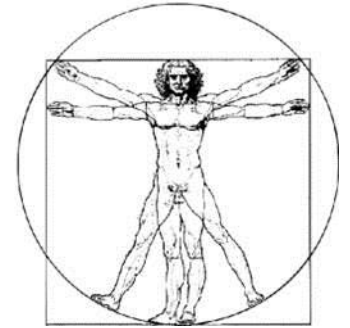


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Mitigation

Issues in current Negotiating Text

Raj Bavishi

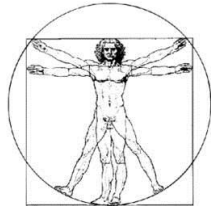
Legal Response Initiative

28 November 2015

for sustained capacity building in support of international climate change negotiations
pour un renforcement durable des capacités en appui aux négociations internationales
sur les changements climatiques

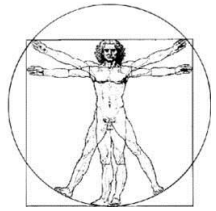
Introduction

- Brief background to mitigation structure in the UNFCCC
- Key issues in current Negotiating Text
- Linkages with other parts of the Agreement



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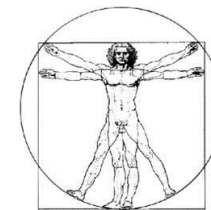
Brief Background



- UNFCCC – Art 4 (1992)
 - Common obligations (in context of CBDRRC) – national inventories, mitigation programmes and adaptation measures
 - Obligation on developed countries to adopt national policies and measures to mitigate
- Kyoto Protocol (1997)
 - Mitigation commitments for developed countries (5% reduction on 1990 levels between 2008-2012)
- Agreed Outcome of the Bali Action Plan (2010-2012)
 - Quantified economy-wide emission reduction targets for developed countries (pre-2020 mitigation)
 - Nationally appropriate mitigation actions for developing countries (pre-2020 mitigation)
- Ad hoc working group on the Durban Platform for Enhanced Action (2011-2015?)
 - Nationally determined contributions / commitments / ???
 - Self-differentiation; bottom up approach

Key Issues – Articles 3, 3bis, and 3ter

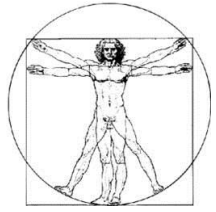
- Differentiation
- Long term mitigation goal (collective efforts)
- Individual efforts
- Provision of information
- Timing of NDCs
- Ambition mechanism
- Housing of NDCs
- Support for developing countries
- REDD-plus mechanism
- Sustainable development mechanism



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Differentiation

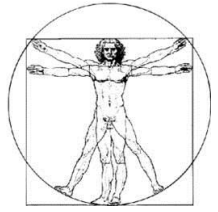
- Key issue running through the ADP
- Conflict most evident in mitigation
- Fixed bifurcation v “evolving” differentiation



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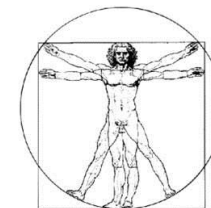
Long term mitigation goal

- Frames purpose of the Article
- Various options
 - Peaking by 2030 / as soon as possible
 - Reduction by reference to 2010 levels
 - 40%-95% by 2050
 - Zero net emissions by 2050 / 2100
 - Carbon budget approach



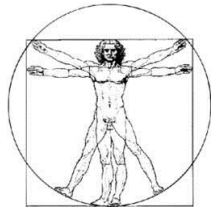
Individual Efforts

- To be captured in nationally determined [contributions] (NDCs)
- Obligation in respect of NDCs is an open issue
 - Communicate
 - Maintain
 - Implement
- Extent of differentiation is an open issue
 - Economy wide targets for developed countries – all parties over time?
 - Linkage with support for developing countries
 - Progressive nature of NDCs
- LDCs and SIDS may communicate information on strategies, plans and actions for low greenhouse gas emission development



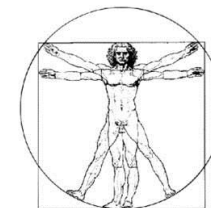
Provision of Information

- Parties must provide information necessary for
 - Clarity
 - Transparency
 - Understanding
- Fundamental issue
 - Common information requirements
 - Differentiated information requirements



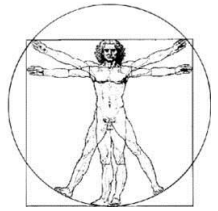
Timing of NDCs

- First NDC
 - Annexed to agreement
 - Communicated no later than ratification
- Subsequent NDCs
 - Communicate every 5 years; 12-18 months / well before finalisation; finalise 3 months prior to the relevant CMA
 - Communicate after completion of current implementation cycle



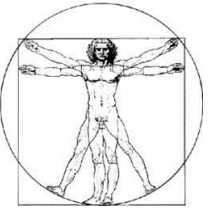
Ambition Mechanism

- Option for a mechanism to facilitate understanding of iNDCs and their aggregate effect
- Consequences of this mechanism?
- Parties may unilaterally adjust their NDC (to increase ambition)



Housing

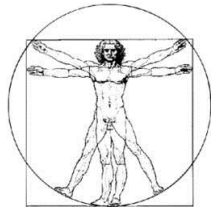
- Annex to Agreement
- Online registry
- Does it matter?



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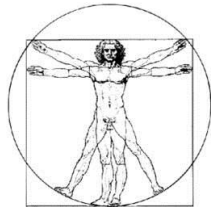
Support

- Developing countries to receive support for the preparation, communication and implementation of the NDCs
- Who should provide support?
 - Art 4(7) of the Convention
 - Developed countries
 - Operating entities of the financial mechanism
 - Organisations in a position to do so?
- Who else should receive support?
 - Economies in transition?
 - Countries in need of support?



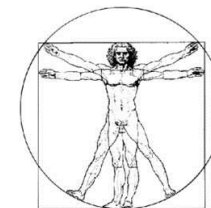
REDD-plus mechanism

- Establishment of a REDD-plus mechanism / forests mitigation and adaptation mechanism
- Builds on COP decisions under the Convention
- Purpose
 - Incentivise the reduction of emissions from deforestation and forest degradation
 - Promote the conservation and sustainable management of forests



Sustainable development mechanism

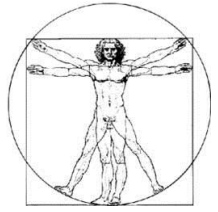
- Proposal for an entirely new (market-based) mechanism
- General purpose to mobilise finance for climate action in developing countries
- Could be used to meet a Party's NDC
- Issues re environmental integrity



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Linkages

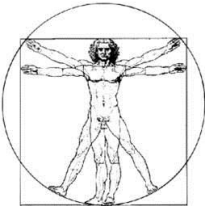
- Article 2 – Objective / Purpose
- Article 9 – Transparency
- Article 10 – Global Stocktake
- Article 11 – Compliance



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Thank you

- Any Questions?



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