Adaptation Framework, Nairobi working group, National Adaptation Plans), Funding, Technology and Generation of Capacities, Economic Instruments (markets for emission allowances) and Transparency of action and support (national reports, financing accountability, monitoring, reporting and verification methods, review of the aims on maximum temperature increase) and the Periodic Review (see <http://unfccc.int/focus/overview/items/7879.php>).

⁴ A protocol, another legal instrument or an agreed mechanism with legal force under the Convention applicable to all parties” (Decision 1/CP.17 in FCCC/CP/2011/9/Add.1)1)ibid.

adaptation activities in a fair and balanced way to developing countries. There are doubts regarding any additional nature owing to the failure to specify the financial flows that can be relied on as part of this assistance. Some of the main donors (United Kingdom and Japan⁵) have counted items previously earmarked for assisting development as part of this funding. What is more, far from being fairly distributed, the funds appear to have been concentrated in mitigation projects in the emerging economies.

Furthermore, the Green Climate Fund was set up to mobilise the public and private sector (and other innovative sources of funding) to reach 100,000 million dollars a year promised from 2020 onwards. Even though the developed countries continue to stick to this promise, the demand for an intermediate funding goal of 60,000 million dollars for 2015 was rejected during the last meeting in Doha (COP 18) due to the budget difficulties of the main donors (United States and the European Union). What was agreed upon was a working programme (2013-2015) to determine strategies for meeting the aim, accounting and reporting methodologies, and guidelines for the review of the functioning of the Convention's financial mechanisms (the Green Climate Fund, the Global Environment Fund, and the Adaptation Fund).

At the Warsaw conference (COP 19) new funding commitments for 2015 were expected to be reached. It was also expected that clarity on the path towards the commitment for 2020 would be improved, that progress would be made in accountancy and reporting and in the specification of the financial architecture needed. Nevertheless, some developed countries indicated that no financial commitments would be made in Warsaw and refused to set up a quantified timeline³.



(d) Reducing Emissions from Deforestation and Forest Degradation (REDD+)

A work programme that would seek to broaden the scale and improve the effectiveness and coordination of the financing of REDD+ activities, by regarding the benefits not relating to carbon as payments for actions based on results and incentives, was established in Doha (COP 18). The countries also undertook to strengthen approaches not based on markets. Owing to the lack of agreement in that conference, the methodological matters relating to the systems for supervising forests, and measurement, reporting and verification were left for the Warsaw conference (COP 19).

(e) Instruments (Framework for Various Approaches, FVA)

In Durban (COP 17) it was agreed that different approaches (market and non-market ones) could be used to increase cost-effectiveness and promote mitigation actions. The following year in Doha (COP 18) it was decided that these approaches would be governed by means of the Framework for Various Approaches. This Framework would be used to establish common rules for the carbon markets so that the environmental integrity⁶ of the units that are exchanged can be guaranteed. These rules would consist of specific requirements and minimum guidelines on the calculation of the baselines, validation, verification and emission of units. The stance of countries differs with respect to the level of international supervision and the flexibility of the common rules.

AGREEMENTS REACHED

The conference followed the script established for meetings of this kind in which nothing is agreed unto the final moments, thus allowing each participant to cherish the hope of achieving progress in the desired direction.

The little tension that was felt in the atmosphere of the delegations did not presage anything good or anything outstanding, at least; this was either because no significant progress was expected or else because the important decisions had already been taken. So on Thursday 21st the NGOs (400 non-governmental organisations including trade unions, environmental organisations, etc.) walked out of the conference in protest against the little progress that was being made.

The closing of the conference was delayed, as usual, and finished on Saturday 23rd November, one day later, with the following agreements⁷:

⁵ 2 Nakhooda, S., Fransen, T., Kuramochi, T. & Caravani, A. *Mobilising International Climate Finance: Lessons from the Fast-Start Finance Period.* (ODI, WRI, IGES, OCN, UKAid, 2013).

⁶ The units meet the criteria of environmental integrity if they represent real, permanent, additional and verified reductions

⁷ See in IISD (2013) and UNFCCC (2013)⁵ UNFCCC, UN Climate Change Conference in Warsaw keeps governments on a track towards 2015 climate agreement. *Press release United Nations Climate Change Secretariat* (2013), for the list of Warsaw agreements plus the reference to the official documents. These can be checked out on the Convention's website (<http://unfccc.int/>).

1. The ADP group produced a draft of the universal agreement on which the countries would work with the Paris meeting in mind (COP 21). Until then, the countries who so wish will have to intensify their work to prepare their papers which may be submitted during the first quarter of 2015 and which will contain their contribution in the matter of mitigation. In the original text the term "commitment" had to be substituted by "contribution without prejudice to the legal nature⁸", as this constituted an obstacle for approval by the opposition in countries like China and India. Despite pressure from the European Union and the United States, it was not possible to approve the timeline. These countries, for their part, are planning to announce their aims to cut emissions at the start of or early in 2015. The establishing of monitoring, reporting and verification requirements remains pending.

2. The "Warsaw International Mechanism", subject to review in the COP 22 was set up. This will be used to attend to urgent needs for assistance (advisory and financial support) to deal with the impacts of climate change. The first meeting of the working group commissioned to determine its functioning was arranged for March 2014, to which representatives of civil society are invited. Among other things, the Mechanism will undertake to improve knowledge and understanding of the various approaches for managing irrigation; strengthening dialogue, coordination, coherence and synergies among the parties involved; improving action and support, including funding, technology and capacity building. Some countries, like the Philippines, were disappointed by the fact that it was not possible to provide it with a budget.

3. The developed countries undertook to prepare biannual papers on their strategies to mobilise funding between 2014 and 2020. Norway, the United Kingdom, the European Union, the United States, the Republic of Korea, Japan, Sweden, Germany and Finland announced fresh contributions. On the other hand, the need was recognised to go on working on matters relating to the accounting of financial flows. The group comprising Brazil, South Africa, India and China (BASIC) supported by Saudi Arabia and Singapore, took a dim view of the lack of urgency, ambition and a clear roadmap with respect to funding.



4. The rules, procedures and guidelines for the Green Climate Fund were agreed and it was recommended that the mobilisation of resources commence at the earliest. For the final launching of it, the developed countries will have to make contributions by the next meeting in Lima (COP 20). A request was made for efforts to be made to balance the allocation of resources between mitigation and adaptation, that an approach guided by the recipient country be pursued, and that the urgent needs of particularly vulnerable countries should be taken into consideration. The Global Environment Facility also received guidelines, and it encouraged the developing countries to go on contributing voluntarily to ensure the robustness of its sixth round of funding.

5. Another significant advance was the setting up of the "Warsaw Framework for REDD+", which contains funding systems for proven results and methodological questions like those relating to the calculation of the reference levels of forestry emissions; measuring, reporting and verification mechanisms; and social and environmental safeguards. The United States, Norway and the United Kingdom committed themselves to providing 280 million dollars to support this way of combatting deforestation. Furthermore, it was decided that an information centre should be set up on the Convention's website to post results of the REDD+ activities and the corresponding payments.

6. 48 developing countries completed their National Adaptation Plans, and various developed countries (including Austria, Belgium, Finland, France, Germany, Norway, Sweden and Switzerland) pledged over 100 million dollars for the Adaptation Fund. However, concern was acknowledged about the sustainability, suitability and predictability of the financing provided by this Fund, given the current prices of carbon. That was why the developed countries were encouraged to go on making voluntary contributions to it.

7. In view of the delicate situation of the Clean Development Mechanism and the Joint Implementation, it was agreed that the two mechanisms would be supported so that the countries without commitments according to the Kyoto Protocol could continue to receive payments for cutting emissions. For this purpose, it was proposed that instruments be developed to help national organisations designated to monitor the benefits of the activities in their respective territories and to simplify the validation process.

⁸ Literally. "Contributions without prejudice to the legal nature of the contributions". "Parties in a position to do it" was also replaced by "parties prepared to do it" in relation to the deadline for submitting the contributions

CONCLUSION

Before the Paris meeting, the Heads of State will be meeting again in September in New York and at the end of the year at the annual UN conference on climate change in Lima (COP 20). The New York meeting has been organised by the United Nations Secretary General Ban Ki-moon, with the aim of complementing the negotiations of the Convention and, apart from all the governments, the leaders of other groups are invited to it. It is not clear how to interpret the call of this new conference which looks more like an attempt to paper over the cracks (and in which only those countries that are already deeply committed to mitigation would participate) than a potentially effective effort to achieve progress in those countries more reluctant towards commitments.

The Warsaw Conference (COP 19) will not go down in history for having achieved significant progress, but it will have made possible a raft of technical achievements that will make the road to Paris still possible, the potholes notwithstanding. It can only be hoped that in 2014 and 2015 the leaders will be truly aware of the urgency to move the matter of mitigation forward if the goal of 2^o C is to be maintained. If that is not the case, much of the effort made until now will have been for naught, thus seriously endangering the achievement of the rest of the issues analysed.

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