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Enhancing Ambition, Promoting Implementation Three Years After COP21

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Great Expectations

Early December, state and non-state actors, including cities, businesses, media outlets and community groups, descended to the Upper Silesia city of Katowice in the hope that an agreement would be reached on how to implement the 2015 *Paris Agreement* which will come into effect in 2020.

Enhancing ambition of individual states' nationally determined contributions (NDCs) and promoting their implementation were COP24's key objectives. In the spirit of inclusiveness, trust and mutual respect – a spirit that was defined at COP23 by the Fiji-led Talanoa process – environment ministers, lead negotiators and non-state observers persuaded one another to keep an open mind in listening to each other's hopes, aspirations, anxieties and concerns in negotiating the operationalization of the *Paris Agreement*: the Rulebook!

After a first week of negotiations, week two kicked off on 10th December with a large number of observer organizations participating in meetings of the Convention and of the Protocol Bodies as well as in open meetings of the global Climate Action Network and in events of the Action Hub¹. Closed meetings of observer organizations, namely, of local governments and municipal authorities; indigenous people; women and gender; youth NGOs; research and independent NGOs; business and industry NGOs; trade unions; and education, communication and outreach stakeholders groups, also took place. These non-state actors became the summit champions. They not only lobbied officials by acting as checks and balances to the official negotiations but also provided essential from-the-ground expertise on the *how* and *why* operationalizing the *Paris Agreement* through a set of well-defined rules would make a difference to the communities they represented.

A spokesperson from one of these civil society groups, forcefully affirmed that the rulebook is about implementing the *Paris Agreement*, not about reiterating it. She added, 'it is unacceptable for civil society in the developing world if we, at this summit, move away from the principle of common but differentiated responsibilities. The rulebook should continue to recognize the different levels at which different states can effectively enter into a collective response to climate change, according both to their capacities and the levels of contribution to the problem' (on site recording of Meena Raman, Third World Network/Climate Justice, 14th Dec 2018).

¹ Daily Programme Katowice Climate Conference <https://unfccc.int/dp-cop24>

Besides hosting or participating in meetings, state and non-state actors set up pavilions showcasing innovation and technology advances, the use of urban planning and forests in mitigating and adapting to climate change, and the role of climate investment and finance in the advancement of greenhouse gas (GHG) reduction targets.

Japan's pavilion was noteworthy for the display of artificial intelligence technology while the United Kingdom's demonstrated advances in e-vehicles and recycling technologies. Germany's pavilion was strong on showcasing low-carbon urban planning innovations, while Poland's emphasized the significance of forests as carbon sinks declaring a fair and solidarity-based transformation of its economy as the most sustainable way to protect people and planet from the effects of climate change.



COP24 participants getting ready for a plenary session | © Maria Francesch 2018

The EU, France, South Korea and World Wide Fund for Nature pavilions (WWF-Panda Hub) hosted an incessant stream of expert talks while the Indonesian, Brazilian and Pacific Islands' pavilions contextualized the significance of climate change to their communities by displaying attractive folkloric and cultural elements. These visually drew the world's attention as to how much of its natural and cultural heritage was at stake if lost to the effects of climate change.



Expert Talk on 'Asia-Europe Cooperation on Low Carbon Development' (South Korea Pavilion in cooperation with the Asia-Europe Foundation) | © Maria Francesch 2018



Maria Francesch-Huidobro and John Sayer at the COP24's WWF Panda Hub presenting the Paris Watch Hong Kong Action Report, a project of CarbonCare InnoLab (Hong Kong) which is co-funded by KAS-RECAP, H. Sohmen and RS Group | © Robert Gibson 2018

Negotiating and Digesting the Rulebook

By 14th December, it was still unclear if a well-defined 'rulebook' operationalizing the *Paris Agreement* would be in the offing. That same afternoon, protesters unfurled banners with the powerful message: ***What side are you on?***



A poignant question put to all: What side are you on? | © Maria Francesch 2018

Eventually, the Katowice Climate Change Package² was published after state actors extended their discussions into the late hours of Saturday 15th December. The rulebook will lead the way the world addresses climate change for years to come. It was crucial to have one at the end of the summit, but it was even more crucial to have a good one! The draft that resulted, while still a draft and far from perfect, it was no small victory!

Positively, the rulebook defines how to conduct a global stocktake of the effects of climate action in 2023. It determines the process for establishing new targets on finance from 2025 onwards to support developing countries. It also regulates how to assess progress on the development and transfer of technology and defines the monitoring and reporting mechanism of GHG requiring parties to transparently spell their efforts in reducing GHGs and update their emissions' plans.

² Rulebook: Informal Compilation of L documents version 15/12/2018, 19:27
https://unfccc.int/sites/default/files/resource/Informal%20Compilation_proposal%20by%20the%20President_rev.pdf



Lead negotiators: We made it! | © UN website 2018

Negatively, the rulebook fails to agree on a mechanism for the establishment of a global carbon market and on a way to avoid 'double counting' of emissions' reductions, that is, paying a country to lower its emissions but also counting emissions in the payer's own reduction basket (Article 6 of Paris Agreement)³. The rulebook also failed at strengthening the 2020 pledges and at providing clarity as how the US\$100 billion support already pledged will be provided and how it will be built in future.

What is critical about the draft text of the rulebook (1/CP.24)⁴ is to identify matters on which decisions have been taken. These are explicitly preceded by the verb: **decide**.

The rulebook begins with **Section I** referring to the *Paris Agreement work programme* listing a series of draft **decisions** that refer to articles of the *Paris Agreement*: guidance on mitigation; operation of the public registry; impact of implementation of response measures; guidance on cooperative approaches; rules and procedures on Article 6 (cooperation in using market-based mitigation mechanisms); work on non-carbon markets; adaptation communication; information to the public under Article 9 (provision of finance); accounting of financial resources; adaptation fund; scope and process of periodic assessment; technology framework; transparency framework; global stocktake and the working s of the committee to promote compliance.

³ Paris Agreement

https://unfccc.int/files/meetings/paris_nov_2015/application/pdf/paris_agreement_english.pdf

⁴ COP is the supreme decision making body of the convention

<https://unfccc.int/process/bodies/supreme-bodies/conference-of-the-parties-cop>

In **Section II** reference is made to **the high-level ministerial dialogue on climate financing** particularly noting the need to involve the private sector and to replenish the Green Climate Fund. The COP24 Presidency (Poland) has hoped that the deliberations of this dialogue will be summarized and considered at COP25 which will take place in November 2019. In **Section III, implementation and ambition** are discussed with a strong call, but not a decision, for developed countries' parties to provide finance, technology and capacity building to developing countries both for enhanced ambition pre-2020 and post-2020.

Section IV makes reference to the **Special Report of the IPCC on climate change**. The section requests all parties to make use of the information contained in the IPCC SR 1.5C in their discussions. It also requests that the Subsidiary Body for Scientific and Technological Advice considers the IPCC findings especially in the context of the preparation of the 6th Assessment Report. While at COP24 it became apparent to the majority of educated and honest participants that the evidence shown by scientists was compelling and should be the cornerstone to the rulebook, delegations from the United States, Saudi Arabia, Russia and Kuwait denied such evidence resulting in the IPCC report being welcomed but not endorsed.

While in **Section V** the rulebook moves to encouraging parties to endorse the **Talanoa Dialogue** that calls for the sharing of stories, building empathy and generating trust to enhance climate action in the process of negotiation, **Section VI** is on the **transparency framework for action and support**. This section contains three welcomed **decisions**: first, the parties' final reports are to be submitted to the UNFCCC secretariat no later than 31 Dec 2022 with update reports to be submitted no later than 31 Dec 2024. Second, the biennial transparency reports, technical expert review and the facilitative, multilateral consideration of progress should replace the previous versions, and, third, that parties submitting their annual inventory reports should use the 'modalities, procedures and guidelines contained in chapter II of the annex to decision -/CMA.1'⁵.

The **Leaders' Summit**, discussed in **Section VII** simply acknowledges the participation of Heads of State in a Katowice summit held 3rd December while al-

⁵ CMA is the conference of the parties serving as the meeting of the parties to the Paris Agreement. CMA oversees the implementation of the Paris Agreement and meets during the same period as COP <https://unfccc.int/process/bodies/supreme-bodies/conference-of-the-parties-serving-as-the-meeting-of-the-parties-to-the-paris-agreement-cma>

so recognizing that for the Polish Presidency of COP24 the just transition of the workforce in Silesia should be emphasized as per the *Solidarity and Just Transition Silesia Declaration*.⁶ Finally, **Section VIII** encourages parties to attend the **UN Climate Summit 2019** while **Section IX** confirms administrative and budgetary matters of COP24 are being dealt with.

CMA.1 an addendum to the COP24 draft, makes more direct reference to financial mechanisms and capacity building with the latter decision to consider and adapt institutional arrangements for capacity building.

Packing to Take Home

As the days grayed and snow continued to fall, participants had the opportunity to temper those pre-COP great expectations, reflect on what was actually achieved, and ponder on the key takeaways on their way home. These are my reflections.



A bird's view of the COP24 venue in Katowice | © Maria Francesch 2018

- 1. Same rules for all.** COP24 agreed on a rulebook that applies to both developed countries that carry historical responsibility for emissions and developing countries that are vulnerable to the consequences of those very emissions but do not wish themselves to build their economies on the relentless burning of fossil fuels. This was difficult but it succeeded. China, as the highest emitter, demonstrated leadership in not exempting itself from agreeing to the rules. The EU, that has supported getting developed and developing countries in the same page, said that this 'equal treatment' was

⁶ Just Transition Silesia Declaration <https://www.pap.pl/en/news/news%2C369012%2Ccop24-passes-declaration-solidarity-and-just-transformation.html>

grounded on an emissions reporting system that is transparent, a system that bases its policies on the best available science, and one that evaluates the impact of those policies adjusting them whenever necessary. Parties also supported the inclusion of a 'compliance mechanism' that requires parties to be punctual in submitting their reports or face an inquiry. Despite the equal treatment spirit, some flexibility was applied as to the time when developing countries would sign up to the rules.

- 2. Science as foundation of public policy.** The 8th October 2018 IPCC SR 1.5C report suggests what the temperature projections would be given current GHG emissions trends and how those temperatures would affect the planet and its inhabitants. In UN parlance, while parties at the meeting 'welcomed' the findings, as mentioned, Kuwait, US, Saudi Arabia and Russia refused to do so, merely, 'noting' it in a token manner. Eventually, the IPCC SR 1.5C was recognized as 'very telling' but many wondered if it actually resulted in parties being compelled to raise their ambition.

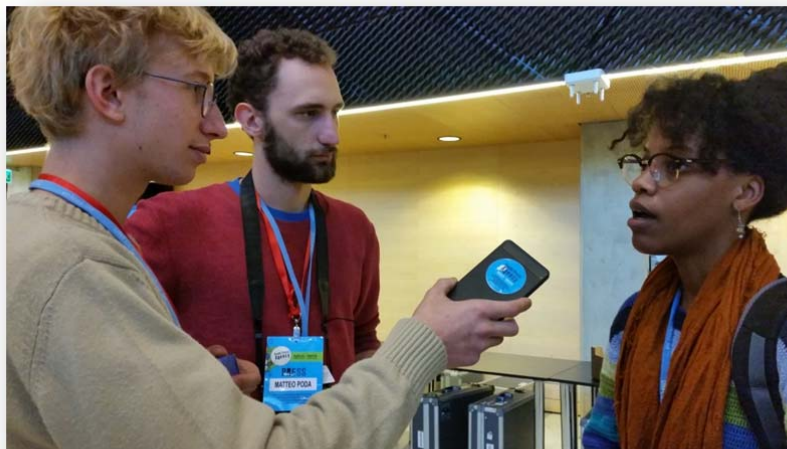


Science matters: What if we miss the target? | © Maria Francesch 2018

- 3. Multilateralism is here to stay.** The *Paris Agreement* came about in 2015, driven by the spirit of collaboration that many political actors around the world subscribed to. In the past three years, many signs

have led to believe that such collaborative spirit is being eroded by those returning to the narrow outlook of unilateralism and obfuscated nationalism. Yet, with not a single party actually withdrawing from the *Paris Agreement* (despite 1st June 2017 announcement by US President Trump), and with all in support of a unitary rulebook, hope has risen once more that despite differences, all are on board to cut emissions and avoid further negative impacts on people and planet.

4. **A good process versus a safe planet.** While some congratulated COP24 on the stamina and good will that brought about the drafting of the rulebook, others commiserated on the tepid response to scientific evidence as demonstrated by the IPCC SR 1.5C. Some going as far as to labelled COP24 as ‘a coal trade fair rather than a climate convention’ and as the rulebook not being ambitious and robust enough, thus, disappointing the youth who are to live with decisions being made now.
5. **Younger vibes.** And it was the youth that had a strong presence at COP24 making their voices heard by the older people broaching the negotiations by dint of the nebulous platitudes of bureaucratic language! Not only 15-year-old Swedish Greta Thunberg made her point crystal clear when she affirmed: ‘we cannot solve a crisis without treating it as a crisis’, but also American students questioned by young Poles (pictured) on the necessity to drive their future to a safer harbor than the one sheltering them currently.



Most of us couldn't wait to reach home and begin 'walking the long talk' we have just been part of. We were leaving behind a very hospitable local population of volunteers, caterers, security personnel, cleaners and taxi drivers who made our days quite enjoyable. And it is these unnamed heroes who kept going about their daily tasks that truly make these enormous human efforts very meaningful.

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