

Keywords:

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Policy pointers

A 2°C average global temperature rise would unfairly affect LDCs. Parties must adopt a more ambitious 1.5°C commitment that recognises the vulnerability of LDCs

The UNFCCC principles for enhanced climate action must be continued.

All elements, including enhanced actions for adaptation and loss and damage, must be included to ensure a comprehensive agreement

Provisions for finance, technology development and transfer and capacity building must meet the needs of vulnerable countries.

The LDCs must use the UN Climate Summit to amplify their voice and push for further action by all parties.

Understanding key positions of the Least Developed Countries in climate change negotiations

By December 2015, a new climate change agreement must be in place under the United Nations Framework Convention on Climate Change (UNFCCC). International progress is slow, but the Least Developed Countries (LDCs) are being proactive. Two milestones in the timetable for an agreement are fast approaching. First, countries attending the next annual Conference of the Parties are to agree elements of a draft negotiating text. Secondly, by early 2015 parties will start communicating how they will contribute to the new agreement. The UN Climate Summit in September is designed to mobilise political will for the process, and the LDCs will be active participants. This briefing sets out three of the LDC's key positions: on a 1.5 degree pathway, on a binding regime and on achieving a comprehensive agreement.

The survival of the LDCs is dependent on all countries cooperating in a global response to climate change. LDCs are the least responsible for climate change, yet have the most to lose due to climate change impacts. Further delay in effective global climate action will make adapting to climate change even harder and increase residual and permanent loss and damage in LDCs. Accordingly, the 48 countries that form the LDC Group are actively voicing their interests and needs within the international climate change negotiation process.

An agreement by 2015

In December 2011, parties to the United Nations Framework Convention on Climate Change (UNFCCC) agreed to develop a "new protocol, another legal instrument or an agreed outcome with legal force applicable to all parties"¹ no later than 2015, and to be implemented from 2020.

This decision represents a long overdue acknowledgement that the convention and its Kyoto Protocol have not been enough to drive action that will fulfil the convention's ultimate objective — to stabilise atmospheric greenhouse gas emissions at a level that would prevent dangerous human interference with the climate system.² The parties recognised that all countries must raise their ambition and scale up action, and so established the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) to develop the new agreement.

As yet there is no consensus as to the legal form, structure and functions of the 2015 Agreement. As the number of remaining negotiation days dwindles, and the ADP's task grows more complex, evidence of bold political commitment is desperately needed. The next few months bring two crucial stages in the discussions: at this December's Conference of the Parties (COP 20),

COP 21 represents a renewed opportunity for LDCs to press for urgent action on climate change

in Lima, Peru, countries are expected to agree on the elements of a draft negotiating text that will determine the future climate regime. And soon after, in early 2015, parties are to communicate

their “intended nationally determined contributions”³ towards the new agreement.

Mobilising political will

In order to mobilise political will for ambitious

outcomes in the negotiations, particularly at these two milestones, the United Nations Secretary-General Ban Ki-Moon is convening a highly anticipated UN Climate Summit this September in New York. Heads of state or government, along with leaders from business and civil society, are expected to demonstrate willingness and share concrete plans for contributing to the global response to climate change. LDC governments will be participating actively at this summit. They intend not only to send a clear political message about the importance they place on a strong agreement, but also to demonstrate their commitment to the process.

Three key LDC positions

The LDC Group intends to use this high profile summit to highlight and explain three key positions, reflected in the group’s official submissions in the UNFCCC process.⁴ At the very least, the agreement should provide for the following:

1. An agreement to follow a 1.5°C pathway, based on climate science. It is crucial that, from the outset, the LDCs’ vulnerabilities inform the benchmark set for emission reduction targets and the architecture of the future climate regime. All countries must cooperate to limit global average temperature warming to well below 1.5°C while also ensuring that climate change is tackled without compromising the poverty reduction and sustainable development efforts of LDCs and other developing countries.

The convention recognises that the LDCs have special situations and specific needs in responding to climate change. Scientific findings, such as those included in the reports of the Intergovernmental Panel on Climate Change, repeatedly confirm that LDCs will suffer first and worst from climate change. So although countries have agreed to a long-term global goal to hold the increase in average temperature below 2°C relative to pre-industrial levels,⁵ for LDCs and other vulnerable countries such as the Small

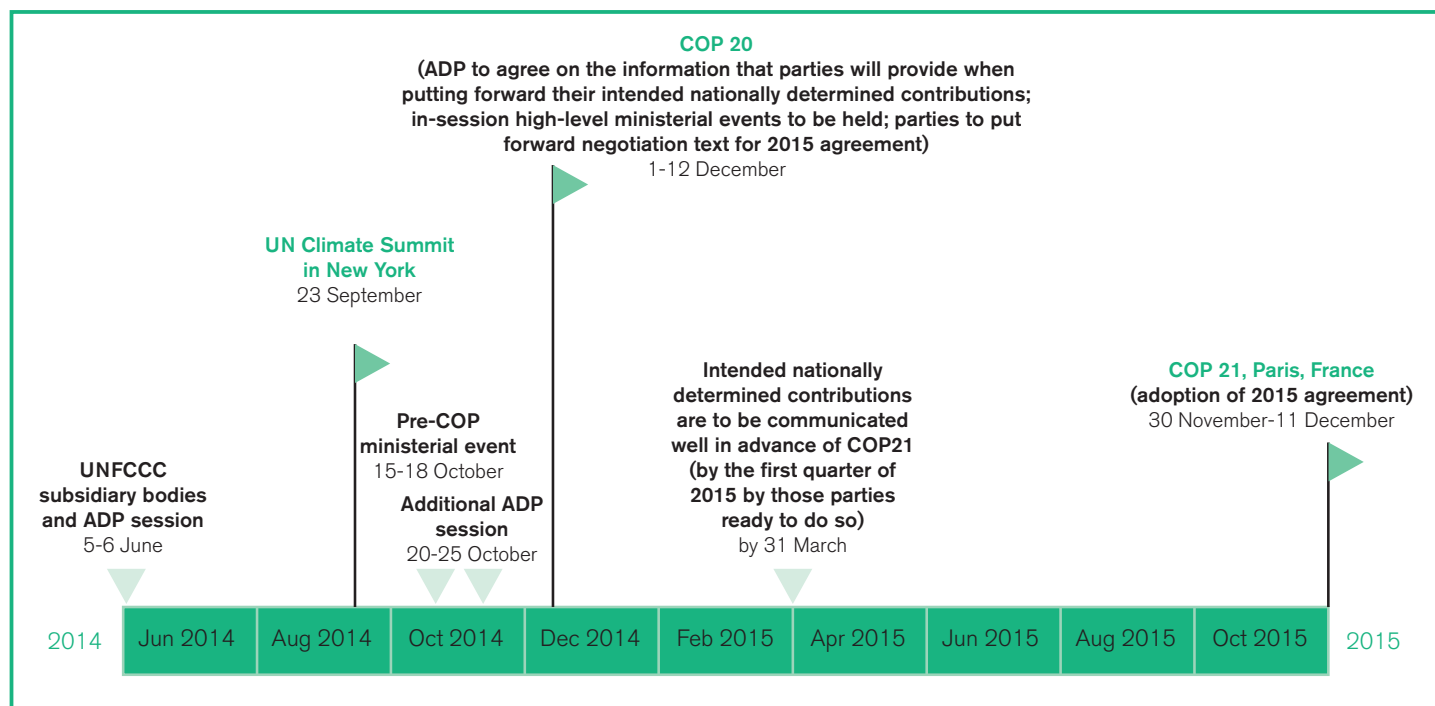
Island Developing States (SIDS) and African States, this temperature goal is not ambitious enough. Warming and associated risks will still be unevenly and unfairly distributed with a global average rise of 2°C, and temperature change will be highest in those regions where particularly vulnerable countries are located. A more ambitious ‘1.5°C pathway’ for limiting global average temperature increase is essential to minimise the risks to LDCs, SIDS and Africa.

Experience shows that a system of voluntary, non-binding pledges does not deliver the robust levels of ambition and action required to tackle climate change. Therefore, future global emission reduction targets must not simply be an aggregation of individual, domestically determined national targets. Rather, targets must be established through an iterative process, where they are regularly assessed against an agreed global emission pathway, consistent with keeping average warming below 1.5°C.

2. A legally binding rules-based regime, respecting the principles of the convention.

The LDCs argue that a transparent, rules-based and legally binding regime, designed to implement collectively agreed commitments while respecting the principles of the convention, is by far the most effective way to address climate change. The ADP is tasked with enhancing the convention. Its existing principles, including common but differentiated responsibilities and respective capabilities (CBDR-RC) of countries and inter- and intra-generational equity, should continue to apply in the future regime. Respecting these principles will ensure that the LDCs’ specific needs and special circumstances are recognised and addressed through actions that lead to achievement of the convention’s ultimate objective. However, the LDCs warn that parties should not use the principles of the convention as an excuse for inaction or delaying action. Nor should the principles be allowed to weaken the future regime. Despite being the poorest and the most vulnerable, the LDCs themselves are clear that they are willing to play their part in the global fight against climate change, including by adopting low-carbon, climate-resilient development strategies.

Although everyone expects the future agreement to be universal and legally binding, discussions on exactly what legal form it is to take have yet to begin and are bound to be sensitive. The LDC Group calls for a protocol, the strongest legal option out of the three put forward by the ADP decision. They argue that a rigorous regime bound by a protocol would guarantee action and provide incentives for all state actors and key players to comply with the rules of the new



agreement, as similar levels of obligations would bind all. Such a regime would also send a signal to the private sector that investments are needed to contribute to the global climate response.

3. A meaningful and comprehensive agreement. The 2015 Agreement must be comprehensive, incorporating elements on mitigation, adaptation, loss and damage, finance, technology development and transfer, capacity building and transparency of action and support.

It goes without saying that enhanced mitigation commitments and actions are needed from all parties. However, the adequacy of these commitments must also be regularly assessed, based on the latest available science. Indeed, the LDCs point out that many of the current proposals by parties are undermined by a global inability to assess whether or not emission reduction pledges are sufficient to hold global temperatures at the required level. Because of this uncertainty, commitments must be framed in a way that allows for periodically evaluating and verifying whether countries' collective efforts are on track to achieve the convention's ultimate objective. In order to ensure sufficient flexibility to change targets, based on new scientific findings, targets must be inscribed into the agreement for no longer than five years.

Similarly, when it comes to adaptation, the agreement must include clear commitments to enhance support for vulnerable countries, including through new multilateral public funding. There is no need to completely reinvent the wheel. Rather, the convention's existing

institutional and other arrangements for adaptation, such as the Adaptation Committee and the Least Developed Countries Expert Group, should be included and anchored in the new regime. Ensuring that these dedicated institutions continue to operate will help guarantee effectiveness, assess progress and improve delivery. Likewise, it will be crucial for the agreement to support LDCs' national institutional arrangements to deliver better coordination and management of climate change issues, including those related to low-carbon and climate-resilient development strategies that contribute to both adaptation and mitigation efforts.

Nevertheless, there are limits to adaptation. The adverse effects of climate change can cause residual and permanent loss and damage for vulnerable populations. The LDCs stress that the international mechanism to address loss and damage, established in 2013 in Warsaw, must be integrated into the 2015 Agreement. If this is not done, the LDCs will unfairly bear the corresponding costs, including the cost of investing in risk assessment, risk management, and of insurance and compensation, as well as other associated costs and impacts of loss and damage.

Although parties have agreed that the new agreement is to be universal and the LDCs are willing to make their contributions, their effective participation will be far from feasible unless they have the means to implement climate actions. Specific provisions for finance, technology development and transfer, and capacity building

(three critical means of implementation) must therefore be included in line with the needs of LDCs and other vulnerable countries.

Regarding climate finance, provisions should be designed to ensure that contributions support effective climate actions, with balanced allocation for adaptation and mitigation.

In addition, climate finance must be new and additional so it can respond to immediate and long-term climate-related needs without compromising vulnerable countries' poverty reduction efforts. In other words, financial support must not be simply a repackaging of existing development aid.

It is equally important that climate finance comes primarily from public sources in order to help ensure predictability and sustainability of funding flows and foster country 'ownership'. Private sources of revenue are of course also welcome, but LDCs emphasise that these should supplement public sources, not replace them. Importantly, commitments on mitigation and finance (including finance for adaptation) should have equal legal rigour in the 2015 Agreement and should be regularly assessed and reviewed to ensure that they are adequate.

Access to technology is vital as it allows LDCs and other developing countries to take part in mitigation and adaptation efforts and implement low-carbon climate-resilient development pathways. The 2015 Agreement needs to accelerate support for development and transfer of technology through the convention's Technology Mechanism. As with the other elements of the agreement, technology provisions should also include periodic aggregate assessments of how well the needs are actually being addressed.

The agreement must also address the fact that LDCs will find implementing the agreement and all its elements difficult without overall capacity-building support. Awareness raising, education and training on climate risks, and enabling institutional and policy environments, are

necessary to help countries plan and implement adaptation and mitigation actions.

Last, but by no means least, a truly meaningful and comprehensive agreement must include a transparency and accountability framework that is accurate, consistent, complete and comparable. Allowing for regular peer and independent technical reviews is crucial. Because transparency and accounting form the basis for continually improving efforts to fulfil the ultimate objective of the convention, any loss of stringency in reporting, review and compliance for any party, compared to the current system (particularly under the Kyoto Protocol), is unacceptable. Rather, LDCs expect the quality of reporting to improve over time, with parties from less developed countries gradually adopting more stringent reporting and review processes as their capabilities increase.

Committing to the roadmap

Past years' negotiations have produced disappointing outcomes, but COP 21 in 2015 represents a renewed opportunity for LDCs to press for urgent climate action and to ensure their needs are properly addressed. Progress in the negotiations still remains slow. The LDC Group calls on parties to adhere to the agreed deadlines and use forthcoming opportunities to commit to enhanced actions. The agreed deadlines allow time for parties to engage in national consultations, gain domestic political will, and ensure ambitious contributions to a robust new agreement. The UN Climate Summit is a timely occasion to amplify the moral voice of the LDCs and push governments and other key actors into further action.

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Notes

¹ UNFCCC (2011) Report of the Conference of the Parties on its seventeenth session, held in Durban from 28 November to 11 December 2011, Decision 1/CP.17, paragraph 5 <http://unfccc.int/bodies/body/6383/php/view/reports.php> / ² United Nations (1992) United Nations Framework Convention on Climate Change / ³ UNFCCC (2013) Report of the Conference of the Parties on its nineteenth session, held in Warsaw from 11 to 23 November 2013, Decision 2/CP.19 <http://unfccc.int/bodies/body/6383/php/view/reports.php> / ⁴ For more information see UNFCCC (2014) Submissions from Parties https://unfccc.int/documentation/submissions_from_parties/items/5900.php; UNFCCC (2014) Statements at ADP sessions <https://unfccc.int/bodies/awg/items/7544.php>. All LDC submissions and interventions are also available on the LDC Group's website: <http://ldclimate.wordpress.com/> / ⁵ UNFCCC (2009) Report of the Conference of the Parties on its fifteenth session, held in Copenhagen from 7 to 19 December 2009, decision 2/CP.15 <http://unfccc.int/bodies/body/6383/php/view/reports.php>