



ecbi Pre-COP Training Workshop for LDC



30 November 2014
Los Girasoles Hotel, Lima

ecbi

European Capacity Building Initiative
www.eurocapacity.org

TABLE OF CONTENTS

| | |
|--|----|
| OPENING SESSION | 2 |
| SESSION 1: HISTORY OF THE LDC GROUP | 2 |
| <i>Discussion</i> | 3 |
| SESSION 2: INTRODUCTION TO THE UNFCCC NEGOTIATIONS | 4 |
| <i>Discussion</i> | 5 |
| SESSION 3: INTRODUCTION TO LIMA AGENDAS, AND KEY ISSUES FOR LDCs | 5 |
| Key items of interest under the COP Agenda | 6 |
| Key items of interest under the ADP Agenda | 6 |
| Key items of interest under the CMP Agenda | 8 |
| Key items of interest under the SBI Agenda | 8 |
| Key items of interest under the SBSTA Agenda | 9 |
| <i>Discussion</i> | 9 |
| CLOSING SESSION | 10 |

Any views expressed in this report do not necessarily represent those of ecbi member organisations or funding partners.

Written by Anju Sharma, Head of the ecbi Policy Analysis and Publications Unit.

OPENING SESSION

The ecbi Pre-COP Training Workshop for LDC negotiators who are attending COP 20, and are new to the negotiations under the UN Framework Convention on Climate Change (UNFCCC), took place at the Los Girasoles Hotel, Lima, on 30 November 2014.

The workshop was opened by Achala Abeysinghe, Head of the Training and Support Programme of the European Capacity Building Initiative (ecbi) and Principle Researcher, International Institute for Environment and Development (IIED). She introduced the panellists, including: Krishna Chandra Paudel, Secretary, Minister of Science, Technology and Environment, Nepal; Ian Fry, an international environmental law and policy expert and negotiator for Tuvalu; and Saleemul Huq, Director of the International Centre for Climate and Development (ICCAD), and Senior Fellow, IIED.

Abeysinghe also introduced ecbi as an Initiative that aims to create a level playing field in the climate negotiations, by providing capacity building support for developing country climate negotiators.

Huq then presented a broad picture of the science of climate change, including the role and structure of the Intergovernmental Panel on Climate Change (IPCC) and a brief history of UNFCCC negotiations and the Kyoto Protocol. He noted that the links between climate and poverty were strongly recognised after the IPCC's after third assessment report, leading to a better understanding of countries that would be most vulnerable and/or particularly vulnerable.

Paudel appreciated the role of the ecbi in coaching new negotiators in his presentation. Reminding participants that the LDCs were at the COP to raise their collective voice before their future is compromised, he called on the negotiators to integrate science and policy, and to communicate well with both, politicians and local communities, to help them understand the challenge.

The first session ended with a tour de table where participants introduced themselves and mentioned the area they were following at COP 20 – including adaptation, finance, gender, loss and damage, capacity building, the Ad Hoc Working Group on the Durban Platform (ADP), mitigation, and Reducing Emissions from Deforestation and Forest Degradation, including the role of conservation, sustainable management of forests and enhancement of forest carbon stocks (REDD+).

SESSION I: HISTORY OF THE LDC GROUP

In the first session, facilitated by Brianna Craft, IIED, Abeysinghe presented a brief history of the LDC Group.

She noted that the LDC Group includes 48 countries (34 in Africa, 13 in Asia Pacific, and 1 in Latin America) with low income, a weak human assets index, and high economic vulnerability. It was created in 1974 as part of the negotiations under the UN Conference on Trade and Development (UNCTAD) negotiations.

In 2011, through the Declaration of Istanbul Program of Action, the LDCs endorsed a goal targeting the graduation of at least half the current LDC countries by 2022. However, in the last four decades, only four countries have graduated to developing country status so: Botswana (in 1994), Cape Verde (2007); Maldives (2011); and Samoa (2014). Two other countries are scheduled to graduate by 2017 (Equatorial Guinea and Vanuatu).

Abeyasinghe referred to climate change as the “perfect moral storm” in the context of the LDCs, given that they contribute on 2% of global greenhouse gas emissions, but experience some of the worst impacts of climate change.

Quoting the International Disaster Database, Abeyasinghe noted that LDCs had suffered 1,291 climate disasters between 1980-2013, resulting in 51% of global deaths due to weather-related disasters – 4.7 times the global average. Between 2010-2013, these figures increased to 67%, or 5.5 times the global average.

She highlighted the importance of action under the UN for LDCs, given the urgent need for: coordinated international action; raising the level of mitigation ambition within a multilaterally agreed rule based system; financial and other support through UN funds; a governing system that can address the problem in a fair manner; and national action embedded in a strong international framework.

Abeyasinghe said the LDCs are the only Group with a dedicated section in UNFCCC – Article 4.9 calls on Parties to take full account of the specific needs and special situations of the least developed countries in their actions with regard to funding and transfer of technology. In addition, there is a dedicated LDC Work Programme introduced in 2001; the National Adaptation Programmes of Action (NAPAs) and National Action Plans (NAPs); the LDC Expert Group; and the LDC Fund (LDCF).

Noting a recent discussion among the G77 and China Group on the future of the LDCF, she said the LDCF faced a financing gap of over US\$ 4 billion, between the amount pledged (US\$ 915.16 million) and the amount needed to implement the initial set of NAPA projects (US\$ 5 billion).

Abeyasinghe described the organisational structure of the LDC Group in the UNFCCC negotiations, saying the LDC Chair was supported by Coordinators, a Core Team, and representatives in various bodies such as the Green Climate Fund (GCF).

The goal of the LDC Group is to ensure a more inclusive, effective and equitable global agreement under the UNFCCC, that addresses LDC needs. Towards this end, the strategy of the Group includes: a compelling line of argument (supported by the LDC Paper Series and research for submissions); no country left behind (through the Core Team, and strategy meetings and workshops); know your facts (through disseminating UNFCCC decisions, SBI conclusions, and a legal reference manual); voice and visibility (through the LDC group website, use of social media, and interactions with civil society); and bridging states (working closely with other Groups).

Describing the core positions of the Group, Abeyasinghe included: adoption of a protocol in 2015; all countries to commit to a 2015 agreement based on the principle of common but differentiated responsibilities and capabilities (CBDR&C); provisions to ensure the needs of LDCs are addressed in a timely manner; new, additional, sustainable, and predictable funding; strong compliance and common accounting rules; and review mechanisms to ensure that climate change is addressed.

Finally, she directed participants to important web links, including the LDC Website (www.ldclimate.wordpress.com), and the UNFCCC LDC Portal (www.unfccc.int/adaptation/knowledge_resources/ldc_portal/items/4751.php).

Discussion

In the discussion that followed, participants asked to receive information on the current LDC Coordinators and Core Team members. They also queried expectations regarding the status of the LDCF in coming years.

In response, Abeysinghe noted that donors were currently focusing on pledging to the GCF. There were some who believed the LDCF should be absorbed into the GCF, she said, but the LDC Group had concerns about this suggestion given the LDCF's exclusive focus on LDCs. However, she also noted that access to funds from the LDCE, which is managed by the Global Environment Facility (GEF), has proven to be a challenge. She encouraged participants to push for the GEF to implement reforms to improve access.

On the GCF's specific provisions for LDCs, Abeysinghe informed participants that the GCF Board has agreed to equal allocation for mitigation and adaptation, with 50% of the funds for adaptation going to LDCs, SIDS and countries in Africa.

Summing up the session, Paudel noted the importance of direct access to overcome difficulties in accessing funds, and avoiding the 14% "tax" that international agencies charge for their role as Multilateral Implementing Entities. He agreed reforms were needed for the GEF and LDCE, but also recognised the challenge faced by some countries in establishing National Implementing Entities to access funds from the Adaptation Fund. To address the latter, he called for increased capacity building.

SESSION 2: INTRODUCTION TO THE UNFCCC NEGOTIATIONS

In this session, facilitated by Janna Tenzing, IIED, Abeysinghe introduced the UNFCCC negotiations.

She said the UNFCCC is one of over 500 multilateral environmental agreements, which usually are: framework or umbrella regimes; based on consensus-based decision making; implemented through autonomous parallel instruments (protocols, agreements); and incorporate a degree of differential treatment.

The UNFCCC itself was adopted in 1992 and entered into force in 1994. It has near universal participation with 196 Parties, which meet to take decisions as the Conference of Parties (COP) every year. The Kyoto Protocol to the UNFCCC was adopted in 1997 and entered into force in 2005. It has 192 Parties, which meet under the Conference of the Parties serving as the meeting of Parties to the Kyoto Protocol (CMP).

Describing the ultimate objective of the UNFCCC as stabilising GHG concentrations at a level that would prevent dangerous anthropogenic interference with the climate system, Abeysinghe said the guiding principles include equity, CBDR-RC, the precautionary principle, and principle of cooperation.

The quantifiable commitments were included in the Kyoto Protocol, which includes measurable mitigation commitments, flexible mechanisms, and a compliance system. However, the Kyoto Protocol only addresses mitigation, and not all countries are covered. While the US has not ratified, Canada withdrew in 2011, and Japan and Russia did not take on commitments in the second commitment period of the Kyoto Protocol. As of November 2014, Abeysinghe noted that only 19 countries have ratified the second commitment period.

Describing the chronology of the UNFCCC negotiations, she elaborated on the ADP, currently working under two Workstreams towards a deal at the Paris COP in 2015. Workstream I is working towards an agreement in 2015, to enter into force in 2020 and be applicable to all Parties. It will include not only mitigation, but also adaptation, finance, technology development and transfer, transparency of action and support, and capacity building. Workstream II, meanwhile, is working on enhancing mitigation ambition by identifying and exploring options for a range of actions that can close the pre-2020 ambition gap.

Abeyasinghe described three essential pillars for the future agreement: effectiveness (the agreement must address the climate change problem, including mitigation, adaptation and means of implementation); ensure legal rigour (legal certainty, continuation); and have broad participation through consensus based governance.

Abeyasinghe also provided practical details of the negotiations, including: details of the multiple fora the negotiations will take place under; the procedures and protocols that will be followed; where to access important documents on the UNFCCC site; what the symbols in the document names signified and the hierarchy of these documents; the significance of terminology employed in these documents; the rules of procedure; and different negotiating arrangements that are employed during the process.

In conclusion, Abeyasinghe she urged the participants to follow the “10 Commandments of being a good negotiator”: understand the process; have knowledge of documents and the language employed; choose an area of expertise; know and understand the positions and bottom lines of other Parties and Groups; prepare and strategise; work as a Group and share responsibilities; engage in discussions outside the formal process; try to build consensus; read; and finally – be there.

Discussion

In the brief discussion that followed, participants asked whether it was useful to attend side events. Abeyasinghe said while time constrains may not allow it, attending when possible can help negotiators to benefit from the wide knowledge base of non-government organisations.

SESSION 3: INTRODUCTION TO LIMA AGENDAS, AND KEY ISSUES FOR LDCS

In this session, participants were taken through LDC Group positions, and items on the agenda in Lima that are likely to be of relevance to the LDCs. The following LDC Group positions were highlighted:

Mitigation

- Ensure maximum effort is made to ensure real action on mitigation, and reduce emissions to below 1.5°C.
- Avoid serious climate change damage to LDCs.

Adaptation

- Ensure that we have effective support to develop National Action Plans (NAPs)
- Ensure there is effective support to implement NAPs.

Finance

- Ensure adequate finance is provided to LDCs to meet needs for mitigation, adaptation, technology development and transfer, capacity building, and loss and damage.
- Ensure that funding is for real action on the ground and not just for report writing.
- Ensure that LDCs have priority access to funding.
- Ensure that gaining access to funding is not complicated.

Technology development and transfer

- Ensure technology is developed to meet the special needs and circumstances of LDCs.
- Ensure technology is transferred without unnecessary conditions or costs.

Capacity building

- Ensure that LDCs are given the opportunity to build their capacity in all aspects of the implementation of the UNFCCC and its processes.
- Ensure that attention is given to gender balance in the provision of capacity building.
- Ensure that capacity building comes without conditions or costs.

Loss and Damage

- Ensure that there is an effective system to help rebuild after the impacts of climate change.
- Ensure that there are effective insurance arrangements to help LDCs meet the costs of rebuilding.
- Ensure that there is an effective compensation scheme to help LDCs deal with permanent losses due to slow onset events.

Key items of interest under the COP Agenda

Item 5: Consideration of Proposals by Parties under Article 17 of the Convention, which states “the Conference of the Parties may, at any ordinary session, adopt protocols to the Convention”. Under this item, six countries had submitted proposals, including Costa Rica, Japan, Australia, Tuvalu and the US. However, it was an ongoing issue and not likely to be discussed in detail at COP 20.

Item 6: Amendments to the UNFCCC. There were proposals from Russia, the PNG and Mexico, the latter relating to bringing in voting into the convention.

Item 7: Report of the Adaptation Committee, including potentially a discussion on monitoring and reporting of adaptation; and means to incentives the implementation of adaptation plans.

Item 8: Warsaw Mechanism on Loss and Damage. This item will also be discussed under the SBI.

Item 12: Matters relating to finance, also to be discussed under the SBI.

Item 16b: Matters relating to LDCs, also to be discussed under the SBI.

Item 17: This item relates to the review of an earlier decision on gender and climate change.

Item 20: High Level Segment.

In the discussion that followed, participants discussed the pros and cons of voting, and whether seeking consensus slows down progress. Some pointed out that consensus, which could be described as somewhere between unanimity and majority, needs to bring countries on board for implementation.

Key items of interest under the ADP Agenda

Item 2: Organisational matters, including the election of officers. The ADP will have to elect two new co-chairs at COP 20. The Western European and Others Group (WEOG) has already put forward a candidate (Dan Ryfsnyder from the US, who was also Chair of Ad-hoc Working Group on Long-term Cooperative Action). The African Group is still to make a nomination.

Item 3: Implementation of all elements of decision 1/CP.17:1. This agenda item has two sub-sections:

- (a) Matters related to paragraphs 2 to 6. This relates to whether the outcome of the ADP will be “a protocol, another legal instrument or an agreed outcome with legal force under the Convention”. This issue is likely to be addressed at the ADP session in Geneva in February 2015.

(b) Matters related to paragraphs 7 and 8. This relates to “enhancing mitigation action to identify and to explore options for a range of actions that can close the ambition gap”.

The following key aspects of an LDC submission, on key elements for the Paris Agreement, were described in this context:

Objectives

- Temperature increases should be limited to as far below 1.5°C above pre-industrial levels as possible.
- Parties with greatest responsibility and highest capacity to respond should take leadership.
- LDCs should be given special consideration within the agreement.
- All actions and processes established under this agreement shall respect the rights of Indigenous Peoples, ensure a gender sensitive approach, and reflect the needs of people with disabilities.

Mitigation

- All developed countries and those countries in a position to do so should take economy emission reduction targets.
- Annex A countries should take on economy-wide targets.
- Annex B developing countries should take on emission limitation commitments in a form that is appropriate to meet their national circumstances.
- Actions to reduce emissions from deforestation and forest degradation should not adversely affect the rights of Indigenous Peoples and local communities, or exacerbate gender inequality.

Measurement, Reporting and Verification (MRV) of mitigation commitments

- Annex A Parties should produce biennial reports, and be subject to international assessment and review.
- Technical experts teams should be established to undertake reviews.
- Annex B Parties should produce biennial update reports.

Adaptation

- The LDC Expert Group shall also operate under this agreement.
- All Parties shall produce national adaptation plans.
- An international clearinghouse and repository for adaptation should be established.
- Regional adaptation centres should be established.
- UN agencies should show how development assistance programmes and finance incorporate climate proofing measures.

Loss and Damage

- All Parties should be encouraged to develop climate change risk management planning.
- An international climate change displacement coordination support mechanism should be established.
- A clearinghouse for insurance and risk transfer systems should be established.
- A compensation regime to support developing countries, particularly LDCs, SIDS and countries in Africa affected by slow onset events should be established.

Technology Development and Transfer

- The Technology Mechanism should operate under the Paris Agreement.
- Procedures should be developed for removing barriers to technology development and transfer created by intellectual property rights regimes.

Capacity Building

- The Durban Platform on Capacity Building should operate under the Paris Agreement.
- An institute for capacity building should be established.

Finance

- The Green Climate Fund should operate under the Paris Agreement.
- Financial support provided under this agreement shall be regularly scaled-up.
- An international renewable energy and energy efficiency bond facility should be established.
- The GCF should allocate at least 50% of its resources to adaptation measures.
- The International Civil Aviation Organisation and the International Maritime Organisation are encouraged to develop a levy scheme to provide financial support for the Adaptation Fund.

In addition to this submission, the LDCs held the following views on INDCs:

- INDCs should primarily focus on mitigation.
- There should be an effective review mechanism for INDCs.
- INDCs should also include information on how developed countries will provide support to developing countries to undertake INDCs.
- LDCs should be given special consideration in the preparation of INDCs.

On Workstream II issues, the following priorities were listed for the LDC Group:

- Ensure full ratification of the second commitment period of the Kyoto Protocol.
- Be guided by the IPCC's 5th Assessment Report to address the ambition gap.
- Support Technical Expert meetings for experts to talk about key issues needed to bridge the issues.

Key items of interest under the CMP Agenda

Item 7: This item relates to the report of the Adaptation Fund Board, and review of the Adaptation Fund.

The role of the World Bank as interim trustee is due for renewal on 30 May 2015. Although observers have noted the conflict of interest in the roles of the World Bank as both a seller and buyer of Certified Emissions Reduction credits, the Adaptation Fund Board has suggested that it continue in its role as interim trustee for another two years.

Item 8: This item relates to the Report of the high-level ministerial roundtable to increase ambition of Kyoto Commitments.

Key items of interest under the SBI Agenda

Item 5: This agenda item deals with the work programme to further the understanding of the diversity of nationally appropriate mitigation actions (NAMAs).

Item 7: This agenda item will address matters relating to LDCs. The LEG will launch a series of regional training workshops, and the LEG itself will be reviewed.

Item 8: This agenda item deals with the report of the Adaptation Committee. As stated earlier, participants were asked to pay particular attention to attempts to increase conditionality related to adaptation reporting.

Item 9: This item relates to NAPs.

Item 10: This item relates to the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM). The need for a new executive committee with representation of all countries was noted, instead of using existing arrangements and existing institutions.

Item 11: This agenda item deals with matters relating to finance, including a second review of the Adaptation Fund. Participants noted suggestions that the Fund should be absorbed under the GCF, and LDC concerns regarding this suggestion.

Item 13: This agenda item deals with capacity building. In this context, participants noted concerns that the Durban forum on capacity building was only a discussion forum, and not delivering real outcomes on the ground.

Item 16: This agenda item deals with gender and Climate Change.

Item 17: This agenda item deals with arrangements for intergovernmental meetings.

Item 19: This agenda item deals with Report on other activities, and includes a discussion on an expert meeting on results based payments. It was noted that this discussion could be important in the context of precedent setting for the GCF and REDD+.

Key items of interest under the SBSTA Agenda

Item 3: This item deals with the Nairobi work programme on impacts, vulnerability and adaptation to climate change (NWP). While this is being used as an excuse not to have any new institutional arrangements for adaptation, participants noted that the NWP was primarily a form for exchanging information rather than implementation.

Item 4: This item deals with report of the Adaptation Committee.

Item 6: This item deals with methodological guidance for activities relating to reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries. Participants noted the importance of safeguard to ensure that REDD+ programmes do not end up in displacing the problem elsewhere.

Item 7: This agenda item deals with WIM.

Item 11: This item deals with methodological issues under the Kyoto Protocol on Land use, land-use change and forestry (LULICF) under Article 3, where LDCs have proposed the inclusion of revegetation.

Item 12: This item deals with market and non-market mechanisms, including the Framework of Various Approaches (FVA); non-market-based approaches (NMBA), dealing with how to value mitigation without making it a tradeable commodity; and new market-based mechanisms.

Discussion

During the discussion that took place during the presentation and after, participants discussed the scope of the INDCs; the links between adaptation and development; whether the elements of the agreement should be clear before countries decide their INDCs; and whether LDCs should be exempt from INDCs. They also discussed difficulties in setting up NIEs, and problems with co-financing.

CLOSING SESSION

In the final session, participants broke into four groups based on their thematic areas, to discuss how they could support each other during the two weeks of COP 20. They identified a number of strategies, including keeping in touch with each other and sharing information and intelligence; joining the LDC Google group for their particular thematic area; contacting the LDC coordinator in charge of the thematic issue; and contacting the Legal Response Initiative, a partner of ecbi, for legal support where needed.

Abeysinghe encouraged participants to expedite their country's ratification of the Kyoto Protocol second commitment period if possible. Fry concluded the meeting by thanking ecbi, and wishing the participants luck.

Participants were also asked to fill in feedback forms, where most rated the workshop as "excellent" and very useful.