

*Wolfgang Obergassel, Hermann E. Ott, Christof Arens, Lukas Hermwille,
Florian Mersmann, Hanna Wang-Helmreich*

Global Climate

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*Wolfgang Obergassel a,**
Hermann Ott a
Christof Arens a
Lukas Hermwille a
Florian Mersmann a
Hanna Wang-Helmreich a

Global Climate

a Wuppertal Institut für Klima, Umwelt, Energie gGmbH

* Corresponding author:
Wolfgang Obergassel
Wuppertal Institut für Klima, Umwelt, Energie gGmbH
Research Group Energy, Transport and Climate Policy
Döppersberg 19
42103 Wuppertal
Germany
E-mail: wolfgang.obergassel@wupperinst.org
Phone: +49 202 2492-149
Fax: +49 202 2492-250

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(1) Introduction

The annual Conferences of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol (COP20 / CMP10) in 2014 took place in Lima, Peru, from 1 – 12 December. Its significance must be assessed in the light of its main task: preparing the next annual conference at the end of 2015 in Paris. This next major climate summit (COP21) is supposed to deliver a comprehensive climate agreement according to the Durban Platform formulated in 2011.

In the run-up to the conference some developments had taken place that seemed to change the dynamics of the process. Most importantly, the usual roles of the European Union (EU) vs. the USA and China were somehow reversed: The EU adopted comparatively modest climate policies that fell short of the level of ambition expected, whereas the presidents of China and the USA in a surprise bilateral move had announced plans that exceeded expectations. Notwithstanding the fact that these plans were non-binding and not ambitious enough to keep climate change below a safe level, the two largest polluters did appear to represent the spearhead of climate protection. This certainly lent much more credibility to the approach those countries advocated, which is characterised by voluntary contributions instead of legally binding commitments. It was also the first time ever the two largest polluters presented such a major joint initiative, marking a widely applauded departure from their historical finger-pointing.

The mood of most negotiators was therefore slightly upbeat when they arrived in Lima. The Climate Summit initiated by UN Secretary General Ban Ki-moon in September had demonstrated that climate change ranked among the top priorities in world affairs. And the accompanying climate march in New York, which had attracted 400,000 people from all over the USA, had sent a clear signal that people in the USA were expecting its Government to play a positive role in the negotiations. The continued urgency of tackling climate change decisively was underlined by the 5th Assessment Report of the Intergovernmental Panel on Climate Change (IPCC). Furthermore, the initial capitalisation of the Green Climate Fund (GCF) had almost reached the aimed-for target of at least 10 billion USD. All these developments pointed to a constructive conference in Lima, putting the negotiations on a firm track towards adopting an agreement in Paris 2015.

However, after the first week in Lima it became clear that COP20 would not enter the history of climate diplomacy as one of the more constructive meetings. The conference was, despite the presidential US/China announcements, characterised by a continued deep division at the working-level between key players and groups from the former so-called “developed” and “developing” world. This became apparent especially in the discussions on differentiation and the role of “Loss and Damage” in the forthcoming agreement, which pitted – like in very old days – log-headed negotiators from each group against each other. The negotiations thus took 32 hours longer than planned and ended on Sunday morning at 1.22 am – a considerable prolongation even for seasoned negotiators.

This article summarises the main outcomes of the Lima conference. It starts with the discussions under the Durban Platform on developing a new comprehensive climate agreement and increasing short-term ambition and subsequently covers the issues relating to near-term implementation of previous decisions in the areas of transparency, reducing

emissions from deforestation and forest degradation, loss and damage, adaptation, finance, and carbon markets.

(2) Negotiating a New Climate Agreement

The Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) has the task to develop “a protocol, another legal instrument or agreed outcome with legal force under the Convention applicable to all Parties”, which is to be adopted at the 2015 conference in Paris and to be implemented from 2020. Several key issues needed to be clarified in Lima, in particular how exactly countries will participate in the new agreement, the differentiation among countries, and transparency. Last year’s conference in Warsaw had decided that countries should submit their intended nationally determined contributions (INDCs) to the Paris agreement early in 2015, but had failed to provide further guidance.

The Lima conference was therefore tasked with providing guidance on the scope of INDCs, what information countries would be required to provide alongside their INDCs to enable their assessment, whether there would be an international review of the INDCs prior to the adoption of the Paris agreement and what this assessment would look like. In addition, the Lima conference was supposed to develop a first draft of a negotiating text for the new agreement.

However, only very few of those tasks were actually completed in Lima due to disagreements over the respective roles of the so-called “industrialised” and “developing” countries, which has plagued the climate regime from the beginning. The traditional industrialised countries (listed in Annex I of the UN Framework Convention on Climate Change) have been keen to break down the so-called “firewall”, the clear distinction between Annex I and non-Annex I countries (traditionally “developing countries”) that is laid down in the Framework Convention of 1992. They argue that this distinction is outdated since many non-Annex I countries are nowadays wealthier than many of the traditional industrialised countries and that their contribution to global emissions has also grown rapidly. By contrast, in particular the “group of like-minded developing countries (LMDCs)”, which includes China and India, some other Asian countries such as Pakistan, OPEC countries such as Saudi Arabia as well as the left-leaning Latin American countries such as Bolivia and Venezuela, have so far strongly resisted any explicit or implicit dissolution of the traditional distinction between the Annexes. They have maintained that Annex I countries should continue to take the lead since they are the ones who caused the climate problem, even nowadays have much larger economic resources to do something about it, and have in the view of the LMDCs so far mostly failed to do their duty in terms of reducing their own emissions and in providing support to non-Annex I countries.

As so often in the past, the decision finally adopted by the conference (Decision 1/CP.20, FCCC/CP/2014/10/Add.1) was pared down to a bare minimum to avoid issues of disagreement. The 2015 agreement is supposed to reflect the Convention’s principle of common but differentiated responsibilities and respective capabilities “in light of different national circumstances” (ibid. para 3). This language was copied verbatim from the Sino-US agreement and served to paper over the different positions for the moment as it can be read as maintaining the old distinction between the Annexes or as opening up for differentiation based on countries’ individual circumstances.

As regards the scope of the INDCs, industrialised countries held that contributions should only address mitigation and that all countries should be obliged to offer an unconditional mitigation contribution. Industrialised countries also maintained that all major economies should be required to adopt economy-wide targets. By contrast, many developing

countries posited that INDCs should also include adaptation and financial, technology and capacity building support from industrialised to developing countries. They also demanded that mitigation contributions by developing countries should, as has so far been the case, be conditional on the provision of support by industrialised countries, while industrialised countries should adopt legally binding economy-wide emission reduction targets along the lines of the Kyoto Protocol. The Alliance of Small Islands States (AOSIS) also stressed the importance of mandatory mitigation contributions for all major emitters, while the LMDCs vehemently rejected including any reference to major emitters or similar language.

Further controversies revolved around the timeframe of contributions. The EU, China and others argued that contributions should have 2030 as the target date, highlighting the need to give long-term certainty to investors and the effort required to prepare contributions. By contrast, the Independent Association of Latin America and the Caribbean (AILAC), AOSIS, the least developed countries (LDCs), and the USA called for five-year cycles in order to prevent a lock-in of low ambition.

In the final decision, all Parties are explicitly invited to consider including an adaptation component in their INDCs but otherwise the scope and timeframe is completely left to the discretion of countries. The decision does not require developed countries to also include finance commitments in their INDCs. Only a separate paragraph urges developed countries to provide and mobilise enhanced financial support. And instead of urging other countries in a position to do so to also provide support, as Annex I countries had demanded, the decision only “recognises complementary support by other Parties” (ibid., para 4).

Concerning the level of effort of the submitted INDCs, each Party’s contribution is supposed to “represent a progression beyond the current undertaking of that Party” (ibid. para 10). This formulation is aimed at installing a ratchet mechanism, where contributions are continually strengthened – and to prevent backsliding behind Parties’ current pledges. However, the Annex with detailed upfront information requirements that had been contained in drafts of the decision did not survive in the final version. There had been substantial debate on whether the information requirements should be differentiated for industrialised and developing countries or not. The decision now only contains one paragraph with some specifications. Instead of requiring Parties to provide the listed information, the language is now formulated in a non-binding manner – “information to be provided by Parties ... may include” – (ibid, para 14), and the subsequent list is much less detailed than the lost Annex. The list does not require a common timeframe, is less specific on coverage, assumptions and methods, and does not require information on the intended use of markets, nor specifications for the treatment of land use, land-use change and forestry.

Neither does the decision foresee any international assessment of individual INDCs. Most Annex I countries outside the EU had suggested a short review phase while the African Group, AILAC, AOSIS, the EU and the LDCs had made various proposals for a detailed ex-ante review to assess if individual INDCs constituted a countries’ fair share of the overall effort and whether they were collectively sufficient to achieve the below 2°C target. However, the LMDCs had vehemently rejected any international assessment of developing countries’ contributions. According to the final decision, the INDCs are merely to be published on the UNFCCC website and only the aggregate level of effort will be assessed, in a synthesis report to be prepared by the Secretariat by 1 November 2015. Since this is only one month before the Paris conference, any subsequent changes to the INDCs are highly unlikely.

A further contentious issue was the scope of the 2015 agreement. Developing countries requested to treat adaptation and mitigation equally in the new agreement. In particular AOSIS and the LDCs – the countries most vulnerable to the impacts of climate change – also requested to specifically reference loss and damage from climate impacts that cannot be addressed by adaptation as a stand-alone item (see also the section on Loss &

Damage below). Industrialised countries were willing to accept language on the crucial importance of adaptation but rejected language on parity with mitigation. They also continued to maintain their past position that loss and damage should be addressed in the context of adaptation instead of being treated as a separate element. Industrialised countries are afraid that any opening of the loss and damage issue might ultimately lead to them being legally required to pay compensation to developing countries for their past GHG emissions and have hence tried to keep the profile of this issue as low as possible. The final decision lays out that the Paris agreement “shall address in a balanced manner, inter alia, mitigation, adaptation, finance, technology development and transfer, and capacity-building, and transparency of action and support” (ibid., para 2), but does not mention loss and damage. The final decision only welcomes the progress made towards implementation of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (see below for more).

Elements for a draft negotiating text are annexed to the decision and run to 39 pages with many alternative options.

(3) Enhancing Short-Term Ambition before 2020

In some contrast to the rather entrenched negotiations on a new climate agreement outlined above, the atmosphere in this part of the negotiations was much more constructive. Those two “workstreams” for the negotiations had been the result of a compromise at COP17 in Durban (2011): Developing countries had agreed to negotiating a new “comprehensive” climate agreement under the convention for the time after 2020 (Workstream 1) – comprehensive meaning that it would not only apply to industrialised countries. On the other side of the bargain, industrialised countries had agreed to negotiations on how to increase the ambition of their own mitigation commitments for the time before 2020 (Workstream 2).

Hence, Workstream 2 (WS2) started out as a process mainly to negotiate new and increased mitigation commitments for Annex 1 countries. Urging for a rapid ratification of the second commitment period of the Kyoto Protocol became a second task that was frequently put forward by developing countries. This process so far has not been particularly successful: Not a single developed country has increased its mitigation commitment as compared to what had been communicated in the Cancún Agreements back in 2010. Quite to the contrary, some countries such as Japan and Australia have backtracked from earlier commitments.

However, as a kind of compensation for this failure, the nature of this Workstream has changed significantly and added some novel aspects to the negotiations. WS2 has become a forum of open exchange with a strong push also for developing countries to increase their pre-2020 mitigation ambition. With extensive rounds of technical expert meetings (TEMs), WS2 has established a mode of collaboration new to the UNFCCC process. A mode which also allows actors from the sub-national level to contribute their experience.

The big questions for the meeting in Lima were the following: Would the innovative form of collaboration within WS2 continue? And would it be possible to advance from the exchange of information to a more action-oriented approach, i.e. would it be possible to synthesise the outcome of the TEMs and translate them into policy options that are actually taken up by parties?

Given that the Paris agreement will probably not be sufficient to drive down greenhouse gas emissions to levels compatible with the below 2 °C limit (let alone 1.5 °C), a significant mitigation gap will persist not only before 2020 but also thereafter. The necessity to continue the efforts for closing this gap was apparent to all parties and they therefore agreed to renew the mandate for the technical examination process. Some parties suggested to

provide the mandate until 2017 only. But finally, the ADP concluded with a mandate to continue the technical examination process between 2015 and 2020, but with an annual review of the progress of the process (ibid., para 19).

Equally important for a constructive continuation of the technical examination process is the more specific mandate that parties provided for the TEMs. Until now, TEMs had been very broad in content. In Lima parties agreed to build on the results of earlier TEMs, to go into more detail and to “focus on actionable policy options” (ibid.). Furthermore, the technical examination process will coordinate with other existing activities such as the Technology Executive Committee, the Climate Technology Centre and Network (CTCN), the Durban Forum on capacity-building, the CDM Executive Board and the operating entities of the Financial Mechanism (GCF Board). This allows to make use of synergies and to focus the support through the various mechanisms on those instruments that have been highlighted by the technical examination process, thus ensuring a proliferation of best practice.

The decision also includes provisions for the last stage in the process: implementing mitigation activities. Parties agreed to ask the UNFCCC Secretariat to compile a synthesis of the policy options including a summary for policy makers. The idea is to formulate concrete policy options that can then be picked up by policy makers and implemented in their respective national contexts.

To encourage this kind of political action, parties encouraged the Executive Secretary and the President of the Conference of the Parties to convene an annual high-level event on enhancing implementation of climate action. COP President Pulgar-Vidal had hosted a first such event in Lima. The event included contributions from a wide range of stakeholders including a speech of the Secretary General of the United Nations. Other contributions included civil society representatives, sub-national governments and business representatives. The variety of contributions was exceptional for a formal UNFCCC high-level event.

(4) Monitoring, Reporting and Verification

Some positive developments regarding the Monitoring, Reporting and Verification (MRV) of Parties’ efforts can be reported from multilateral assessments (MA) of Annex I parties’ pre-2020 mitigation efforts as part of the International Assessment and Review (IAR) process established by the Cancún Agreements in 2010. With the aim of increasing transparency as well as comparability, the historic first session assessing developed countries’ first Biennial Review reports took place on 6 and 8 December. In total, the European Union and 16 developed countries were assessed (Austria, Croatia, Cyprus, Denmark, Finland, France, Italy, Latvia, Luxemburg, Netherland, New Zealand, Portugal, Spain, Sweden, Switzerland and the United States).

After a brief overview of the country’s efforts regarding the mitigation of emissions and progress towards their emission reduction targets, Parties had the opportunity to pose questions to the presenting country. This opportunity was taken up by many Parties and most questions could be answered to the satisfaction of the questioner. At some points in the session, however, Parties criticised a lack of detail regarding the information provided and Brazil stressed that the use of different metrics across countries complicated the comparison of the countries’ efforts.

Nevertheless, before and after the session, Parties as well as observer organisations stressed the importance of the MA in building confidence and trust among Parties for future negotiations on the 2015 agreement.

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

While deforestation and forest degradation account for about 1/5 of global CO₂ emissions but had historically not been tackled within the UNFCCC, the previous COP in Warsaw had adopted no less than six decisions on REDD+, finalising the main chapters of the “rulebook for REDD+”. The main outstanding issue on the agenda of the Subsidiary Body for Scientific and Technological Advice (SBSTA) was further guidance on the environmental and social safeguards that had been agreed for REDD+ already at the 2010 Cancún conference. While the EU, Norway and the USA proposed to develop more detailed guidance, many developing countries posited that additional guidance on safeguards was “premature”. The conference was unable to come to an agreement and ultimately referred the item to the next SBSTA meeting.

(6) Loss & Damage

In 2013, shortly before the COP, supertyphoon Haiyan wrecked havoc in the Philippines, destroying about one million houses and killing more than 7,000 people. This year, in the first days of the climate conference, one million people on the Philippines fled from Typhoon Hagupit into the hills in order to escape the forces of nature. This served as a stark reminder that adaptation to the unavoidable impacts of climate changes is, besides mitigation, the second pillar of the climate regime. And many developing countries meanwhile demand that the compensation of loss and damage due to climate change is recognised as a separate, third pillar. As it becomes increasingly unlikely that the world will stay below a 2°C temperature rise (annual mean globally), the question of who pays for the impacts is gaining more and more relevance.

COP19 last year in Warsaw had adopted the “Warsaw international mechanism for loss and damage associated with climate change impacts” (WIM). COP20 in Lima approved the two-year workplan that had been developed in the meantime and decided on the permanent structure and composition of the Executive Committee of the WIM. It will be composed of 10 members from Annex I-countries (traditionally those providing the financial resources) and 10 members from other countries (Decision 2/CP.20, FCCC/CP/2014/10/Add.2). Demands for a majority of seats for developing countries suffering from the impacts of climate change were not successful.

But the main fight over the issue of “Loss & Damage” concerned the demand of developing countries, especially AOSIS and the least developed countries, to include it into the workplan for the Paris agreement next year. This turned “Loss & Damage” into a crunch issue in the final hours and was resolved by way of a typical compromise: The issue is not mentioned in the operative paragraphs of the Lima Call for Climate Action nor in the “elements” paper attached to it, but instead found its way into the preambular paragraphs of the Lima Call („...welcoming the progress (on the issue) made in Lima...”) (Decision 1/CP.20, FCCC/CP/2014/10/Add.1). The press release of the Least Developed Country Group after COP20 makes clear that this reference is regarded as a “clear intention that the protocol, another legal instrument or an agreed outcome with legal force to be adopted in Paris will properly, effectively and progressively address loss and damage in these respective legal options” (<http://ldcclimate.wordpress.com/2014/12/14/ldc-group-statement-at-closing-of-cop-20/>). Some major struggles appear to be looming ahead before and in Paris next year.

(7) Adaptation

In contrast to the negotiations on Loss and Damage, adaptation efforts aim to prevent damage rather than compensate for it. Non-Annex I countries have for many years now made some efforts to raise the status of adaptation in the climate regime. This was overall successful also in Lima, although not in all cases. For example, they were not successful in the attempt to include adaptation in the workplan of the Technical Experts Meetings (TEM) under Workstream 2 of the ADP, but successful in opening the possibility to include adaptation in their INDCs under Workstream 1 (see above).

As part of the ordinary routine, the Parties elected members of the Adaptation Fund Board and the Adaptation Committee. The Subsidiary Body for Implementation (SBI) discussed the report of the committee but did not follow its recommendation for a closer cooperation with the Finance Mechanism. As regards the National Adaptation Plans (NAPs), a major point of disagreement, the SBI rejected a request by many developing countries to revise the guidelines for the formulation of NAPs in order to allow a stricter formalisation and bring the NAPs closer to the Finance Mechanism. The next meeting of the SBI was requested, however, to discuss better support for the development and implementation of National Adaptation Plans by the Green Climate Fund (Decision 3/CP.20, FCCC/CP/2014/10/Add.2).

(8) Finance

Financing climate actions and low-carbon development is regularly a major point of contention within the climate negotiations. With developed countries having jointly committed to mobilising 100 billion USD per year starting 2020, expectations on deliverance are high in developing countries. A definite roadmap for upscaling current levels of funding was hoped for in order to strengthen trust that such levels of funding would be reached within the required timescales.

Pledges made to the Green Climate Fund (GCF) at a high-level conference convened by UN Secretary-General Ban Ki-Moon in 2014 had amounted to slightly below 10 billion USD. The GCF had originally called for countries to pledge up to 15 billion USD as initial funding for the GCF's initial period (2015-2018), but had lowered its call to 10 billion USD in September. During the second week in Lima, more countries came forward with finance pledges to the GCF. With about 10.2 billion USD by 27 countries, pledges now exceed the target the GCF had aimed for. In an unprecedented move, seven developing countries have also pledged funding for the GCF: Peru, Panama, Colombia, Mexico, Indonesia, South Korea and Mongolia.

Another positive note was struck by Germany. While in 2013 the Adaptation Fund had struggled to collect 100 million USD to be able to continue its operation, in Lima, Germany in stroke contributed three quarter of this year's 80 million USD fundraising target.

However, to think that this would be a sign of a breakdown of the "firewall" between developed and developing countries in commitments would prove very wrong. Developed countries held their ground to keep any mention of a roadmap for upscaling climate finance to the envisioned 100 billion USD out of the decision on long-term finance – a major disappointment for developing countries hoping for a reassurance that promised finance would actually be forthcoming. Developed countries' biennial update reports on upscaling climate finance could be used to define elements of a pathway, but language is weak (Decision 5/CP.20, FCCC/CP/2014/10/Add.2).

(9) Carbon Markets

The negotiations on future carbon markets came to virtual standstill in Lima. A group of countries led by Brazil and China blocked any further discussions on the issues of the New Market Mechanism (NMM) and the Framework for Various Approaches (FVA), arguing that negotiating concrete modalities and procedures for the NMM and defining the scope and purpose of the FVA would effectively prejudge an outcome of the ADP process on a future climate agreement (for an introduction to these issues see YBIEL Vol. 24). Without a clear mandate as to what role market-based mitigation instruments will play under the new agreement, these countries were not prepared to continue discussions. This position was strongly contested by others, including the EU, the Umbrella Group and the Environmental Integrity Group. In their views, the discussions on NMM and FVA historically predates the Durban process and should hence be continued independently from it.

Parties were also not able to build on the advancements regarding reform of the modalities and procedures of the Clean Development Mechanism (CDM) that had been achieved in the intersessional meeting of the Subsidiary Bodies in June 2014. It was not possible to reach consensus on how to proceed with those issues on which disagreement prevails and discussions under this item ended with the decision to continue negotiations at the next meeting of the Subsidiary Body of Implementation in June 2015.

The necessity to reform the CDM was already iterated by countries in their opening statements as well as in the CMP plenary. The annual CDM guidance document (Decision 4/CMP.10, FCCC/KP/CMP/2014/9/Add.1) focuses mainly on streamlining standards and procedures of the CDM project cycle. For example, revisions of baseline and monitoring methodologies are now possible without reference to a concrete project activity. Also, validations of monitoring plans can now take place together with the first verification of emissions reductions. The de-registration of CDM project activities is now endorsed by the CMP. This step is necessary in order to avoid the double counting of emissions reductions for CDM projects that intend to qualify for the Chinese Certified Emissions Reductions Scheme (CCER).

Negotiations on options for building a net mitigation component into the CDM could not reach an agreement among Parties. This would have meant a departure from the current “zero-sum game” concept of the mechanism, meaning that all emission reductions from CDM projects are used to offset emissions in Annex I countries. Options to go beyond this scenario, resulting in a net GHG mitigation effect, could extend to conservative baselines, shortened crediting periods, discounting and voluntary cancellation of CERs. However, though alternative text was suggested and discussed line by line various times, the issue could not be included in the final decision.

A further bone of contention centred on the monitoring of sustainable development effects of CDM projects as well as stakeholder consultation and the establishment of a grievance mechanism. Currently, the use of the CDM Executive Board’s sustainable development tool is voluntary. While particularly the EU and St. Lucia made a strong case for the monitoring of sustainable development effects in the beginning, their proposals met with strong opposition from China, Brazil and India. In the end, most of the text proposed on these issues was deleted as no consensus could be found. The final decision merely requests the Executive Board “to publish its procedure for dealing with communications from stakeholders” (ibid., para 12).

(10) Lima, Paris and Beyond

Overall, COP20 in Lima can be viewed rather critically, but it also marked a number of positive developments. While it was dominated by the usual struggle between industrialised and developing countries, these are not two monolithic blocs anymore. Not only the most vulnerable countries but also AILAC and Brazil put their mark on the proceedings by submitting constructive proposals. The capitalisation of the Green Climate Fund was also supported by a number of developing countries before and during the conference.

The debut of the Multilateral Assessment of industrialised countries' 2020 pledges struck another positive note. Parties as well as observer organisations stressed the importance of the Multilateral Assessment in building confidence and trust among Parties for future negotiations on the 2015 agreement. The ADP Workstream 2 negotiations on enhancing pre-2020 ambition can also be considered successful. The stalemate of the UNFCCC is increasingly out of sync with positive developments on the ground such as the enormous reduction of prices for renewable energy technologies and their steep rise not only in industrialised but increasingly in emerging economies and developing countries. The continuation of the technical expert meetings and an improved focus on implementation under Workstream 2 are positive experiences with climate change mitigation that could create resonance within the UNFCCC regime and create a momentum for more ambitious mitigation commitments.

Lima also did the main thing it was supposed to do – it will “bring us to Paris”, as it was formulated afterwards by the German Under-Secretary of State Jochen Flasbarth. The Lima Call also stipulates that there may be no backsliding of countries, that their contributions to the Paris agreement need to mark a progression beyond their current undertakings. This is an important starting point for the discussions of what has been called a ratcheting-up mechanism, a mechanism which would ensure that in future iterations of the commitment cycle, parties will gradually increase the level of ambition of their mitigation commitments. Proposals for such a mechanism are also included in the “Elements for a draft negotiation text” that has been attached to the Lima Call for Climate Action.

In addition to enshrining forward momentum in the regime, this provision also ensures that there will continue to be differentiation between industrialised and developing countries in the near future, as they are at different starting points.

Not much more can be said, however, of the main task of the COP relating to the new agreement. This is a pretty meagre result, even compared with the already quite low expectations regarding the new Paris agreement. One should remember: In contrast to the Kyoto Protocol with its internationally negotiated and legally binding targets, the negotiations at the moment centre around voluntary pledges of whatever kind, time-frame and period, which will or will not be reviewed – and if so, it is not clear either by whom. Lima produced neither a timetable for the submission of INDCs, nor did it agree on a communication format. Moreover, regarding the contents of the INDCs, the Lima decision brought about an absolute minimum of guidance only, which will make it extremely difficult to compare and assess the submissions of Parties. Also, the ex-ante “review” part of the “pledge and review” system was largely abandoned, which is going to make an external assessment even more complicated.

Lima also did not agree on a common timeframe for the INDCs and saw some unlikely alliances on this issue. While the USA, Brazil, the LDCs and others advocated for a 2025 timeframe, the EU, China and others stuck to their position that INDCs should be referenced to 2030, despite the commonly shared expectation that most INDCs will not be compatible with the 2°C target. The “elements” text has no less than 10 different options on the timeframe for commitments / contributions.

Compared to the pledges under the Cancún Agreements one may consider the Lima Call to signify progress since the Cancún pledges were not subject to any information requirements whatsoever. All in all, however, the promise of fresh momentum, of changed tides after the US-China announcement and the successful capitalisation of the Green Climate Fund has not borne out. This became particularly visible in the removal of loss and damage from the ADP decision, which many be perceived as a slap in the face of AOSIS and the LDCs. And while developed countries paid lip service to the importance of adaptation, the actual Lima Call is highly centred on mitigation.

In summary, the UNFCCC negotiations significantly trail behind the pace that is needed to achieve a meaningful agreement in Paris. While everyone acknowledges that climate policy is widely off track, three years of ADP negotiations have so far not had the result of narrowing down the fundamental differences between countries, as reflected in the “elements” text with its myriad of options. However, there is still almost one year and several rounds of negotiations left until the Paris conference.

Wolfgang Obergassel, Hermann Ott, Christof Arens, Lukas Hermwille, Florian Mersmann,
Hanna Wang-Helmreich
Wuppertal Institute for Climate, Environment and Energy