STUDY GUIDE

For

Structure of the COP process, National delegations and Participation in the negotiations.

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Lis of Abbreviations

AC:	**Adaptation Committee**
ACE:	**Action for Climate Empowerment**
AILAC:	**Independent Alliance of Latin American and Caribbean**
AGN;	**African Group of Negotiators**
ALBA:	**Bolivarian Alliance for the Peoples of our America**
AOSIS:	**Alliance of Small Island States**
BASIC:	**Group of Brazil, South Africa and China**
BINGO:	**Business and Industry NGOs**
BTR:	**Biennial Transparency Report**
BRs:	**Biennial Reports**
BUR:	**Biennial Update Reports**
CBDR/RC:	**Common but Differentiated Responsibilities and Respective Capacity**
CBIT:	**Capacity Building Initiative for Transparency**
CDM:	**Clean Development Mechanism**
CGE:	**Consultative Group of Experts**
CMA:	**Conference of the Parties serving as a meeting to the Parties to the Paris Agreement**
CMP:	**Conference of the Parties serving as a meeting of the Parties to the Kyoto Protocol**
COP:	**Conference of the Parties**
CTCN:	**Climate Technology Centre and Network**

EIG:	**Environmental Integrity Group**
ENGOs:	**Environmental non-governmental Organizations**
ETF:	**Enhanced Transparency Framewrk**
ETR:	**Expert Review Team**
ET:	**Emission Trading**
EU:	**European Union**
ExCOM:	**Executive Committee of WIM**
FMCP:	**Facilitative Multilateral Consideration of Progress**
GAP:	**Gender Action Plan**
GCF:	**Green Climate Fund**
GEF:	**Global Environmental Facility**
GHGs:	**Greenhouse Gases**
GRULAC:	**Group of Latin America**
GST:	**Global Stocktake**
GWP:	**Global Warming Potential**
HFCs:	**Hydrofluorocarbons**
IAR:	**International Assessment and Review**
ICA:	**International Consultation and Analysis**
ICAO:	**International Civil Aviation Organization**
IGO:	**Intergovernmental Organization**
IMO:	**International Maritime Organization**
INC:	**Intergovernmental Negotiating Committee**
INDC:	**Intended Nationally Determined Contribution**
IPCC:	**Intergovernmental Panel on Climate Change**
IPO:	**Indigenous Peoples Organization**
ITMO:	**Internationally Transferred Mitigation Outcomes**
JI:	**Joint Implementation**
JISC:	**Joint Implementation Supervisory Committee**
KCI:	**Katowice Committee on the Impacts of Response Measures**
KJWA:	**Koronivia Joint Work on Agriculture**
LCIPP:	**Local Communities and Indigenous Peoples Platform**
LDCs:	**Least Developed Counties**
LDCF:	**LDC Fund**
LEG:	**LDC Expert Group**
LMDC:	**Like Minded Developing Countries**
LPAA:	**Lima Paris Action Agenda**
LULUCF:	**Land use, Land Use Change and Forestry**

MPGs:	**Modalities, Procedures and Guidelines**
MRV:	**Measuring, Reporting and Verification**
NAP:	**National Adaptation Plan**
NAPAs:	**National Adaptation Programmes of Action**
NAMAs:	**Nationally Appropriate Mitigation Actions**
NAZCA:	**Non-state Actor Zone for Climate Action**
NDC:	**Nationally Determined Contribution**
NGO:	**Non-governmental Organization**
PCCB:	**Paris Agreement on Capacity Building**
QELROS:	**Quantified emission Limitation and reduction objectives**
RINGO:	**Research and Independent Non-governmental Organization**
SBI:	**Subsidiary Body for Implementation**
SBSTA:	**Subsidiary Body for Science and Technological Advice**
SCCF:	**Special Climate Change Fund**
SCF:	**Standing Committee on Finance**
SDG:	**Sustainable Development Goal**
SIDS:	**Small Island Developing States**
TEC:	**Technology Executive Committee**
TM:	**Technology Mechanism**
TNA:	**Technology Needs Assessment**
UG:	**Umbrella Group**
UNCED:	**UN Conference on Environment and Development**
UNDP:	**UN Development Programme**
UNFCCC:	**UN Framework convention on Climate Change**
UNEP:	**UN Environment Programme**
UNGA:	**UN General Assembly**
WGC:	**Women and Gender Constituency**
WOG:	**Group of Western European and other states**
WIM:	**Warsaw International Mechanism for Loss and Damage**
WMO:	**World Meteorological Organization**
YOUNGO:	**Youth Non-Governmental Organizations**

CHAPTER 1: THE CLIMATE

This chapter gives a brief introduction of the climate, breaking it down to Climate systems, greenhouse gas, global warming and effects of climate change. It is meant to provide the learner with enough knowledge to have a brief insight to climate change.

1.1 Climate System

Climate is defined as the long-term or prevailing average weather conditions for a given area. The weather include: rainfall, temperatures, wind speed, and direction, storms, humidity, cloud cover and type, visibility, pressure and evaporation. The climate of any particular place is influenced by a number of natural factors such as: latitude, elevation, water, ocean, topography vegetation and winds.

Climate system is a highly complex interaction of the atmosphere (All gases surrounding earth), the hydrosphere (All water found on earth), the cryosphere (Earth's surface where water is in solid form), the geosphere (Portion of the earth that includes rocks and minerals) and biosphere (All living things on earth) influenced by various external forcing mechanisms such as the winds, ocean currents and most importantly the Sun .

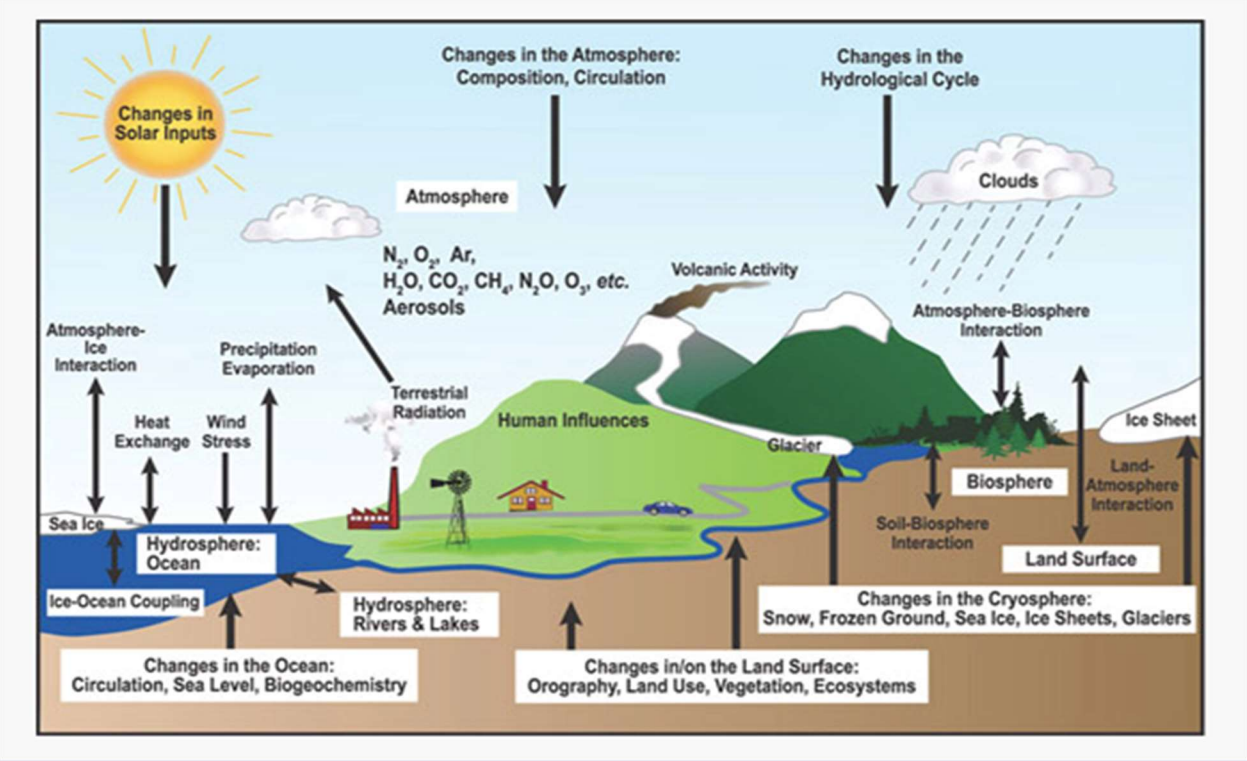

Figure 1 *The climate system, including processes on land, water, ice and air that interact to determine and change our climate. Source: IPCC 2007*

1.2 The Greenhouse Gas Effect

The atmosphere is mainly formed by gases of which 78% is nitrogen, 21% is oxygen and the other gases form 1%. Carbon Dioxide (CO2) which is about 0.04% is called a greenhouse gas, like water vapor, methane (CH4), Nitrous oxide (N2O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs) and Sulphur hexafluoride (SF6) . These greenhouse gases function like a greenhouse in that they reflected certain wavelength of solar radiation back to the out space, certain of it is absorb and re-radiated to earth's surface. The earth's surface gets heated up by the solar radiation from the atmospheric gases and re-radiate heat energy of different wavelength of which certain of it gets reflected back to the earth surface and certain of it is absorbed and re-radiated to out space.

The earth's surface heat energy re-radiated by the atmosphere greenhouse gases back to the earth's surface keeps the earth's surface warmer, otherwise it could be freezing. The process that warms the earth's surface is called the Greenhouse gas effect.

1.3 Global Warming

Nature controls the concentration of greenhouse gases in the atmosphere to such levels and earth's average surface temperatures that support life on earth, ecosystems and sustainable economic development . However, due to human activities the concentration of greenhouse gases to the atmosphere continue to increase and through the greenhouse gas effect, the earth's surface temperature increases too. The human activities responsible for pumping Greenhouse gas into the atmosphere mainly includes: industrial processes, deforestation, land use and practice, agriculture, burning of fuel fossils, energy consumption and waste managements.

The released greenhouse gases to the atmosphere by human activities increases the concentration of greenhouse gases in the atmosphere and through the greenhouse gas effect, the earth's surface average temperate increase giving rise to a warmer earth. The greenhouse gas effect resulting in increasing the earth's surface average temperatures in called Global Warming.

1.4 Effects of climate change

Changes observed in Earth's climate are primarily driven by human activities, particularly fossil fuel burning, which through the greenhouse gas effect, raise Earth's average surface temperature. Natural processes can also contribute to climate change, including internal variability (e.g., cyclical ocean patterns like El Niño, La Niña and the Pacific Decadal Oscillation) and

external forcing (e.g., volcanic activity, changes in the Sun's energy output, variations in Earth's orbit).

The effects of climate change on weather events include: changes in average maximum and minimum temperatures; sea level rise; higher ocean temperatures; increase frequency of heavy precipitation; increased frequency of droughts and floods; shrinking glaciers and thawing permafrost. Effects on human being and the environment include: Increased hunger and water crises; health risks from higher air temperatures and heatwave; various economic implications resulting from secondary damage; increase pest and pathogens; loss of biodiversity; acidification of the oceans and adaptation needs for sectors as agriculture, forestry, energy, infrastructure, tourism, etc.

CHAPTER 2: OVERVIEW OF THE UNFCCC, KYOTO PROTOCOL AND THE PARIS AGREEMENT INTERGOVERNMENTAL CLIMATE CHANGE POLICIES.

This chapter gives a brief insight of the procedures undertaken that led to the move of intergovernmental climate change policy from a non-legal binding commitments under the United Framework Convention on Climate Change (UNFCCC) to a legal binding emission reduction targets by developed countries (industrialized countries) under the Kyoto Protocol and to inviting voluntary National Determined Contribution (NDC) from countries under the Paris Agreement. It also discuss briefly the overall insight of the governance structure of the intergovernmental climate change process, established bodies and other supporting international organizations including gender that further enhanced the implementation.

2.1 Brief overview of the History of climate change processes leading to the adoption of the UNFCCC,

Awareness of climate change as an issue facing mankind and action to address never occurred until the seventies. The importance of the atmosphere in maintaining the average temperature at the surface of the earth, the role of carbon dioxide's and methane's absorption of solar radiation, and the potential for global average temperature increase as a result of industrial activities releasing carbon dioxide were first identified by Fourier, Tyndale, and Arrhenius in 1827, 1859, and 1896, respectively, in France, Britain, and Sweden. It was not until the late 1970s, however, that the World Meteorological Organization (WMO) began to express concern that human activities, notably the emission of carbon dioxide, might lead to serious warming of the lower atmosphere. Scientific concerns about global warming grew during the 1980s, and in 1988 when the WMO and the United Nations Environment Programme (UNEP) established the International Panel on Climate Change (IPCC) to investigate and report on scientific evidence on climate change.

The IPCC published the First Assessment Report on the state of the global climate, which had a potent effect on policy makers and on public opinion. It became the main basis for negotiations under the United Nations General Assembly on a climate change convention, beginning in late 1990. The Second World Climate Conference met in Geneva in November, and, unlike the 1979 Climate Conference, included ministers as well as scientists.

On 21 December the United Nations General Assembly established, by Resolution 45/212, the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change (INC) as "a single intergovernmental negotiating process under the auspices of the General Assembly."2 The INC met for five sessions between February 1991 and May 1992.

The INC finalized the Convention text in time for its adoption in New York on 9 May and its full launch in June at the Rio de Janeiro Earth Summit, where 154 states signed it. The Convention entered into force on 21 March, 1992, 90 days after the fiftieth state's instrument of ratification had been deposited. The first Conference of the Parties to the Convention (COP1) as held in Berlin, Republic of German in 1995.

2.2 How is the UNFCCC, Kyoto Protocol and Paris Agreement frame to tackle climate change,

The 1992 United Nations Framework Convention on Climate Change (referred to as the UNFCCC or the Convention) provides the foundation for multilateral action to combat climate change and its impacts on humanity and ecosystems. The 1997 Kyoto Protocol (KP) and the 2015 Paris Agreement (PA) were negotiated under the UNFCCC and build on the Convention yet they distinct and separate international treaties with their own governing bodies and membership, although closely related. Over the years since 1995, when the convention was adopted, 1997 when the KP was adopted and 2015 when the PA was also adopted, the climate change regime has been constantly undergoing reviews, adjustments or developing responses to new or changed circumstance and scientific information.

2.2.1 The UNFCCC

The Convention is a framework legal instrument. It establishes general principles, general obligations, an institutional infrastructure, and an intergovernmental process for the negotiation and adoption of supplementary legal instruments and for agreeing to specific action by Parties. The generality of its provisions are intended to be reinforced and strengthened over time, and in light of evolving scientific knowledge and information, through the adoption of associated protocols containing concrete commitments. The Convention is not prescriptive and, to a large extent, establishes only procedural obligations and provides broad latitude to Parties on the choice of national policies and measures to combat and adapt to climate change.

The Convention, adopted on 5 June 1992, recognized that there was a serious problem, which was remarkable for its time. In 1994, when the Convention entered into force, there was less scientific evidence than there is now. The UNFCCC borrowed an important concept from one of the most successful multilateral environmental treaties in history (the Montreal Protocol, 1987): it required Member States to act in the interests of human safety, even in the face of scientific uncertainty.

The convention also acknowledges that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response shall be in accordance with their Common but Differentiated Responsibility and Respective Capability (CBDR-RC), and their social and economic conditions.

The convention recognizes the particular vulnerability of some countries to the adverse effects of climate change, referring to small islands and countries with low-lying coastal, arid and semi-arid areas or areas liable to floods, drought and desertification, and developing countries with fragile mountainous ecosystems. It also recognizes the special difficulties of countries, especially developing countries, that are dependent on fossil fuels as a consequence of action taken to limit GHG emissions. ,,

The ultimate objective of the Convention is to stabilize GHG concentrations "at a level that would prevent dangerous anthropogenic (human-induced) interference with the climate system". It also states that "such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner".

The Convention puts the onus on developed countries to lead the way. As they are the source of most past and current GHG emissions, industrialized countries are expected to do the most to reduce emissions, that is, to implement measures to mitigate climate change. In the Convention, they are referred to as Parties included in Annex I to the Convention (Annex I Parties). They encompass all of the 1994 members of the Organization for Economic Co-operation and Development and include 12 countries with economies in transition (EIT) from Central and Eastern Europe.

The Convention also charts the beginnings of a path to strike a delicate balance. Economic development is particularly vital to the world's poorer countries. Such progress is difficult to achieve, even without the complications added by climate change. The Convention takes this into

consideration by accepting that the share of GHG emissions produced by developing nations will grow in the coming years. Nonetheless, in the interests of fulfilling its ultimate goal, the Convention seeks to help such countries limit emissions in ways that will not hinder their economic progress, while affirming the legitimate priority needs of developing countries for the achievement of sustained economic growth and the eradication of poverty.

Recognizing that even with efficient mitigation efforts, the need to adapt to the impacts of climate change is unavoidable, the Convention catalyze adaptation to climate change and provides overall guidance on its assessment, planning and implementation. It acknowledges the vulnerability of all countries to the effects of climate change and calls for special efforts to ease the consequences, especially in developing countries that lack financial resources.

In the early years of the Convention, adaptation received less attention than mitigation, partly because Parties wanted more certainty on the impacts of and vulnerability to climate change, partly because mitigation was perceived as the more urgent collective task. When the IPCC Third Assessment Report was released, adaptation gained traction, and Parties agreed on a process to address adverse effects and to establish funding arrangements for adaptation. Currently, work on adaptation takes place under different Convention bodies. The Adaptation Committee (AC), established under the Cancun Adaptation Framework (CAF), is a major step towards coherence in addressing adaptation.

The Convention also establishes a financial mechanism to provide financial resources to developing country Parties to assist them in their climate change actions. Further support structures have been established by decisions of the Conference of the Parties (COP), such as a technology mechanism and the Paris Committee on Capacity Building.

Furthermore, the Convention requires Parties to develop a national inventory of GHG emissions and to report on their mitigation policies and measures, again placing the lead on developed countries.

The Convention emphasizes the need to educate people about climate change. Improving awareness and understanding of climate change, and creating solutions to facilitate access to information on a changing climate are key to winning public support for climate-related policies.

The Convention, through its Article 6, calls on governments to educate, empower and engage all stakeholders and major groups on policies relating to climate change, a call that is

echoed by the Kyoto Protocol (Art. 10(e)) as well as by the Paris Agreement (through its Article 12).

The UN climate regime fosters action to develop and implement educational and training programmes on climate change. Many governments and IGOs are already working in partnership with civil society to fulfil the above commitments. However, the scale of challenges posed by climate change requires an engagement on outreach activities of a greater magnitude.

In 2013, the COP adopted the Doha work programme on Article 6 of the Convention and requested the Subsidiary Body for Implementation (SBI) to organize an annual in-session Dialogue on Article 6 of the Convention to enhance work in this area. The objective of the dialogue is to provide a regular forum to Parties and other stakeholders to share their experiences and exchange ideas, good practices and lessons learned regarding the implementation of Article 6 of the Convention. In 2016, Parties decided to further improve the effectiveness of the Doha work programme and to popularly refer activities under Article 6 as 'Action for climate empowerment'.

The Convention calls on Parties to promote and cooperate in research and systematic observation of the climate system, including through exchange of information and supporting international programmes, networks and organizations. Parties are also called upon to cooperate in improving the capacities of developing countries so that they can participate in research and systematic observation activities.

In 2001, COP 7 Parties to the Convention launch two frameworks guiding the implementation of capacity- building in developing countries and in countries with economies in transition (2/CP.7; 3/CP.7). And in 2011 at the Durban Conference, Parties to the Convention launch the Durban Forum on Capacity Building. More reading information can be found in this LINK.

2.2.2 Kyoto Protocol

At COP1, held in Berlin from 28 March to 7 April 1995, Parties agreed that the commitments in the Convention were inadequate to meet its objective. They established the Ad Hoc Working Group on the Berlin Mandate (AGBM) to enable the COP to take appropriate action for the period beyond 2000, including the strengthening of commitments of Parties included in Annex I, through the adoption of a protocol or another legal instrument

The AGBM was mandated to set quantified emission limitation and reduction objectives (QELROs) within specified timeframes for Annex I Parties, but to contain no new commitments

for non-Annex I Parties. Following two years of negotiations under the AGBM, the Kyoto Protocol to the UNFCCC was adopted on 11 December 1997.

The **Marrakesh Accords**, agreed to by COP7 in November 2001, established the rules, modalities, procedures, and guidelines (the rulebook) for the implementation of the Protocol and paved the way for its entry into force on 16 February 2005. The Protocol currently has 192 Parties. The US did not become a Party to the Protocol; Canada withdrew from it on 15 December 2012. The Kyoto Protocol has the following key elements and characteristics:

- It is prescriptive and top-down in its approach and is based on a system of targets and timetables.
- It reinforces the differentiation between Annex I and Non-Annex I (developing country) Parties by imposing internationally legally binding QELROs for Annex I over successive commitment periods without corresponding additional commitments for Non Annex I. The first commitment period was from 2008-2012, and the second commitment period from 2013-2020.
- It establishes three flexibility mechanisms that allow Annex I Parties to meet their targets in a cost-effective manner: the **Clean Development Mechanism** (CDM), **Joint Implementation** (JI), and **Emissions Trading** (ET).11 In addition, Annex I Parties can receive credit for the removal of carbon dioxide from the atmosphere through human-induced land-use change and forestry activities (sink activities) to meet their commitments. Information on **Accounting** methodologies and baselines or procedures for crediting of emission reduction and removal projects under the clean development mechanism or joint implementation system.
- It establishes an elaborate and robust monitoring, review, and verification process of national implementation of Annex I Parties commitments. National reports and communications submitted by Parties are subject independent third-party review undertaken by **Expert Review Teams** (ERTs). The review process is to provide a thorough and comprehensive assessment of all aspects of implementation of the Protocol by each Party and ERTs are mandated to identify any potential problems influencing the fulfillment of commitments. There are three types of reviews: Initial reviews, Annual reviews, and In-country reviews.

- The Protocol establishes an elaborate **non-compliance** procedure (NCP) to promote, facilitate and enforce compliance with commitments under the Protocol.

At the heart of the Kyoto Protocol lies its set of legally-binding emissions targets for industrialized countries. These amount to a total cut among all Annex I Parties of at least 5% from 1990 levels by 2008-2012. n

The total cut is shared out so that each Annex I Party has its own individual emissions target. These individual targets, which are listed in the Protocol's Annex B, were decided upon in Kyoto through intense negotiation. The 15 member States of the European Union took advantage of a scheme under the Protocol, known as a "bubble", to redistribute their –8% reduction targets among themselves.

The Protocol's emissions targets cover the six main greenhouse gases:

- Carbon dioxide (CO2);
- Methane (CH4);
- Nitrous oxide (N2O);
- Hydrofluorocarbons (HFCs);
- Perfluorocarbons (PFCs); and
- Sulphur hexafluoride (SF6)

Parties may offset their emissions by increasing the amount of greenhouse gases removed from the atmosphere by carbon sinks in the land use, land-use change and forestry (LULUCF) sector. However, only certain activities that remove greenhouse gases are eligible, and subject to defined rules. Specific rules also govern the extent to which removals from the LULUCF sector can be used to help meet emissions targets. All six greenhouse gases, including emissions and removals from the LULUCF sector, are put together in the same basket for accounting purposes, according to their respective global warming potentials (GWPs).

In 2005, the first Conference of Parties serving as the meeting of Parties to the Kyoto Protocol (CMP1), held in Montreal, launched negotiations under the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP), pursuant to Article 3.9, for its second commitment period. The **Doha Amendment** to the Kyoto Protocol was adopted on 8 December 2012, with commitments for the 2013-2020 period. However, a few key Annex I countries declined to assume second commitment period obligations established under

the Amendment. The Doha Amendment entered into force in 2020, at the end of its second commitment period.

A third commitment period under the Protocol is bound not to exist, given that the Paris Agreement came into force on the 4th of November 2016. If there are no further commitment periods, the Kyoto Protocol is likely continue to exist as a treaty but most of its institutions, including the constituted bodies are likely to become functionally non-operational. On the other hand, Parties to the Protocol could take an express decision to terminate it in accordance with Article 54 of the 1969 Vienna Convention on the Law of Treaties.

The progressively diminishing coverage of the Kyoto Protocol in terms of total global GHG emissions, and the fact that some major emitters and emerging economies were outside its framework led to the realization that a more broad-based approach that would include all countries, particularly all major emitters and economies, in the global efforts to combat climate change was needed.

2.2.3 Paris Agreement

At COP 21 in Paris, on 12 December 2015, Parties to the UNFCCC reached a landmark agreement to combat climate change and to accelerate and intensify the actions and investments needed for a sustainable low carbon future. The **Paris Agreement** builds upon the Convention and for the first time, it brings all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so. As such, it charts a new course in the global climate effort.

The Paris Agreement is guided by three goals, which are laid out in Article 2 of the Agreement. The temperature goal aims to hold the increase in the global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit this increase to 1.5°C. The adaptation goal aims to increase the ability to adapt to the adverse impacts of climate change and to foster climate resilience and low greenhouse gas emissions development. Finally, the 'finance flows' goal aims to make finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development.

In 2015, the same year the Paris Agreement was adopted, The Sustainable Development Goals (SDGs), also known as the Global Goals, were also adopted by the United Nations as a universal call to action to end poverty, protect the planet, and ensure that by 2030 all people enjoy peace and prosperity. The Sendai Framework, which is an international document that was adopted

by the United Nations member states and endorsed by the UN General Assembly in 2015, is another multilateral intergovernmental document that was also endorse in the same year the Paris Agreement was adopted.

The Paris Agreement recognize that the best available scientific knowledge should be the basis of an effective and progressive response to the urgent threat of climate change. It recognize the specific need and special circumstances of developing countries, while taking into account the needs and situation of Least developing Countries with regard to funding and technology transfer. It further recognizes that the impact of response measure can also have advert impact, emphasizes that climate action and impacts must have equal access to sustainable development and eradication of poverty.

The Paris Agreement recognizes the need to safeguard food security and ending hunger, take into account the needs of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities. The treaty also recognizes that climate change is a common concern to Parties and should, when taking action to address climate change must respect, promote and consider their respective obligations on human rights, the rights to human health, the rights to indigenous people, local communities, migrants, children, person with disability and people in vulnerable situations and the right to development as well as gender equality, empowerment of women and intergenerational equity.

The agreement recognize the importance of conserving and enhancement of sinks and reservoirs of greenhouse gases, while affirming the importance of ensuring integrity of all ecosystem, including oceans and protection of biodiversity and noting the importance for some of the concept of climate justice. Parties when addressing climate change need to engage all stakeholder in various actors in accordance with respective national legislations. Sustainable life styles and sustainable patterns of consumption and production plays a importance role in addressing climate change and develop countries must take the lead.

The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to increase the ability of countries to deal with the impacts of climate change, and at making finance flows consistent with a low GHG emissions and climate-resilient pathway. To reach these ambitious goals, appropriate mobilization

and provision of financial resources, a new technology framework and enhanced capacity-building is to be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for an enhanced transparency framework for action and support.

The Paris Agreement requires all Parties to put forward their best efforts through Nationally Determined Contributions (NDCs) and to strengthen these efforts in the years ahead.
This includes requirements that all Parties report regularly on their emissions and on their implementation efforts. There will also be a **Global Stocktake** every 5 years to assess the collective progress towards achieving the purpose of the agreement and to inform further individual actions by Parties.

The Paris Agreement, adopted through Decision 1/CP.21, addresses crucial areas necessary to combat climate change. It also sets out a number of measures to enhance action prior to 2020, including strengthening the technical examination process, enhancement of provision of urgent finance, technology, access to information and participation and support, and measures to strengthen high-level engagement.

The decision also welcomes the efforts of all non-Party stakeholders to address and respond to climate change, including those of civil society, the private sector, financial institutions, cities and other sub-national authorities. These stakeholders are invited to scale up their efforts and showcase them via the Non-State Actor Zone for Climate Action platform, Net Zero 2050 . Parties also recognized the need to strengthen the knowledge, technologies, practices and efforts of local communities and indigenous peoples, as well as the important role of providing incentives through tools such as domestic policies and carbon pricing.

In order to make the Paris Agreement fully operational, the Paris Agreement Work Programme (PAWP) was launched in Paris to develop modalities, procedures and guidelines on a broad array of issues. Since 2016, Parties work together in the subsidiary bodies (**APA, SBSTA** and **SBI**) and various constituted bodies. The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA) met for the first time in conjunction with COP 22 in Marrakesh (in November 2016) and adopted its first two decisions, including the decision to complete the PAWP in 2018. It 2018 in Katowice, Poland, the PAWP (Rulebook) was adopted, with the exception of a few items including Enhance transparency framework, Common time frames and Cooperative approaches.

2.3 Institutional Arrangements Including Established Bodies

The UNFCCC establishes a Conference of the Parties (COP), Conference of the Parties serving as a meeting of the Parties to the Kyoto Protocol (CMP) or to the Paris Agreement (CMA), as the supreme decision-making bodies of the Convention, Kyoto Protocol and Paris Agreement. All States that are Party to the three treaties and represented in the COP/CMP/CMA, and non-Party States participate in these sessions as observers. The mandate of the COP is to review the implementation of the Convention and any related legal instruments the COP may adopt; and take decisions necessary to promote its effective implementation, including decisions concerning institutional and administrative arrangements, and the operations of the secretariat, all under the leadership of The President of the COP and other presiding officers as they all play a critical role in the management and conduct of the intergovernmental negotiations.

2.3.1 The COP Bureau

The COP has a Bureau composed of representatives of Parties nominated by each of the five UN regional groups and Small Island Developing State (SIDS), and elected by the COP. A representative from the Least Developing Countries (LDCs) is allowed to attend as an observer. The Bureau has 11 members: a President, seven Vice-Presidents, the Chairs of SBSTA and SBI, and a Rapporteur. When the COP serves as the meeting of the Parties to either the Protocol or the Agreement, any member of the Bureau from a non-Party to either instrument is replaced by an additional member elected from amongst the Parties to the Protocol or the Agreement. Between sessions, the Bureau supports the work of the COP, CMP, and CMA through the provision of advice and guidance regarding on-going work, the organization of sessions, and the operations of the secretariat. During sessions, the Bureau deals with process management issues and supports the President in her/his task of facilitating the work of the Conferences and promoting agreement during negotiations. Bureau members regularly consult with their regional groups and provide useful intelligence regarding their concerns with respect to both process and substantive issues. The Bureau is not, however, a forum for negotiations.

The annual climate change conferences consisting of the sessions of the COP, CMP, CMA, and subsidiary bodies constitute the primary global forums for multilateral discussions on climate change issues. It is at these sessions that progress in the implementation of the climate change instruments is reviewed; guidelines, procedures, rules and modalities are adopted to promote and

facilitate their effective implementation; and decisions are taken regarding their further development.

2.3.2 Permanent Subsidiary Bodies,

The Convention establishes two open-ended permanent subsidiary bodies: the Subsidiary Body for Scientific and Technological Advice (SBSTA) is established in Article 9; and the Subsidiary Body for Implementation (SBI) is established in Article 10. These subsidiary bodies also serve the Kyoto Protocol and the Paris Agreement. They are the main working bodies of the Convention, the Kyoto Protocol, and the Paris Agreement and meet twice a year, normally mid-year and at the end of the year in conjunction with sessions of the COP, CMP, and CMA.

The SBSTA provides the COP, CMP, CMA and other subsidiary bodies with timely information and advice on scientific and technological matters. It addresses, *inter alia*, methodological issues; impacts, vulnerability, and adaptation to climate change; development and transfer of environmentally-sound technologies; and guidelines for preparing and reviewing GHG inventories.

The SBI is mandated to assist the COP, CMP, and CMA in the assessment and review of the effective implementation of the Convention, the Kyoto Protocol, and the Paris Agreement. It is at the center of implementation issues and addresses, among other things, transparency, mitigation, adaptation, finance, technology, and capacity building. It also considers national reports submitted by Parties; considers the biennial work programmes of the secretariat; and assists the governing bodies in the preparation and implementation of their decisions. The SBI may also be invited to consider relevant implementation issues that arise in other subsidiary bodies.

The SBSTA and SBI therefore collaborate in addressing crosscutting issues within the competence of both bodies. These include vulnerability and adaptation to climate change by developing countries; response measures; and issues concerning the Technology Mechanism, the Adaptation Committee, and the Warsaw International Mechanism on Loss and Damage associated with Climate Change Impacts (WIM).

The UNFCCC defines a financial mechanism for the provision of financial resources to developing countries, including for the transfer of technology, in order to facilitate the implementation of their obligations under the Convention (Article 11.1). The financial resources are provided by developed countries Parties. The mechanism functions under the guidance of, and

is accountable to the COP which also decides on its policies, programme priorities, and eligibility criteria for access. Its operation is entrusted to one or more existing international entities.

The COP designated the Global Environment Facility (GEF) as an operating entity of the financial mechanism. A memorandum of understanding between the COP and the GEF Council underpins the operations of the GEF in this regard. The GEF also administers the Special Climate Change Fund (SCCF) and the LDC Fund (LDCF).

The COP also established the Green Climate Fund (GCF) as an operating entity of the financial mechanism. The Fund is governed by a Board and is administered under the GCF Governing Instrument that was approved by the COP. The GCF is accountable to, and functions under the guidance of the COP to support projects, programmes, and other activities in developing countries. It is funded through contributions from developed countries Parties as well as other public and non-public sources.

The COP, CMP, and CMA are mandated to create other subsidiary bodies that are necessary for the implementation of their respective instruments, including committees and working groups. Limited-membership, specialized technical subsidiary bodies, in practice known as "constituted bodies", have been established by decisions of the COP, the CMP, and the CMA to support Parties' implementation in specific areas.

The COP and the CMP have also, from time to time, established *ad hoc* open-ended working groups to undertake specific tasks. Such tasks have so far been limited to negotiating mandates. Notable examples include:

- The AGBM that negotiated the Kyoto Protocol.
- The AWG-KP that negotiated the Doha Amendment, regarding the Protocol's second commitment period.
- The AWG-LCA that was mandated to negotiate "*an agreed outcome*" and led to the adoption of the Cancun Agreements.

The ADP that negotiated the Paris Agreement.

The secretariat, also known as the Climate Change Secretariat, services the COP, the SBs, the Bureau and other bodies established by the COP. Its mandate is laid down in Article 8 of the Convention:

to make practical arrangements for sessions of the Convention bodies, namely the COP and its SBs; to assist Parties, in particular developing countries, in implementing their commitments; to

provide support to negotiations; and to coordinate with the secretariats of other relevant international bodies, Specific tasks of the secretariat include preparing official documents for the COP and the SBs, coordinating in-depth reviews of Annex I Party national communications and compiling GHG inventory data. It also carries out tasks that are specified in the programme of work that is adopted by the COP and other tasks decided by the COP.

The secretariat also services the bodies established by the Kyoto Protocol and Paris Agreement. The growth in technical work since the adoption of the Kyoto Protocol and now the Paris Agreement has led to increasing the technical expertise within the secretariat. Its headed by the Executive Secretary who is appointed by the Secretary-General of the United Nations in consultation with the COP through its Bureau, and currently holds the rank of Assistant-Secretary-General.

The Executive Secretary reports to the Secretary-General through the Under-Secretary-General heading the Department of Management on administrative and financial matters, and through the Under-Secretary-General heading the Department for Economic and Social Affairs on other matters. The secretariat is accountable, through the Executive Secretary, to the COP. Every two years, the Executive Secretary proposes a programme budget, setting out the main tasks to be performed by the secretariat in the coming two- year period and the funding needed to carry out this work.

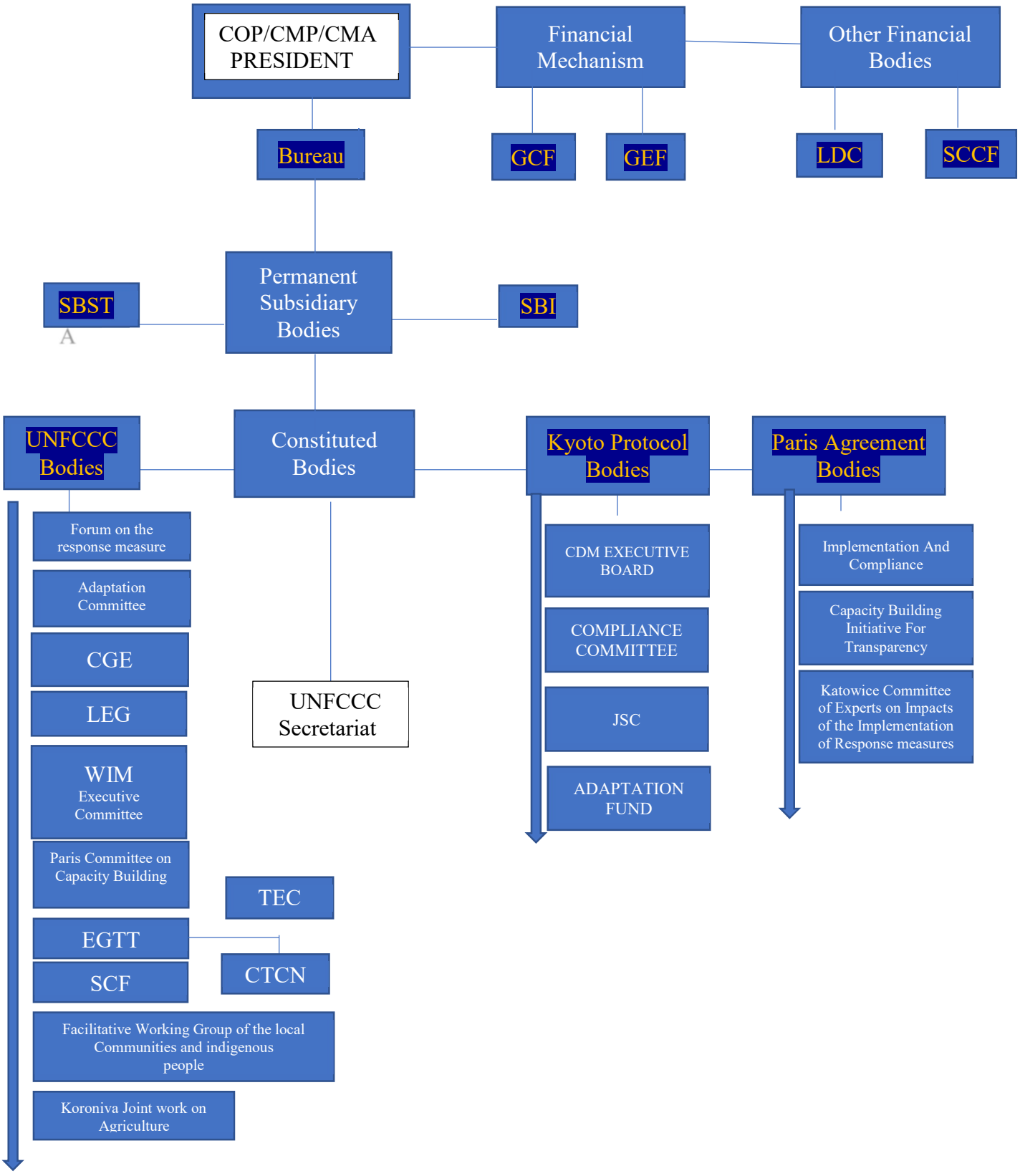

Figure 2: Institutional Arrangements for UNFCCC and its Treaties

2.4 Other Intergovernmental Organization Advancing the Implementation of the Climate Change regime,

The Convention calls on the COP to "seek and utilize the services and cooperation of, and information provided by, competent international organizations and intergovernmental and non-governmental bodies" in order to promote the implementation of the Convention. To this end, the COP and its SBs cooperate with other international organizations bodies:

- the United Nations;
- the Intergovernmental Panel on Climate Change (IPCC); and
- other multilateral environmental agreements, in particular

international efforts to protect the ozone layer (Vienna Convention/ Montreal Protocol) and the Convention on Biological Diversity (CBD), the United Nations Convention to Combat Desertification (UNCCD) and the Convention on Wetlands, also known as the Ramsar Convention.

- the Global Environment Facility (GEF), which is an operating entity of the Convention's financial mechanism, as well as the World Bank and regional development banks, which also promote the implementation of the Convention;
- the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO), on methodologies relating to fuel used for international transport;
- the Food and Agriculture Organization of the United Nations (FAO), the United Nations Forum on Forests (UNFF), and the Collaborative Partnership on Forests (CPF), on issues relating to land use, land-use change and forestry (LULUCF);
- the secretariat of the Global Climate Observing System (GCOS);
- the World Health Organization (WHO), on issues relating to adverse effects of climate change; and
- the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), the United Nations Industrial Development Organization (UNIDO), on issues relating to transferring technology, building capacity and Article 6 of the Convention.

Institutional linkage of the Convention secretariat to the United Nations Climate change has been high on the international agenda for many years and the United Nations

is seen as the principal channel of the efforts of the international community to address the challenges it poses.

United Nations bodies and agencies that regularly attend sessions of the Convention bodies include the United Nations Conference on Trade and Development (UNCTAD), the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), the United Nations Institute for Training and Research (UNITAR) and the United Nations University (UNU).

Many of the United Nations specialized bodies and agencies have strong working relationships or even specific institutional arrangements with the Convention. These include the GEF and the IPCC, the Food and Agriculture Organization of the United Nations (FAO), the United Nations Industrial Development Organization (UNIDO), the World Bank, the World Health Organization (WHO), the World Meteorological Organization (WMO), the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO).

2.5: Advancing the Implementation of the UNFCCC and its Treaties.

This chapter provides an overview insight to the collected efforts by the intergovernmental multilateral process of climate change regime in advancing its work to combat climate change, building resilient nations, carrying measurement, verify and report on the progress made, up scale the means of implementation to support developing countries in taking climate action. It also covers briefly the work of public outreach, access to information, provision of education and training on climate change for informed action as well as building research institutions to enhance the scientific understanding of climate change using data collected form early warning observing systems. Markets, non-markets mechanisms and compliance systems are expected to play an important role in incentivizing ambitious climate action towards low carbon policies and sustainable economic developments and strengthen governments and Not-State, and Sub National climate actions toward Net zero carbon by 2050.

2.5.1 Mitigation

The key for the solution to the climate change problem rests in decreasing the amount of emissions released into the atmosphere and in reducing the current concentration of carbon dioxide (CO2) by enhancing sinks (e.g. increasing the area of forests). Efforts to reduce emissions and enhance sinks are referred to as “mitigation”.

The Convention requires all Parties, keeping in mind their responsibilities and capabilities, to formulate and implement programmes containing measures to mitigate climate change. Such programmes target economic activity with an aim to incentivize actions that are cleaner or disincentive those that result in large amounts of GHGs. They include policies, incentives schemes and investment programmes which address all sectors, including energy generation and use, transport, buildings, industry, agriculture, forestry and other land use, and waste management.

Mitigation measures are translated in, for example, an increased use of renewable energy, the application of new technologies such as electric cars, or changes in practices or behavours, such as driving less or changing one's diet. Further, they include expanding forests and other sinks to remove greater amounts of CO2 from the atmosphere, or simply making improvements to a cookstove design.

Mitigation can be achieved through activities in the LULUCF sector that increase the removals of greenhouse gases (GHGs) from the atmosphere or decrease emissions by halting the loss of carbon stocks. In its Special Report on Climate Change and Land, the IPCC identifies many land-related climate change mitigation options that have co-benefits for climate change adaptation. At the same time the report also recognizes that some activities can have adverse side-effect on other ecosystem services such as through increased competition for land and water if not implemented with due consideration to the local conditions including current use of the land.

Following the 2009 Copenhagen Accord and the 2010 Cancun Agreements developed countries have communicated quantified economy-wide emission targets for 2020 and developing countries have agreed to implement nationally appropriate mitigation actions (NAMAs) with support from developed countries. In addition, developed country Parties to the Kyoto Protocol, at the end of the first commitment period under the Protocol (2008-2012), adopted a second commitment period with targets for 2013-2020, in the form of the Doha Amendment. For developing countries the Kyoto Protocol's clean development mechanism (CDM) has been an important avenue of action for these countries to implement project activities that reduce emissions and enhance sinks.

In the process leading up to the Paris Conference all countries, developed and developing, prepared intended nationally determined contributions (INDCs), which outline national efforts to reduce emissions and increase resilience. As a result, a diversity of efforts was communicated, including absolute and relative quantified national targets, sectoral targets and programmes, and

others. The new concept of INDCs was eventually formalized under the Paris Agreement as nationally determined contributions (NDCs), and Parties are requested to prepare and communicate successive NDCs every five years.

Nationally Determined Contributions, or NDCs, are at the heart of the Paris Agreement. In short, they represent the contribution of each Party towards meeting the objective of this Agreement. For example, NDCs should, in aggregate, set the world on a trajectory towards peaking of global emissions as soon as possible and rapid reductions thereafter towards a balance of emissions and removals. This is why, through their NDCs, each Party should specify, among other things, its plans to reduce its emissions.

The Paris Agreement requires each Party to prepare, communicate and maintain successive NDCs that it intends to achieve, and to pursue domestic mitigation measures, with the aim of achieving the objectives of such contributions. Parties are expected to do so every five years and to aim at increasing their ambition with each subsequent NDC. Further, the Paris Agreement expects developed country Parties to lead by undertaking economy-wide absolute emission reduction targets and encourages developing country Parties to move towards such targets over time, in the light of different national circumstances.

The decision adopting the Paris Agreement (Decision 1/CP.21) specifies that the first NDC of each Party will be its INDC at the time of ratification of the Paris Agreement, unless the Party decides otherwise. A Party, for example, may decide to revise its INDC and communicate a revision as its first NDC. Parties should also submit and periodically update adaptation communications, which may be submitted as a component of a nationally determined contribution. With a view to providing clarity on what each country's NDC means, the COP specified several types of information, which include, for example, benchmarks of past emissions, periods (time frames) of implementation, assumptions and technical information, and an explanation of how the contributions is ambitious, fair and contributes towards achieving the objective of the Convention as set out in its Article 2.

In accordance with Article 4 paragraph 12 of the Agreement, NDCs communicated by Parties shall be recorded in a public registry. The Paris Agreement also encourages all Parties to formulate long-term low GHG emission development strategies. In doing so, Parties should be mindful of the Agreement's objectives in Article 2, taking into account their common but differentiated responsibilities and respective capabilities, in the light of different national

circumstances. The COP invited Parties to communicate to the secretariat, by 2020, such mid-century, long-term strategies and countries have started submitting them.

Parties to the Convention have also cooperated increasingly to reduce GHG emissions from deforestation in developing countries. Developing countries are encouraged to contribute to mitigation actions in the forest sector by undertaking activities to reduce emissions from deforestation and forest degradation, conserve forest carbon stocks, implement sustainable management of forests and enhance forest carbon stocks (REDD-plus). The Paris Agreement also recognizes the importance of sinks, including forests and encourages Parties to implement and support the existing framework of guidance and decisions that has been elaborated on REDD-plus under the Convention over the years.

Emissions from international aviation and maritime transport contribute increasingly to global emissions. To address these emissions, there has been ongoing work in the International Civil Aviation Organization and the International Maritime Organization, as well as cooperation between these two organizations and the UNFCCC.

All over the world, many measures are being taken to mitigate climate change by countries trying to live up to their commitments under the Convention, the Kyoto Protocol and the Paris Agreement. According to the Convention, Parties shall take into consideration the specific needs and concerns of developing country Parties arising from the impacts of response measures, a call that is echoed similarly by the Paris Agreement. The Kyoto Protocol commits Parties to strive to minimize adverse economic, social and environmental impacts on other Parties, especially developing country Parties. In order to facilitate assessment and analysis such impacts, and with the view to recommending specific actions, the COP has established a forum on the impact of the implementation of response measures under the Convention, which is also to serve the Paris Agreement.

2.5.2 ADAPTATION

Adapting to the adverse effects of climate change is, along with mitigation, a major area of action under the UN Climate Change regime. The world is already experiencing changes in mean temperature, shifts in the seasons and an increasing frequency of extreme weather events. As the climate changes, societies will have to learn to adapt. The faster the climate changes, the harder it could be.

Adaptation in the simplest terms, refers to the actions that countries will need to take to respond to the impacts of climate change that are already happening, while at the same time preparing for future impacts. It refers to changes in processes, practices and structures that can reduce our vulnerability to climate change impacts, such as sea level rise or food insecurity. It also includes making the most of any beneficial opportunities associated with climate change, such as increased crop yields or longer growing seasons in some regions.

Adaptation solutions take many shapes and forms, depending on the unique context of a community, business, organization, country or region. There is no 'one-size-fits-all-solution'. Adaptation can range from building flood defences, setting up early warning systems for cyclones and switching to drought-resistant crops, to redesigning communication systems, business operations and government policies. Many nations and communities are already taking steps to build resilient societies and economies, but far greater action and ambition will be needed to cost effectively manage the risks, both now and in the future.

Successful adaptation activities also call for the effective engagement of stakeholders, including national, regional, multilateral and international organizations, the public and private sectors, and civil society and the management of knowledge for adaptation at each step.

Parties to the UNFCCC and the Paris Agreement recognize that adaptation is a global challenge faced by all with local, subnational, national, regional and international dimensions. It is a key component of the long-term global response to climate change to protect people, livelihoods and ecosystems. Parties acknowledge that adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, considering vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of indigenous peoples and local knowledge systems, with a view to integrating adaptation into relevant socioeconomic and environmental policies and actions. More information on adaptation under the UNFCCC can be found at this **LINK.**

The Paris Agreement aims to strengthen the global climate change response by increasing the ability of all to adapt to adverse impacts of climate change and foster climate resilience. It defines a **global goal on adaptation** in Article 7. The goal is:

- to enhance adaptive capacity and resilience;
- to reduce vulnerability, with a view to contributing to sustainable development;

- Ensure adequate adaptation response in the context of the goal of holding average global warming well below 2 degrees C and pursuing efforts to hold it below 1.5 degrees C.

The Agreement requires all Parties, as appropriate, to **engage in adaptation planning and implementation** through e.g. national adaptation plans, vulnerability assessments, monitoring and evaluation, and economic diversification. All Parties should, as appropriate, communicate their priorities, plans, actions, and support needs through **adaptation communications**, which shall be recorded in a public registry.

All adaptation components offer opportunities for Parties and stakeholders to engage – in particular, the **Adaptation Knowledge** Portal under the Nairobi Work Programme (NWP). The Portal aims at facilitating the sharing of good practices and lessons learned by offering an exchange platform to all adaptation practitioners and researchers, including partner organizations of the NWP. The **LDC Expert Group** (LEG), **Adaptation Committee** (AC) and NWP have developed many resources, including **the LDC portal**, **online databases**, and a range of **printed publications** in order to promote and facilitate action.

The TEP-A provides a unique platform for actively engaging non-Party stakeholders, including regional and subnational authorities, civil society and the private sector, in the formal discourse on adaptation. It also contributes to strengthening the linkages between adaptation and the broader development agenda. For example, it offers an opportunity to explore practical ways to integrate climate change adaptation with the sustainable development goals and the Sendai Framework for Disaster Risk Reduction.

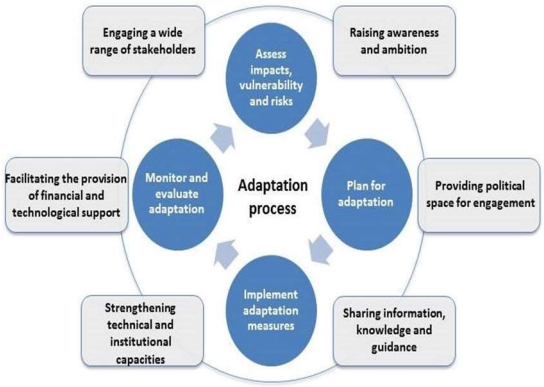

Figure 3:Adaptation cycle of process: source UNFCCC website

2.5.3 The Warsaw International Mechanism for Loss and Damage.

The COP established the **Warsaw International Mechanism for Loss and Damage** associated with Climate Change Impacts (Loss and Damage Mechanism), to address loss and damage associated with impacts of climate change, including extreme events and slow onset events, in developing countries that are particularly vulnerable to the adverse effects of climate change at COP19 (November 2013) in Warsaw, Poland.

The implementation of the functions of the Loss and Damage Mechanism will be guided by the **Executive Committee** under the guidance of the COP, and was tasked to establish a clearing house for risk transfer that serves as a repository for information on insurance and risk transfer. A task force was mandated to work with other adaptation bodies to develop recommendations for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change (Decision 1/CP.21, paragraphs 48 and 49).

The Loss and Damage Mechanism fulfills the role under the Convention of promoting implementation of approaches to address loss and damage associated with the adverse effects of climate change, pursuant to **decision 3/CP.18** and further elaborated **in** **decision 2/CP.19**, in a comprehensive, integrated and coherent manner by undertaking, *inter alia*, the following functions:

- Enhancing knowledge and understanding of comprehensive risk management approaches to address loss and damage associated with the adverse effects of climate change, including slow onset impacts, by facilitating and promoting:
- Strengthening dialogue, coordination, coherence and synergies among relevant stakeholders by:
- Enhancing action and support, including finance, technology and capacity-building, to address loss and damage associated with the adverse effects of climate change, to enable countries to undertake actions, pursuant to 3/CP.18 (para. 6) including by:

The WIM was reaffirmed as the main vehicle under the Paris Agreement to avert, minimize and address loss and damage associated with climate change impacts, including extreme weather events and slow onset events.

2.5.4 Periodic Review of the UNFCCC Ultimate Objective

In 2010, Parties decided to periodically review the adequacy of the long-term global goal and overall progress towards achieving the goal, including a consideration of the means of implementation. In addition, the first such periodic review was tasked with the consideration of the strengthening the long-term global goal, including in relation to a temperature rise of 1.5°C above pre-industrial levels.

In the decision of the first **Periodic Review** in the 2013-2015 review (**Decision 10/CP.21**) Parties decided that, in relation to the long-term global goal, and in the light of the ultimate objective of the Convention, the long term global goal is to hold the increase in the global average temperature to **well below 2°C above pre-industrial levels, and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels**, recognizing that this would significantly reduce the risks and impacts of climate change. This is also reflected in the **Paris Agreement** (**Decision 1/CP.21**).

2.5.5 Global Stocktake

The global **Stocktake** of the Paris Agreement (GST) is a process for taking stock of the implementation of the Paris Agreement with the aim to assess the world's collective progress towards achieving the purpose of the agreement and its long-term goals. The first GST will take place from 2021 to 2023 and the process will be repeated every 5 years thereafter.

The GST will be comprehensive and facilitative and will assess collective progress on the following thematic areas: mitigation, adaptation and finance flows and means of implementation and support. The global stocktake will also consider efforts on the social and economic consequences of response measures and averting, minimizing and addressing loss and damage. The collective assessment will take into consideration inputs on equity and will make use of the best available science.

The outcome of the GST will inform countries on updating and enhancing, in a nationally determined manner, their climate actions and support, as well as on enhancing international cooperation for climate action. It is important to note that while the GST will lead to an increase in the overall ambition of actions and support for addressing climate change, it will be collective and not focus on individual countries nor groups of countries. Its outputs will not be policy-prescriptive. Rather, its output will consist of key political messages and recommendations, best practices, new opportunities and lessons learned for all thematic areas.

CHAPTER 3.0 TRACKING PROGRESS UNDER THE CLIMATE CHANGE TREATIES

The heart of all decision taken at the various climate change conferences is on transparency, which is fundamental to environmental governance. It promotes public trust, goodwill, and credibility in environmental decision making. It also ensures that monitoring and enforcement of emissions reduction targets are efficient and effective. Transparency is crucial to the success or failure of any environmental regimes because environmental governance in general, and climate governance in particular, are intimately connected with the ideals of deliberative democracy, public participation, and the rule of law. These are the foundations on which environmental law progresses, but none of these ideals can be met without proper implementation of the principles of transparency.

This chapter addresses in brief the evolution of transparency in the climate change regime, looking into how the climate change process progressively move towards addressing the climate change crises where governments and not state actor work together towards raising ambition, building resilient nations and realizing enough funds to support efforts by poor developing countries.

3.1 Measurement Reporting and verification (MRV),

communication and transparency framework,

This section deals with the MRV system, which basically refers to the modalities, procedures and guidelines (MPGs) followed under the Convention to measure, collected data and information, reporting activities and the verification process on climate action and support to reduce GHG emissions and increase resilience and this process is termed “Transparency” under the Paris Agreement.

The existing MRV arrangements under the Convention provide for a system where the requirements concerning information to be reported, the timetable for the submission of national reports and the extent of international review of information are less onerous for non-Annex I Parties than those Parties that are included in Annex I to the Convention.

The Enhanced Transparency Framework (ETF) under the Paris Agreement builds on and enhances the existing MRV arrangements under the Convention and establishes a framework for

all Parties to operate under a common set of MPGs with flexibility for those developing country Parties that need it in the light of their capacities.

The foundations of reporting are national greenhouse gas (GHG) inventories and national communications (NCs), and reports on the policies and measures taken to address climate change. Reporting is one of the cornerstones of the UN climate change regime: it provides transparency and is the basis for understanding and gauging the implementation of the Convention, the Kyoto Protocol and the Paris Agreement.

To achieve the objective of the Convention, Parties need accurate, consistent and internationally comparable data on trends in GHG emissions and on efforts to change these trends. Communicating information on the most effective ways to reduce emissions and adapt to the adverse effects of climate change also puts the world collectively on the path towards more sustainable forms of development.

Under the Convention, all Parties must communicate certain information to the COP, through the secretariat, within agreed time lines. The two main elements of this information are the details on their activities to implement the Convention that is, their climate change policies and measures and their national inventories of GHGs. The required contents of national reports and the timetable for their submission are different for Annex I Parties and Parties not included in Annex I to the Convention (non-Annex I Parties), in accordance with the principle of common but differentiated responsibilities and respective capabilities.

Under the Kyoto Protocol, Annex I Parties are required to include supplementary information relating to their implementation of the protocol.

All Parties to the Paris Agreement will report under its enhanced transparency framework for action and support. All Parties are also committed to submitting reports of their National Communications (NCs) on the actions that they are taking to implement the Convention. The COP provides the guidelines for Parties to use for reporting. Since 1995, these guidelines have been revised and improved based on Parties' experiences of using them.

All countries have to submit an NC every four years. Developed countries also have to submit a GHG inventory every year, whereas developing countries required to submit their first NC within three years of entering the Convention, and every four years thereafter. For some non-Annex I Parties, the preparation of NCs depends on the receipt of funding. The LDCs may prepare one at their discretion.

Annex I Parties must report more often and in more detail. The secretariat compiles a summary of the information in these reports. Both the individual NCs and the secretariat summaries are available on the UNFCCC website. NCs from Annex I Parties provide information on: emissions and removals of GHGs; national circumstances; policies and measures; vulnerability assessment; financial resources and transfer of technology; education, training and public awareness; and any other activities undertaken to implement the Convention.

Annex I Parties that have ratified the Kyoto Protocol must also include supplementary information in their NCs and their annual inventories of emissions and removals of GHGs to demonstrate compliance with the Kyoto Protocol commitments.

All Parties are committed to compiling inventories of GHG emissions. The IPCC has developed inventory methodologies for the national reporting of GHG emissions that countries use to develop their national inventories. Annex I Parties are required to submit a separate inventory of their GHG emissions every year, covering emissions and removals of direct GHGs from sectors such as: energy; industrial processes and product use; agriculture, forestry and land use; and waste sectors.Non-Annex I Parties compile these as part of their National Communications (NCs) and are not required to submit a separate annual emissions inventory.

With respect to non-Annex I parties, the information required is less detailed than for Annex I Parties. NCs from developing countries provide information on GHG inventories, measures to mitigate emissions and efforts to facilitate adequate adaptation to climate change.

NCs and GHG inventories from Annex I Parties undergo an in-depth review by teams of independent experts. This process provides a thorough technical assessment of each Party's commitments and the steps taken towards implementation. Teams are selected from a roster of experts nominated by Parties and coordinated by the secretariat. The in-depth reviews typically draw on findings from visits to the country concerned, as well as desk-based studies. In addition to assessing the implementation of commitments by Annex I Parties, the in-depth reports allow easier comparison of information between the NCs of Parties, although no common indicators are used.

Through its Task Force on Inventories, the IPCC carries out important work on developing methodologies for estimating and reporting GHG emissions. The 2006 IPCC Guidelines for National Greenhouse Gas Inventories, for example, are used by all Parties to prepare their annual emissions inventories. In addition, the IPCC has developed guidance to help Parties deal with data

uncertainties and support the use of good practice in managing emissions inventories. The IPCC frequently organizes workshops and expert meetings to support the assessment process. It may also co-sponsor workshops if they are considered to be a useful contribution to its own activities.

At the climate change conferences in Cancun, in 2010, and Durban, in 2011, Parties took steps to improve the system of reporting and verification under the UNFCCC. They decided to enhance reporting for all countries and to conduct international assessment and review (IAR) of information in biennial reports (BRs) from developed countries and international consultation and analysis (ICA) of biennial update reports (BURs) from developing countries.

This marked a major change from the existing reporting and review system, particularly for developing countries, because information from these countries has largely been reported on an infrequent basis and has not been reviewed. Establishing a system that combines improved reporting with some form of international verification process could improve the quality of information available internationally and increase confidence in the integrity of the information reported. This would help to build trust between countries and potentially also increase the level of ambition of mitigation actions.

The IAR is made up of a technical review of the country's submitted information and a multilateral assessment of its progress in meeting its mitigation targets. The latter involves various stages, including an online question-and-answer phase over a period of a few months, followed by a workshop-style session where the country under review gives a brief oral presentation and fields any additional questions. Most of this information including the questions and comments by the country under review is summarized and published online.

Like the IAR, the ICA has two main steps. The first is a technical analysis of the BURs by a team of experts. The second is a facilitative sharing of views, which includes a brief presentation on the BUR by the country concerned, followed by oral questions and answers. Other countries can submit written questions in advance and, as with the final output of the IAR process, a summary of each ICA is published online.

Biennial assessment and overview of financial flows, is a relatively new reporting process focuses on climate finance. The Standing Committee on Finance (SCF), established in 2010, aims to assist the COP in guiding the financial mechanism and in improving transparency in terms of measurement, reporting and verification of support. A key activity is the preparation of a biennial assessment and overview of climate finance flows. The SCF has established a dedicated working

group for these reports, which will also work between the COP and CMP sessions and serve as liaison between the SCF and external stakeholders, with whom the SCF engages in extensive outreach activities. This aspect of the work of the SCF is strongly linked with the work of other bodies, most notably the SBI and the SBSTA. Close cooperation and liaison with all stakeholders involved will be essential for the work of the SCF on the biennial assessments and overview of climate finance flows.

The Paris Agreement establishes an enhanced transparency framework for action and support under article 13, to track the overall progress towards implementation of its temperature, adaptation and the financial global goals. This transparency framework comprises the three layers: biennial transparency report (BTR), technical expert review and facilitative, multilateral consideration of progress

According to Article 13, each Party shall regularly provide a national inventory of anthropogenic greenhouse gas emissions and removals and information necessary to track progress made in implementing and achieving its NDCs. Each Party should also provide information related to climate change impacts and adaptation.

The information on support differs between developed and developing countries: Developed country Parties shall provide information on financial, technology transfer and capacity-building support provided. Other Parties that provide support should provide such information. Developing country Parties should provide information on support needed and received.

Information on the national inventory, on tracking of progress and on support provided will undergo a technical expert review and Facilitative, Multilateral Consideration of Progress (FMCP). The enhanced transparency framework builds upon reporting and review practices established under the Convention, but it introduces new reporting elements and requires, and for the first time in the history of the intergovernmental processes on climate change its applicable to all Parties. However, it recognize the special circumstances of the least developed countries and small island developing States, and will be implemented in a facilitative, non-intrusive, non-punitive manner, respectful of national sovereignty, and avoid placing undue burden on Parties. Although all countries have to report on the same things, along the same timelines and take part in the same review system, there still flexibility for some countries, based on their capability.

The transparency framework will provide information on the implementation on the Paris Agreement, which will also provide input to the Global Stocktake. Article 15 of the Paris Agreement established a committee of implementation of and compliance, which will be expert-based and facilitative in nature and shall pay particular attention to the respective national capabilities and circumstances of Parties.

3.2 Means of Implementation (Finance, Development of technology and transfer and Capacity building),

To facilitate the provision of climate finance, the Convention established a financial mechanism to provide financial resources to developing country Parties, including financial support for technology development and transfer and capacity building. The financial mechanism also serves the Kyoto Protocol and the Paris Agreement. The Convention states that the operation of the financial mechanism can be entrusted to one or more existing international entities.

3.2.1 Finance,

Climate Finance refers to local, national or transnational financing drawn from public, private and alternative sources of financing that seeks to support mitigation and adaptation actions that will address climate change. Efforts under the Paris Agreement are guided by its aim of making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development. Assessing progress in provision and mobilization of support is also part of the global stocktake under the Agreement. The Paris Agreement also places emphasis on the transparency and enhanced predictability of financial support.

The Global Environment Facility (GEF) has served as an operating entity of the financial mechanism since the Convention's entry into force in 1994. At COP 16, in 2010, Parties established the Green Climate Fund (GCF) and in 2011 also designated it as an operating entity of the financial mechanism. The financial mechanism is accountable to the COP, which decides on its policies, programme priorities and eligibility criteria for funding.

In addition to providing guidance to the GEF and the GCF, Parties have established two special funds the Special Climate Change Fund (SCCF) and the Least Developed Countries Fund (LDCF), both managed by the GEF and the Adaptation Fund (AF) established under the Kyoto Protocol in 2001.

At the Paris Climate Change Conference in 2015, the Parties agreed that the operating entities of the financial mechanism GCD and GEF as well as the SCCF and the LDCF shall serve the Paris Agreement. Regarding the Adaptation Fund serving the Paris Agreement negotiations are underway in the Ad hoc Working Group on the Paris Agreement (APA).

At COP 16 in 2010, Parties decided to establish the Standing Committee on Finance (SCF) to assist the COP in exercising its functions in relation to the financial mechanism of the Convention. Currently, the SCF has four specific functions: assisting the COP in improving coherence and coordination in the delivery of climate change financing; assisting the COP in rationalization of the financial mechanism of the UNFCCC; supporting the COP in the mobilization of financial resources for climate financing; and supporting the COP in the measurement, reporting and verification of support provided to developing country Parties. The Committee is also tasked to organize an annual forum on climate finance, provide the COP with draft guidance for the operating entities, provide expert input into the conduct of the periodic reviews of the financial mechanism and prepare a biennial assessment and overview of climate finance flows. Furthermore, the SCF is designed to improve the linkages and to promote the coordination with climate finance related actors and initiatives both within and outside of the Convention. At the Paris Conference in 2015, Parties decided that the SCF shall also serve the Paris Agreement.

The UNFCCC website includes a climate finance data portal with helpful explanations, graphics and figures for better understanding the climate finance process and as a gateway to information on activities funded in developing countries to implement climate action. The finance portal comprises three modules, each of which includes information made available by Parties and the operating entities of the financial mechanism.

The first module, the National Communications Module, presents information communicated by contributing countries on the provision of financial resources, in the context of regular reporting to the Convention. The second module, the Fast-start Finance Module, includes information on resources provided by developed countries in the context of their commitment to provide approximately USD 30 billion over the period 2010–2012. The third module, on Funds Managed by the GEF, is a joint effort between the secretariat of the UNFCCC and the GEF and contains information on climate finance flows of the GEF in its role as one of the operating entities of the financial mechanism to the Convention. Additionally, information on projects and

programmes of the Adaptation Fund can be found in the finance portal. This fund was established under the Kyoto Protocol to finance concrete adaptation projects and programmes in developing countries that are Parties to the Kyoto Protocol.

The work programme on long-term climate finance was launched by the Conference of the Parties (COP) at its seventeenth session to progress on long-term finance in the context of scaling-up new and additional, predictable and adequate finance, including the USD 100 Billion joint mobilization goal by developed countries (decision 1/CP.16, paragraphs 97–101). The work programme was extended until COP18 and concluded its work at COP19. COP19 decided to continue deliberations on long-term finance with three types of complementary activities for the period 2014 to 2020: biennial submissions by developed country Parties on their updated approaches and strategies for scaling up climate finance; annual in-session workshops; and biennial high-level ministerial dialogues on climate finance.

At COP24, Parties requested the secretariat to organize in-session workshops in 2019 and 2020, focusing on:

a. The effectiveness of climate finance, including the results and impacts of finance provided and mobilized;

b. The provision of financial and technical support to developing country Parties for their adaptation and mitigation actions, in relation to holding the increase in the global average temperature to well below 2 degrees Celsius above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 degrees Celsius above pre-industrial levels.

3.2.2 Technology development and transfer,

The development and transfer of climate technologies is critical for achieving the ultimate objective of the Convention. The Convention notes that all Parties shall promote and cooperate in the development and transfer of technologies that reduce emissions of GHGs. It also urges developed country Parties to take all practicable steps to promote, facilitate and finance the transfer of, or access to, climate technologies to other Parties, particularly to developing countries. Furthermore, the Convention states that the extent to which developing country Parties will effectively implement their commitments will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology.

Over the years, technology development and transfer with regard to adaptation has received increasing attention. The Paris Agreement speaks of the vision of fully realizing technology development and transfer for both improving resilience to climate change and reducing GHG emissions. It establishes a technology framework to provide overarching guidance to the Technology Mechanism.

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In 2010 the COP established the Technology Mechanism with the objective of accelerating and enhancing climate technology development and transfer. It consists of two complementary bodies that work together, – the Technology Executive Committee (TEC) and the Climate Technology Centre and Network (CTCN). The mechanism will also serve the Paris Agreement.

The Technology Executive Committee (TEC) is the Technology Mechanism's policy arm and analyses policy issues and provides recommendations to support countries in enhancing climate technology efforts. The TEC is an executive committee consisting of 20 technology experts representing both developing and developed countries. The TEC meets multiple times a year and holds climate technology events that support efforts to address key technology policy issues.

The CTCN is the mechanism's implementation armand it supports countries to enhance the implementation of climate technology projects and programmes. It has three core services:

providing technical assistance to developing countries; creating access to knowledge on climate technologies; and fostering collaboration among climate technology stakeholders. The CTCN is hosted by the United Nations Environmental Programme, in collaboration with the United Nations Industrial Development Organization, and is supported by 11 partner institutions with expertise in climate technologies. The Centre facilitates a network of national, regional, sectoral and international technology centres, networks, organizations and private sector entities. More than 150 Parties have submitted their national designated entities (NDEs) for climate technology and transfer, which are also part of the network. Developing country Parties may submit requests for technical assistance to the CTCN through their NDEs.

Article 10, paragraph 4, of the Paris Agreement established the Technology Framework. The framework will provide overarching guidance to the work of the Technology Mechanism in promoting and facilitating enhanced action on technology development and transfer in order to support the implementation of this Agreement, in pursuit of the long-term vision on technology development and transfer referred to in Article 10, paragraph 1. Under the SBSTA countries are currently working to elaborate the details of the framework.

Understanding our climate technology needs is the starting point for effective action on climate change. By understanding these needs we can determine how to reduce greenhouse gas emissions and adapt to the adverse impacts of climate change. To determine their climate technology priorities, countries undertake technology needs assessments (TNAs). A TNA supports national sustainable development, builds national capacity and facilitates the implementation of prioritized climate technologies. Since 2001, more than 85 developing countries have undertaken TNAs to identify their technology needs for mitigation and adaptation. Since 2010, as part of their TNAs, developing countries have also developed technology action plans (TAPs), which are concrete action plans for the implementation of their prioritized technology needs. The GEF provides support for developing countries to undertake TNAs through its Poznan Strategic Program on Technology Transfer

Prior to the establishment of the Technology Mechanism, in 2001, Parties created the technology transfer framework for meaningful and effective technology actions. This framework is not the same as the Technology Framework created under the Paris Agreement. The framework aims to develop actions to implement Article 4.5 of the Convention by increasing and improving the transfer of environmentally sound technologies and know-how and comprises five

key themes. At COP 13, four sub-themes were added under one of the key themes of the framework.

Through the Poznan strategic program on technology transfer, the Global Environment Facility (GEF) provides funding to climate technology development and transfer activities. The program has supported countries to undertake technology needs assessments, develop technology pilot projects and implement hundreds of climate projects with objectives related to climate technologies. Countries created the PSP in 2007, when the COP requested the GEF to elaborate a strategic programme for scaling up the level of investment for technology transfer. This was undertaken with the aim of helping developing countries to address their needs for environmentally sound technologies.

The GEF is now undertaking the long-term implementation of the strategic programme, which includes elements related to: support for climate technology centres and a climate technology network; pilot technology projects; public–private partnerships; TNAs; and GEF as a catalytic supporting institution for technology transfer.

3.2.3 Capacity Building

Addressing climate change in a sustainable way requires considerable efforts, and not all countries have the capacity the knowledge, the tools, the public support, the scientific expertise and the political know how to do so. Capacity-building is about enhancing the ability of individuals, organizations and institutions in developing countries and in countries with economies in transition to identify, plan and implement ways to mitigate and adapt to climate change. Capacity-building under the UN climate change regime takes place on three levels:

- Individual:
- Institutional:
- Systemic:

In 2001, Parties adopted two frameworks for capacity-building under the Convention that address the needs, conditions and priorities of two key groups: developing countries and countries with economies in transition. The frameworks provide a set of guiding principles and approaches to capacity-building, such as being a ‘country-driven’ process, involving ‘learning by doing’, and building on existing activities. They also contain a list of priority areas for action on capacity-building, including the specific needs of the least developed countries (LDCs) and small island

developing States. They reaffirm that capacity-building is essential to enable these countries to implement the objective of the Convention.

The frameworks set out a way forwards for capacity-building activities, such as developing and strengthening skills and knowledge, as well as providing opportunities for stakeholders and organizations to share their experiences, and increasing their awareness to enable them to participate more fully in the climate change process.

The frameworks also provide guidance on the support of financial and technical resources to be addressed by the GEF, bilateral and multilateral agencies, and other IGOs. The frameworks call for developing countries and countries with economies in transition to provide information on their specific needs and priorities through national communications (NCs) and submissions, while promoting cooperation and stakeholder participation.

In 2005, Parties to the Kyoto Protocol decided that the capacity-building frameworks were also applicable to the implementation of the Protocol. They endorsed frameworks to guide capacity-building activities under the Kyoto Protocol in developing countries and countries with economies in transition.

The Paris Agreement confirms the above-mentioned guiding principles and approaches to capacity-building. It asks all Parties to cooperate to enhance the capacity of developing countries to implement the Agreement and calls on developed country Parties to enhance support for capacity-building actions in developing country Parties.

The Durban Forum is an annual, in-session event organized under the auspices of the Subsidiary Body for Implementation (SBI) that brings together stakeholders from diverse backgrounds to share experiences, good practices and lessons learned in building the capacity of developing countries to mitigate and adapt to climate change. Stakeholders involved include technical and policy experts, practitioners and representatives from national governments and IGOs, civil society and private sector entities. Governments, invited by the SBI, annually submit proposals for topics to be included in the agenda of the meeting. The Durban Forum is also a means to improve the monitoring and review of the effectiveness of capacity-building within the UN climate change process.

In 2015, Parties to the Convention established the Paris Committee on Capacity-building with the aim of addressing gaps and needs in implementing capacity-building in developing countries and further enhancing capacity-building efforts, including with regard to

coherence and coordination. With its terms of reference adopted in 2016, the Paris Committee is now becoming operational.

The Paris Agreement envisages enhanced capacity-building through appropriate institutional arrangements, including those established under the Convention that serve this Agreement, and CMA 1 is to consider and adopt a decision on the initial institutional arrangements for capacity-building.

In 2015, Parties also established a Capacity-building Initiative for Transparency in order to build institutional and technical capacity and to support developing country Parties in meeting the enhanced transparency requirements of the Paris Agreement. The GEF supports the operation of the Capacity-building Initiative for Transparency.

3.2.4 Action for Climate Empowerment,

The Convention emphasizes the need to educate people about climate change. Improving awareness and understanding of climate change, and creating solutions to facilitate access to information on a changing climate are key to winning public support for climate-related policies. The Convention, through its Article 6, calls on governments to educate, empower and engage all stakeholders and major groups on policies relating to climate change, a call that is echoed by the Kyoto Protocol (Article 10(e)) as well as by the Paris Agreement (Article 12). The UN climate regime fosters action to develop and implement educational and training programmes on climate change. Many governments and IGOs are already working in partnership with civil society to fulfil the above commitments. However, the scale of challenges posed by climate change requires an engagement on outreach activities of a greater magnitude.

In 2013, the COP adopted the Doha work programme on Article 6 of the Convention and requested the SBI to organize an annual in-session Dialogue on Article 6 of the Convention to enhance work in this area. The objective of the dialogue is to provide a regular forum to Parties and other stakeholders to share their experiences and exchange ideas, good practices and lessons learned regarding the implementation of Article 6 of the Convention.

In 2016, Parties decided to further improve the effectiveness of the Doha work programme and to popularly refer activities under Article 6 as Action for Climate Empowerment. Action for Climate Empowerment (ACE) is a term adopted by the United Nations Framework Convention on Climate Change (UNFCCC) to denote work under Article 6 of the Convention and Article 12 of

the Paris Agreement. The over-arching goal of ACE is to empower all members of society to engage in climate action, through education, training, public awareness, public participation, public access to information, and international cooperation on these issues.

Figure 4: Six focus areas of ACE sourced from UNFCCC website,

Implementation of all six focus areas is crucial to the global response to climate change. Everyone, including and perhaps especially the young, must understand and participate in the transition to a low-emission, climate-resilient world. Sustainable lifestyles, sustainable patterns of consumption and production, are fundamental to reducing greenhouse emissions and enhancing resilience to the inevitable effects of climate change. Success will require broad collaboration between all levels of government and all sectors of society.

3.2.5 Research and systematic Observation

Effective interaction between climate science and policy is important for moving climate negotiations forwards. Scientific research continues to inform the international climate regime, as well as national and regional climate policies. The UN climate change process, under the supreme

bodies (COP, CMP, CMA) and subsidiary bodies (SBSTA and SBI), uses scientific information on climate change through a number of work streams.

The Convention calls on Parties to promote and cooperate in research and systematic observation of the climate system, including through exchange of information and supporting international programmes, networks and organizations. Parties are also called upon to cooperate in improving the capacities of developing countries so that they can participate in research and systematic observation activities.

Consideration of matters related to research takes place regularly under the SBSTA agenda item on research and systematic observation. Annual research dialogues are organized to inform Parties about ongoing and planned activities of regional and international research programmes and organizations active in climate change research, and to communicate Parties' views on research needs and priorities to the scientific community, in particular, to relevant research programmes and organizations and the IPCC.

Worldwide systematic observation of the climate system is a key prerequisite for advancing scientific knowledge on climate change and advising for informed policymaking. The Convention calls on Parties to promote and cooperate in systematic observation of the climate system, including through support to existing international programmes and networks.

Implementation is supported through cooperation with the Global Climate Observing System, the World Meteorological Organization and other agencies. Parties provide detailed technical reports on systematic observations via their National Communiations (NCs) and in line with the revised UNFCCC reporting guidelines on global climate change observing systems.

3.2.6 Voluntary cooperative, markets and non-market approaches.

Article 6 of the Paris Agreement includes three distinct approaches for Parties to pursue: Voluntary cooperation in the implementation of their NDCs to allow for higher ambition in their mitigation and adaptation actions (Article 6.1). Two approaches are market-based approaches, entailing the international transferred mitigation options (ITMO), and one is a non-market approach that does not foresee such transfers. Article 6.2 establishes a framework for countries to count the ITMO towards their NDCs. Article 6.4 establishes a new mechanism under international oversight which is commonly viewed as a successor to the Kyoto Protocol's Clean Development Mechanism (CDM). One of the main distinctions between these two approaches is governance.

The international transfer of emission reductions under Article 6.2 is implemented under the responsibility of the participating Parties and foresees only limited international oversight, while the new mechanism established by Article 6.4 is implemented under the oversight of an international supervisory body and the CMA. Article 6.8 establishes a framework for using non-market-based approaches.

The issue of avoiding double counting to ensure environmental integrity in the implementation of the Paris Agreement, simply means that the same emission reduction is not counted more than once to achieve NDCs or other climate goals. Article 6.2 of the Paris Agreement establishes such an accounting framework that avoids double counting through applying corresponding adjustments. This means an entry in one account requires a corresponding, opposite entry to another account. Although progress has been made in the negotiation of this particular agenda item, no decision has been taken on it yet and it will once again in the agenda of COP 26, in the UK in 2021.

3.2.7 Mechanism and compliance

Article 18 of the Kyoto Protocol mandated the establishment of a compliance mechanism. At the first meeting of the parties to the Kyoto Protocol a Compliance Committee was established to carry out compliance procedures under the Protocol. These procedures aimed to facilitate, promote and enforce compliance with commitments under the Protocol.

The Compliance Committee is formed of two branches; the enforcement and facilitative branches, each composed of ten members, a chair and a vice-chair and includes one representative from each of the five official UN regions (Africa, Asia, Latin America and the Caribbean, Central and Eastern Europe, Western Europe and 'Others'), one from the Small Island Developing States, and two each from Annex I and non-Annex I Parties.

The committee meets in a plenary of members of both branches, and is supported by a bureau, consisting of the chair and vice-chair of each branch.

Under the enforcement branch, a quasi-judicial process takes place, and penalties are imposed on non-complying parties. Such penalties include increasing the individual party's target level and suspending treaty rights. The Kyoto Protocol compliance mechanism addresses compliance issues in developed countries, though the facilitative branch can also support implementation by developing countries.

The facilitative branch is also responsible for providing advice and facilitation for compliance, as well as for issuing early warnings for potential non-compliance with mitigation commitments as in Article 3 paragraph 1, and with the methodological and reporting requirements for greenhouse gas inventories as per Article 5 paragraphs 1 and 2, and Article 7 paragraphs 1 and 4 of the Kyoto Protocol.

Article 15 of the Paris Agreement established a committee, which will be expert-based and facilitative in nature and shall pay particular attention to the respective national capabilities and circumstances of Parties. A mechanism to facilitate implementation of and promote compliance with the provisions of this Agreement is hereby established. The mechanism referred to in paragraph 1 of this Article shall consist of a committee that shall be expert-based and facilitative in nature and function in a manner that is transparent, non-adversarial and non-punitive. The committee shall pay particular attention to the respective national capabilities and circumstances of Parties. The committee shall operate under the modalities and procedures adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its first session and report annually to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.'

3.2.8 Role Sub-state and Non-state in international climate change processes.

Under the Paris Agreement, Parties should communicate long-term, low-greenhouse gas emission development strategies which target the middle of the century. The overall goal of this group is to push for net-zero Carbon Dioxide (CO2) emissions in line with latest scientific information. The deep transformation towards net zero CO2 emissions requires the mobilization of actors across all segments of society, which is why this group includes regions, cities, businesses, and investors alongside countries. All are united behind the same target because they recognize the benefits of the low-carbon transition.

While sub-state/non-state entities have been acting on climate change for decades, since 2014 there has been a more conscious and forceful effort to link this action closely to the intergovernmental process in the UNFCCC. This opening of the regime to other kinds of actors was reinforced at COP 20 in Lima in December 2014. The UNFCCC and the Peruvian host government launched the Non-state Actor Zone for Climate Action (NAZCA) portal (now the Climate Action Portal), an online tool to track and aggregate information on the actions being

taken around the world by sub-state and non-state actors, both individually and through joint initiatives. Shortly thereafter, with COP 21 in Paris approaching, the UNFCCC secretariat, the UN secretary-general's office and the governments of Peru and France created the Lima–Paris Action Agenda, an unprecedented attempt to orchestrate further commitments and initiatives from all actors and all sectors. The Action Agenda ended up mobilizing over 10,000 commitments from sub-state/non-state actors, and was declared a 'fourth pillar' of COP 21 by the French COP presidency.

The Paris Agreement and the COP 21 decision text institutionalized the role of sub-state and non-state actors in the new architecture of the UNFCCC regime. Governments in Paris created a new system to track, support and accelerate sub- state/non-state climate action in the future. They appointed two 'High-Level Champions' to mobilize additional action from cities, states, regions, businesses, investors and others. They recognized the NAZCA portal as the global system to track such actions. They mandated that a High-Level Event be held at every COP for sub-state/non-state actors to announce new commitments and report on progress.

The following year, COP 22 brought additional clarity to this process, with the Marrakech Partnership for Global Climate Action. It specifies the role of High-Level Champions as being to foster bottom-up climate action in areas where it is needed, and to increase collaboration and linkage between bottom-up action and countries' policies.

The Marrakech Partnership has enhanced the tracking and transparency around the Global Climate Action (GCA) process by creating an annual *Yearbook of Climate Action* to assess the scale and scope of sub- and non-state action, and to feed this information into countries' decision-making processes as they implement and ratchet up their own policies. The new coordination system sets criteria for sub-state/non-state actors' participation in the GCA process to enhance accountability and raise credibility. And it forms a support unit in the UNFCCC secretariat to coordinate the process, bolstered by a hybrid support network envisioned to include a mix of governments, representatives of city and business networks, international organizations and other actors.

Beyond the UNFCCC itself, sub-state/non-state actors have become more prominent in other elements of the broader climate regime. For example, sub-state/non-state actors have institutionalized themselves in the scientific processes through which the climate challenge is analyzed, with a significant increase in academic attention to the subject. This shift has translated

to the Intergovernmental Panel on Climate Change (IPCC), which in 2018 held a conference on cities.

The special IPCC report on the impacts of global warming of 1.5°C , also included numerous references to the potential of sub-state and non-state actors to help close the emissions gap. In a different forum, there has also been increased action by some sub-state and non-state actors around climate policy in the G20 process.

The Talanoa Dialogue convened as part of the UN climate talks took place in 2018 to be concluded in 2019. Talanoa is the Fijian traditional way of holding conversations to tackle collective issues. The objective of the dialogue was in two-fold: to take stock of the progress of climate action since Paris Agreement adoption and to inform the next round of Nationally Determined Contributions (NDCs) with a view to raise climate ambition.

Under the Talanoa process, stakeholders talked about the three agreed guiding questions on the climate crisis:

- Where we are?
- Where do we want to go?
- How do we get there?

Throughout the year, parties and non-party stakeholders cooperated in the organization of regional and national events with more than 90 events having been associated with the Talanoa process to facilitate mutual exchanges.

The dialogue continued at climate intersessions at Bonn and Bangkok in the year where stakeholders shared their success stories and learnings in response to the three questions of the dialogue. The outcomes of the exchanges compiled by the Secretariat in the Synthesis Report highlighting strongly the inadequacy of current climate efforts.

The Intergovernmental Panel on Climate Change's (IPCC) Special Report on Global Warming of 1.5°C and the UN Emission Gap Report has also said the world is way short on restricting global warming to safer level of 1.5°C. The reports added that to stay within 1.5°C by the end of century, climate ambitions need to be increased five times.

To the third question of "how do we get there", science has talked about technological options and scientific feasibility to stay within safe temperature levels. The Synthesis Report of Talanoa also focused on adherence to the convention and its principles, the delivery of action and support in the pre-2020 period including the entry into force of the Doha Amendment, the

finalization of the Paris Agreement Work Programme and the pursuit of synergy between climate action with the 2030 Agenda for Sustainable Development and the Sendai Framework for Disaster Risk Reduction 2015–2030.

At COP 24, the Talanoa Dialogue entered the political phase to decide on the adoption of Talanoa Outcome and its reflection in the COP24 outcome. The two-page "Talanoa Call to Action language" calls upon parties to work closely with non-party stakeholders to enhance global ambition by 2020 and to develop long-term, low-emission development strategies, government and international agencies to step up financial, technical and technological cooperation and private sector leaders to be agents of change.

CHAPTER 4: PROGRESSIVE EVOLUTION OF THE UNFCCC AND ITS TREATIES CONFERENCES, COP/CMP/CMA

The 1992 United Nations Framework Convention on Climate Change (referred to as the UNFCCC or the Convention) provides the foundation for multilateral action to combat climate change and its impacts on humanity and ecosystems. The 1997 Kyoto Protocol and the 2015 Paris Agreement were negotiated under the UNFCCC and build on the Convention.

This chapter briefly give an insight overview of the Climate Change Conferences progressive decisions that led to the move of intergovernmental climate change policy from a non-legal binding commitments under the United Framework Convention on Climate Change (UNFCCC) to a legal binding emission reduction targets by developed countries (industrialized countries) under the Kyoto Protocol and to inviting voluntary National Determined Contribution (NDC) from countries under the Paris Agreement. It further provide a brief oversight of the reasons behind the move from the top-down Kyoto Protocol architecture to the hybrid Paris Agreement outcome. The chapter further look at reasons for the move from broadened mitigation focus under the Kyoto Protocol to a triple goal comprising mitigation, adaptation and finance under the Paris Agreement.

4.1 UNFCCC and road to the Kyoto Protocol,

On the 9th of May 1992, the world's government adopted the UN Framework Convention on Climate Change (UNFCCC), whose ultimate objective is basically to achieve the stabilization of the GHG concentrations in the atmosphere to a level that will prevent dangerous anthropogenic interference with the climate systems, within a time frame that allow ecosystems to adapt natural, food production not to be threatened and economic developments to proceed in a sustainable manner. In so doing, they took the first step in addressing one of the most urgent environmental problems facing humankind. It came into force in March 1994 and now enjoys a near universal membership of almost 200 Parties, representing the foundation for the primary global response to climate change.

The Conference of the Parties (COP), which is the supreme decision-making body of the convention consist of states that are party to it and at which they review the implementation of the Convention and any other legal instruments that the COP adopts and take decisions necessary to

promote the effective implementation of the Convention, including institutional and administrative arrangements.

The first COP (COP1) took place in Berlin in 1995, where the convention highlighted the shortcomings of the UNFCCC, in particular the voluntary nature of the agreement. It stressed on how no substantive action was taken to address the cause against climate change, which in turn put forward the need for "legally binding" actions. The proposal of legally binding targets was further emphasized upon in COP 2 in Geneva in 1996, where attendees endorsed the results of the IPCC's second assessment report. The Geneva Ministerial Declaration, which in part called on parties to accelerate negotiations on a legally binding protocol, was noted, but not adopted.

In 1997 COP 3 held in Kyoto, Japan on December 11, the Kyoto Protocol was adopted by consensus with more than 150 signatories. The Protocol included legally binding emissions targets for developed country Parties for the six major GHGs, which are carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The Protocol offered additional means of meeting targets by way of three market-based mechanisms: emissions trading, the Clean Development Mechanism (CDM), and Joint Implementation (JI). Under the Protocol, industrialized countries' actual emissions have to be monitored and precise records have to be kept of the trades carried out.

At COP 4 in 1998 was held in Buenos Aires, Argentina. Parties adopted the Buenos Aires Plan of Action, allowing a two year period to develop mechanisms for implementing the Kyoto Protocol. The COP also decided to review the financial mechanism of the Convention every four years. COP 5 was held in Bonn, Germany in 1999. According to the UNFCCC, Parties continued negotiation efforts with a focus on "the adoption of the guidelines for the preparation of national communications by [developed] countries, capacity building, transfer of technology and flexible mechanisms." In The Hague, Netherlands in 2000 COP 6 , negotiations faltered, and parties agreed to meet again and held COP 6 part II in Bonn, Germany. Consensus was reached on what was called the Bonn Agreements. All nations except the United States agreed on the mechanisms for implementation of the Kyoto Protocol. The U.S. participated in observatory status only.

In 2001— COP 7 held in Marrakesh, Morocco, the detailed rules for the implementation of the Kyoto Protocol were adopted and called the Marrakesh Accords. The Special Climate Change Fund (SCCF)was established to "finance projects relating to: adaptation; technology transfer and capacity building; energy transport, industry, agriculture, forestry and waste

management; and economic diversification." The Least Developed Countries Fund was also "established to support a work programme to assist Least Developed Country Parties (LDCs) carry out, inter alia, the preparation and implementation of national adaptation programmes of action (NAPAs)."

In Delhi, India, 2002**,** COP 8 , Parties adopted the Delhi Ministerial Declaration that, among other things, called for developed countries to transfer technology to developing countries. And at COP 9 held in Milan, Italy in 2003, Parties adopted new emisssions reporting guidelines based on IPCC recommendations . The Special Climate Change Fund (SCCF) and the Least Developed Countries Fund (LDCF) were further developed.

Parties began discussing adaptation options **at** COP 10 in 2004 held in Buenos Aires, Argentina.. The parties also addressed and adopted numerous decisions and conclusions on issues relating to development and transfer of technologies; land use, land use change and forestry; the UNFCCC's financial mechanism; national communications for developed countries; capacity building; adaptation and response measures; and UNFCCC Article 6 (education, training and public awareness), examining the issues of adaptation and mitigation, the needs of least developed countries (LDCs), and future strategies to address climate change."

The first conference to take place after the Kyoto Protocol took force was held in Canada, Montreal in 2005. The annual meeting between the parties (COP) was supplemented by the first annual Meeting of the Parties to the Kyoto Protocol (CMP). The countries that had ratified the UNFCCC, but not accepted the Kyoto Protocol, had observer status at the latter conference. The parties addressed issues such as "capacity building, development and transfer of technologies, the adverse effects of climate change on developing and least developed countries, and several financial and budget-related issues, including guidelines to the Global Environment Facility (GEF)." (UNFCCC)

In 2006**,** COP 12/CMP 2 held in Nairobi, Kenya Parties reviewed the Financial mechanisms, adopted the Nairobi Work Programme and further decisions were made about the Special Climate Change Fund.

4.2 Road to Copenhagen and intermediate COP/CMP„

At COP13/CMP3 in 2007 held in Bali, governments adopted the Bali Road Map, a set of decision that represented the various tracks that were seen as key to reaching a global climate deal.

The Bali Road Map included the Bali Action Plan, which launched a new, comprehensive process to enable the full, effective and sustained implementation of the Convention through long-term cooperative action, now up to and beyond 2012, with the aim of reaching an agreed outcome and adopting a decision at COP 15 in Copenhagen (Environmental and Energy Study Institute, 2014). Government divided the plan into five main categories: shared vision, mitigation, adaptation, technology and financing.

In 2008 at COP 14/CMP 4 held in Poznan, Poland, Parties began negotiations on the financing mechanism to help poor countries adapt to the effects of climate change. At the same time negotiations continued about what would succeed the Kyoto Protocol. In June 2009, governments met in Bonn, Germany to begin discussions on the draft negotiations that would form the basis of an agreement at Copenhagen. The Copenhagen COP in 2009, – COP 15/CMP5 was set by the Ad hoc working group on Kyoto Protocol formed during Montreal COP in 2005. The Ad hoc working group on the Long-Term Cooperative Action set in Bali in 2007, COP 13/CMP3, Governments had agreed to have a deal in 2009 regarding a legally binding climate regime from 2012-2020 for developed country Parties and a non-legally binding long-term cooperative action now up to and beyond 2012 for developing country Parties.

The discussions at COP 15/CMP5 lost track when developed countries started advocating for burden sharing with developing countries. It was not acceptable to developing countries as it was against the principle of common but differentiate responsibilities (CBDR). In the mist of getting an agreement at COP 15, the infamous Copenhagen Accord was tabled for consensus, which advocated for the continuation of the Kyoto Protocol, but due to the lack of consensus, COP 15 ended without an agreement.

The disappointment of Copenhagen was turned into an opportunity in Cancun 2010 COP 16/CMP6 , where the Copenhagen Accord was officially adopted including limiting global warming to 2C, protecting vulnerable forests and establishing a framework for a Green Climate Fund meant to deliver funds to developing countries for mitigation and adaptation. The Cancun agreements also sets the course for a second commitment period for the Kyoto Protocol and established the Adaptation Committee. And developed countries pledge to contribute US$100 billion from now up to 2020 in climate aid to developing countries.

4.3 Road to the Paris agreement and COP/CMP along the route,

Following the Cancun COP, the Durban COP17/CMP7 in 2011 took place where in the seed of the Paris Agreement was sown (Environmental and Energy Study Institute, 2014). The seed started sprouting in Doha COP18 in 2012, where countries decided to avoid the gap between Kyoto and next legally climate regime. So, the second regime of Kyoto was decided from 2012-2020 and the third pillar of loss and damage was incorporated for the first time.

The Warsaw COP19/CMP9 was expected to create a roadmap for the 2015 COP in Paris, where a legally binding treaty to reduce GHG emission was expected to be finalized in order to come into force in 2020. Differences of opinion on responsibility of GHG emissions between developing and developed countries led to a flexible ruling on the wording and a plan to discuss further at the COP20/CMP10 in Peru.

A non-binding agreement was reached among countries to set up a system tracking the loss and damage issue, although details of how to set up the mechanism was not discussed. Concerning climate finance, the United Nations' Reducing Emissions from Deforestation and Forest Degradation (REDD+) Program, aimed at preserving the world's forests, was formally adopted. However little progress was made on developed countries committing to the agreed plan of providing US$100 billion per year by 2020 to developing countries.

In Lima, 2014, COP20/CMP10 countries submitted their own climate ambitions in the form of intended nationally determined contributions (INDCs) (Environmental and Energy Study Institute, 2014). In 2015, the Paris agreement was finally adopted and the INDCs were annexed to it. It was agreed that Paris agreement would start from 2021. In all these post-2020 talks, developed countries tactfully avoided their pre-2020 commitments by not ratifying the Kyoto protocol. The year 2015 was known as a year of multilateral agreements because in addition to Paris agreement, sustainable development goals and Sendai Framework was also adopted making 2015 a successful year.

The Paris Agreement entered into force in 2016. It establishes a goal of holding the increase in global average temperature to well below 2C above pre-industrial level while pursuing efforts to limit the increase to 1.5^{o}C . It also calls for global peaking of GHG emissions as soon as possible to achieve a balance between anthropogenic emissions by sources and removals by sinks in the second half of this century. The core obligation of each Party is to "prepare, communicate and maintain" successive nationally determined contributions (NDCs) that it intends to achieve. It

further aims to increase the ability of countries to adapt to climate change and to make financial flows consistent with a pathway towards low GHG emissions and climate resilient development

Taking account of the first implementation meeting that took place during COP22 in Marrakech, 7 to 18 November 2016, where the main priority for the Conference was to begin work on developing the rulebook for implementation, monitoring and reporting of countries' Nationally Determined Contributions (NDCs). Progress was made in several areas and agreement was reached that the rulebook should be completed by 2018. The 24th session of the Conference of the Parties to the UN Framework Convention on Climate Change , COP24 was held on 2-14 December in Katowice, Poland.

The key objective for the COP24 was to agree and adopt a package of decisions to ensure the full implementation of the Paris Agreement. This is known formally as the Paris Agreement Work Programme (PAWP), or more informally as the Paris "rulebook". The Paris rulebook text was substantially agreed on 15 December 2018, although some technical aspects, such as the rules relating to voluntary carbon markets and common timeframe were postponed until COP25.

At COP 25, however, the talks were unable to reach consensus in many areas, pushing decisions into next year under "Rule 16" of the UN climate process. Matters including Article 6, reporting requirements for transparency and "common timeframes" for climate pledges were all punted into 2020, when countries are also due to raise the ambition of their efforts. The next round of negotiations on market mechanism and measurement, reporting and verification (MRV) of greenhouse gas and common timeframe are now set for COP26 in 2021 to be held in Glasgow (UN Climate Change Conference UK 2021, 2021)

4.4 Operationalization of the Paris agreement (Rulebook) COP/CMP/CMA.

This process provides the foundation for countries to fully bring the Paris Agreement to full operation, countries must plan their action, implements the plans and review individual and collective progress to inform future planning and their next NDCs.

This plan-implement-review cycle supports the Agreement's commitment to comprehensively take stock of collective progress every five years in a process called the global stocktake, a key element of the process that is sometimes referred to as the Agreement's ambition mechanism. The global stocktake will inform countries as they each consider how to strengthen

their NDCs in light of their different national circumstances. Each round of NDCs is meant to reflect a country's most ambitious plans and be stronger than the last.

The review of individual countries' progress seeks to verify the quality of the data provided and assess progress against each country's targets, while the global stocktake, as noted above, assesses collective progress toward the Agreement's long-term goals and identifies the remaining gaps, challenges and opportunities for enhanced action. The Agreement also set up an expert committee focused on facilitating implementation and promoting compliance to help countries address barriers to implementation and further climate action.

CHAPTER 5: NATIONAL DELEGATION AND PARTICIPATION IN THE NEGOTIATIONS.

The negotiations under the United Nations Convention Framework Convention on Climate Change (UNFCCC) have come a long way since the first Conference of the Parties (COP1) in 1995. The delegations that governments send to the UNFCCC COPs have multiplied also, as is the case of issues and the complexity of the negotiations. As a result the national delegation grew from barely one digit number to over three to four digit numbers over the last 20 years of climate change annual conferences. Participation has also been climbing from a couple of thousands to over fifteen thousands and even more to some of the climate change conferences that were meant to reach a decisive outcome such as the Kyoto, Copenhagen and the Paris climate change conferences.

This chapter seeks provide an overview insight to national delegation and participation in the negotiations of United Nations climate change conferences that have grown exponentially in size over the past two decades, from small working sessions into the largest annual conferences currently held under the auspices of the United Nations and now among the largest international meetings in the world. Participation to these climate change conferences have grown exponentialy over the years as representatives from governments, NGOs, civil society, other non-governmental organizations and the global news media respond to the increasingly complex and involving UNFCCC process meant to tackle the global climate change problem.

These conferences are the foremost global forums for multilateral discussion of climate change matters, and have an incredibly busy schedule. The conferences, which rotate annually among the five United Nations regional groups, serve as the formal meetings of the Conference of the Parties (COP), the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) and the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (the CMA).

They also include sessions of the subsidiary bodies (SBs) and any Ad hoc negotiating groups that may be established by the COP/CMP/CMA. The UNFCCC secretariat supports all the institutions involved in the negotiations, as well as the Bureau of the COP/CMP/CMA, which is the executive body that advises the President of the conference.

5.1 National delegation in the climate change process.

The negotiations under the Convention got more complex as the global climate change problem is better understood and the impacts became more intensified over the year since the Convention was ratified. The composition and size of the delegations that governments send to the UNFCCC COPs kept on changing from one climate change conference to the other, whilst there are others who become regular participants. Such changes are more prominent when the climate change conference is supposed to produce binding agreements that regulate the emissions levels of some or all countries and address other key issues for several years, such as the Kyoto, Copenhagen and Paris Climate conferences. Even the national delegation includes representatives from other ministries in addition to the representative of the ministry or embassies that participate regularly for such conferences. The additional delegation, However, it could be argued that the delegates who only show up at the important COPs are less active in the negotiations than those who attend COP on a regular basis mainly because of the complexity level that COPs have become over time.

The size of national delegations from African Group of Negotiators (AGN) depends on the funding form the Convention Secretariat, governments and other organization that offer additional funding, such as the African Union, African , etc. The Convention Secretariat extend funding to one delegate to all African Countries for SBs meeting and two delegate for COPs. African countries who are also members of the Least Developed Countries (LDCs) would receive funding for two delegates for SBs meeting and three for COPs.

The funding is extended to eligible developing countries and depends on availability of funds in the Convention's trust funds. Eligibility is guaranteed by payment of the Convention's subscription by your government. Each countries that ratified the COP/CMP/CMA nominate a National Focal Point (NFP), whose basically becomes a liaison officer with the secretariat. The NFP is responsible for nominating governments delegates eligible for funding after receiving a notification form the secretariat. The NFC is also responsible for registering government delegates who are going to participate in the COPs and SBs sessions. Otherwise, all communication between governments and the secretariat is channeled through the NFP.

The AGN elect a Chair Person on a two year rotational basis amongst the five regions, that is North, West, Central, East and South. The Chair is responsible amongst other things to organize the group to speak with one voice in the negotiations and becomes a spoke person for the group.

He/She works with Lead Negotiators who are normally elected amongst members of the AGN to deal with negotiations of specific agenda items in the COP/CMP/CMA and SBs agendas. They provide briefings to the AGN on a daily basis at the consultation sessions of the AGN on the progress of the negotiations. This provide an opportunity to those countries with thin delegation on getting the briefs on progress of those agenda items that they cannot attend because they take place simultaneously with other agenda items that are of the same priority to national needs, even though the secretariat does make effort not to post agenda items coming from the same cluster at the same time.

The COP agenda items grew when it adopted the Kyoto Protocol and further grew when it adopted the Paris Agreement. Along with this growth, the SBs agenda items also grew and what got things worse is that a number of agenda items are kept in the agenda, sessions after sessions and never conclude. There are a number of reasons for keeping an agenda items in one session after another and some of the reasons includes lack of consensus, Parties strolling progress because they want another agenda item to be completed first, need for more scientific information etc. This problem creates a situation in which thin delegations find it hard to cope with the set of plenaries, in-formals, formals, consultations, contract groups, bilateral and collation groups' briefing meetings that tend to be scheduled at the same time.

National governments nominate delegates to serve on the national delegations to the SBs and COPs. The delegations also include individuals who are not serving as national representatives, including independent researchers and representatives of sub-state government (cities, civil society, etc.). Nevertheless, these non-state actors do not represent the state in the actual negotiations and are not part of the decision-making process that defines the state position. The delegation from the state ministries and agencies that officially represent the state in the negotiations constitute the focal point.

5.2 Participation in the COP/CMP/CMA negotiation processes and meeting: plenary process, pre COP, contract groups, formal, informal, bilateral, coordination, and friends of the chair and Presidency,

The climate change intergovernmental process is characterized by a number of groupings and coalitions. There are, on the one hand, UN regional groups that are typical in other multilateral processes and, on the other, groups and coalitions that are unique to the UNFCCC process. The latter include groups and coalitions that are now a permanent feature in the process as well as

coalitions created for specific negotiation mandates. Alliances and coalitions are therefore dynamic and may be formed to respond to specific negotiation issues. The five UN regional groups of Member States are:

The Group of African States.

The Group of Asia and Pacific States.

The Group of Eastern European States.

The Group of Latin American and Caribbean States (GRULAC).

The Group of Western European and Other States (WEOG).

In the climate change intergovernmental process these groups, apart from the African Group, do not participate in substantive negotiations and are mainly used for representation purposes in key treaty bodies. The long-established negotiating groups in the process are: The G77 and China, established in 1964 on the margins of the first session of UN Conference on Trade and Development, and currently composed of 134 developing countries. The European Union (EU), composed of 27 Member States and the EU. The Umbrella Group, established upon the adoption of the Kyoto Protocol in 1997 and composed of non-EU developed countries (Australia, Canada, Japan, Kazakhstan, New Zealand, Norway, Russian Federation, Ukraine, and the US).

The Environmental Integrity Group (EIG), established in 2000 and composed of Lichtenstein, Mexico, Republic of Korea, and Switzerland. The Alliance of Small Island Developing States (AOSIS), composed of 43 highly vulnerable low-lying or small island States. The LDCs, composed of 49 States mostly in Africa and Asia, and operating throughout the UN system. More recently, the following negotiating groups have emerged: BASIC countries (Brazil, South Africa, India, and China). ALBA (Bolivia, Cuba, Ecuador, Nicaragua, and Venezuela). AILAC (Chile, Colombia, Costa Rica, Guatemala, Panama, and Peru). Arab Group (22 States in North Africa and West Asia).

Coalition of Rainforest Nations (a large grouping of forested tropical countries in Africa, Asia, and Latin America and the Caribbean). Like-Minded Group of Developing Countries (LMDCs), which was one of the negotiating group for developing countries in Africa, Asia, and Latin America and the Caribbean during the ADP negotiations. In several instances there are overlaps in membership of the negotiating groups and coalitions. For example, some members of the African Group (as a negotiating group) are also members of LDCs and AOSIS. This overlap, however, is not the case between G77 and China, the EU, the Umbrella Group, and the EIG.

There are also differences in the practice of groups/ coalitions. In some, unity of purpose is demonstrated through coordination and the articulation of common negotiating positions. In others, solidarity is expressed only through information sharing. But even in the former, group/coalition cohesion is not always guaranteed, individual Party positions may be presented either because of lack of agreement in the group/coalition on a common position, or in spite of such agreement. A notable example is the Copenhagen Conference where there was a remarkable fragmentation in the G77 and China with clear differences between the big emitters (China and India) and the most vulnerable countries (African Group, LDCs, and SIDS).100 This also continued under the ADP with other splinter groups becoming more vocal.

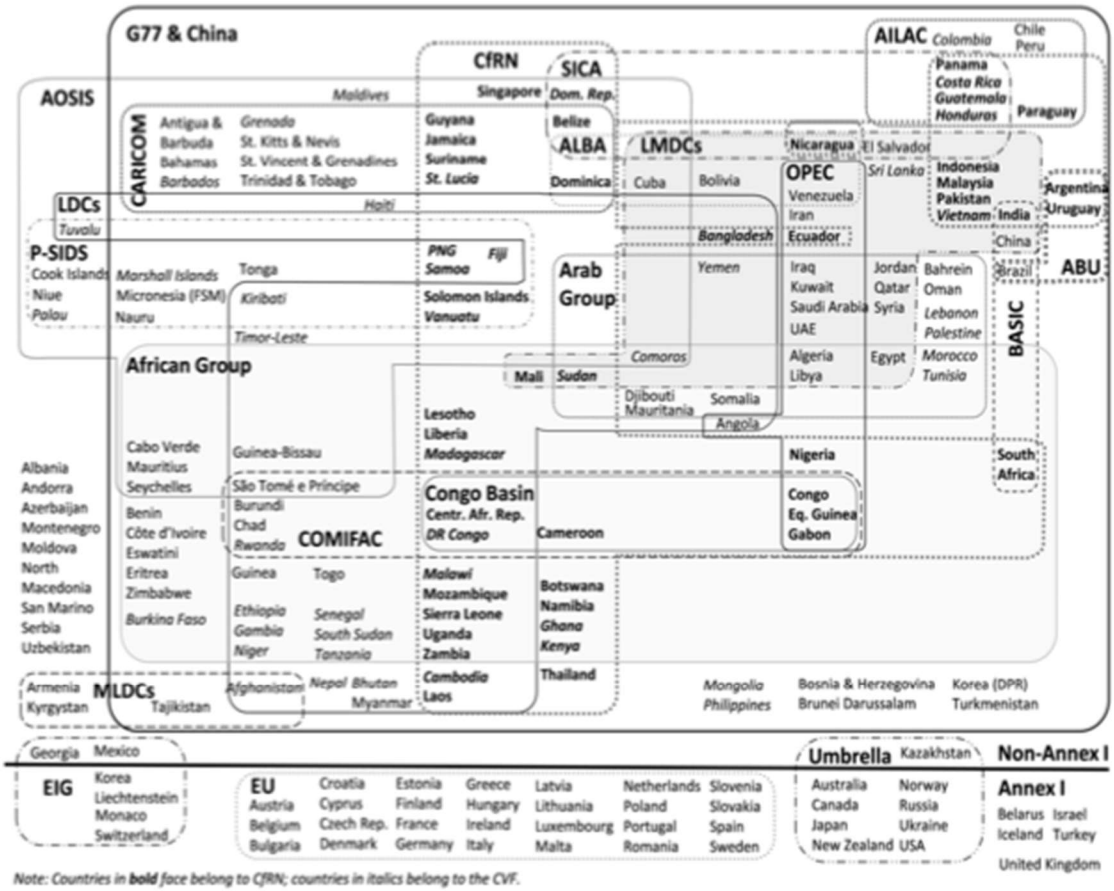

Figure 5: Coalitions in the climate change negotiations from Haller (2018).

Formal negotiations take place in the plenary meetings of the governing and subsidiary bodies, and the contact groups established by the plenaries to conduct negotiations on specific

agenda items. Plenary meetings of the COP, CMP, and CMA are the decision-making forums and are open to participation by all Parties, observer States and organizations, and the media. The plenary meetings of the SBSTA, SBI, and AWGs are open to all Parties and observers. Plenary meetings are also used by Parties to make general statements, to review progress in the negotiations, and to raise process related issues. All Plenary meetings have interpretation in all UN languages.

Contact groups are established by a decision of the plenaries of the COP, CMP, CMA, SBSTA, SBI, or AWG to undertake negotiations on specific agenda items and report back to the establishing body. Although contact groups are open to participation by all Parties, participation by observers may be restricted. The application of the formal rules of procedure is more flexible in contact groups with a view to facilitating efficiency in the negotiation process.

Negotiations also take place in smaller informal settings. These informal groups are not established by the plenaries, as is the case with contact groups, but by the presiding officers (President of COP, Chair of a subsidiary body, or Chair of a contact group) with the agreement of the group (COP/subsidiary body/contact group) or under his/her own responsibility. They take a variety of forms: informal consultations, 'informal informals', Friends of the President/Chair, drafting groups, spin-off groups, consultations, briefings and *indabas*. Such groups are used, among other things, to advance negotiations on difficult or politically sensitive issues; to find compromises on outstanding issues; to resolve technical issues through drafting; to trouble-shoot specific problematic issues; or to break political deadlocks. These meetings are conducted in English, so it is important to have an understanding of English to meaningfully participate.

In order to ensure efficiency and success in small group negotiations, a number of imperatives must be met: There has to be clarity on the mandate.

- The timeframe for concluding work must be determined.
- There has to be clarity on the participants and how they are selected.
- There has to be regular reporting to the mandating body on progress of work, as appropriate.

In practice the adoption of the agenda of each body, the organisation of work of their sessions, and the initial consideration of agenda items before them begins at the formal plenary meetings of the COP, CMP, CMA, and the subsidiary bodies. The COP, CMP, and CMA invariably refer most of their agenda items to the subsidiary bodies – SBSTA, SBI, or AWGs – for

consideration and recommendation in accordance with their respective mandates. Agenda items which are not referred to the subsidiary bodies are considered by Parties within the COP, CMP, or CMA. The subsidiary bodies may establish contact groups and informal groups such as "informal consultations" to address specific agenda items. Similarly, the COP, CMP, or CMA may establish contact groups and informal groups to consider agenda items which had not been referred to the subsidiary bodies.

The relationship between these bodies is hierarchical and successful negotiations depend on respecting the "chain of authority". Thus, regular reports on progress of work are made and final recommendations submitted to the body under which the negotiating forum is established (SBSTA/SBI/AWG/contact group). Such recommendations take the form of draft decisions or conclusions. Draft decision texts coming from contact groups and informal consultations are briefly considered or further negotiated, as necessary, by the SBSTA, SBI, or AWG before transmission to the plenary of the COP, CMP, or CMA for adoption. Contact groups and informal consultations established under the COP, CMP, or CMA report and submit the outcomes of their work directly to these governing bodies. The subsidiary bodies (SBI/SBSTA/AWGs) adopt conclusions.

Where consensus cannot be achieved either in the small group settings or in the SBSTA, SBI, or AWG plenaries, the draft text is forwarded to the COP, CMP, or CMA with square brackets indicating areas of disagreement. Sometimes the whole draft decision text is in square brackets signifying lack of consensus on the outcome, while in other instances only certain elements are in square brackets. Further negotiations may take place in the COP, CMP, or CMA plenaries or the President may hold further informal consultations to secure final agreement.

In addition, the COP, CMP, and CMA hold regular joint informal stocktaking plenary meetings to review progress in the negotiations, to listen to Parties and to address any process related issues. The first week of the two-week UN Climate Change Conferences is dominated by intense technical work in the subsidiary bodies and informal groups focused on negotiating and agreeing on texts of draft decisions and conclusions. The second week includes a "high-level segment" (HLS) traditionally attended by ministers and other heads of delegations. More recently, the HLS have been frequented by Heads of States/governments, especially in the case of high-profile conferences such as COP15 in Copenhagen and COP21 in Paris. During the HLS, the COP, CMP, and CMA meet in joint plenaries to hear national statements from ministers and other heads

of delegations, as well as statements from representatives of negotiating groups and observer organisations. There is only one list of speakers for Parties to the Convention, the Kyoto Protocol, and the Paris Agreement. The HLS is a forum for high-level political engagement, but is not a forum for decision-making.

The HLS sometimes includes ministerial dialogues on pressing and topical issues. For example, the COP by its Decision 1/CP.18, mandated that a high-level ministerial dialogue be convened at COP19 on efforts to scale-up climate finance. Such dialogues underline the priority issues in the process and inject much needed political momentum. Ministers have often been engaged in the negotiations to facilitate agreement on the major politically sensitive issues before a conference. Notable examples are the ministerial outreach processes during the negotiations of the Cancun Agreements and the Paris Agreement. The President of the COP and other presiding officers play a critical role in the management and conduct of the intergovernmental negotiations.

The core mandate of the presiding officer is to provide leadership and facilitate the negotiation process. In this regard, she/he must ensure that the process is open, inclusive, and Party-driven. There may be opportunities for the presiding officer to "steer" or "direct" the process but that depends on the level of trust and the political capital he/she has gained with Parties. For the President of the COP, the building of trust and support starts during the Pre-COPs organised by the host country in the lead up to the COP. This provides an opportunity to listen to Parties' views and concerns regarding the organisation of the Conference and the major substantive issues under negotiation and create goodwill by providing reassurances that the Presidency is an honest broker. Thus, due to their significance in the development of the international climate change regime, the Copenhagen, Cancun, and Paris Conferences were preceded by broad and intensive pre-conference consultations and engagements with Parties and negotiating groups/coalitions. During the Conference itself, the presiding officer needs to maintain the policy of openness and inclusiveness, consulting with and listening to all Parties and negotiating groups/coalitions.

The trust and goodwill built with key political constituencies and individual Parties through such an approach allows the presiding officer to take difficult decisions at crucial moments during the negotiations. Thus, the President of COP16 gavel the adoption of the Cancun Agreements to standing ovation notwithstanding Bolivia's protests; and the President of COP21 postponed giving the floor to Nicaragua at the final session of the *Comite de Paris* without any procedural challenge.

Lastly, negotiations are Party-driven and their outcomes are products of transparent and inclusive processes. In sharp contrast to the Danish COP15 Presidency, the French COP21 Presidency consistently assured Parties that there was no French text and that the Conference outcomes would emerge from the work of Parties. This is not to say that a presiding officer cannot table a compromise text to bridge differences and forge consensus. However, the presiding officer must carefully evaluate the political opportunity for such an intervention. As Kumarsingh affirms: "*While the Chairs must retain the right to offer avenues for consensus building, their suggestions can be resoundingly rejected by Parties. To say that Chairs cannot propose such avenues or can only do so at the behest of Parties is untenable, in my view*".117

5.3 Workshops, mandated and side events,

If climate change negotiations do not appear legitimate to various groups, it may impede their ability to reach and implement agreements. One factor in attaining increased legitimacy is to secure a forum for input to the negotiations outside the formal negotiations, a forum where Parties, civil society, business, trade unions, and others, who all have a stake in the outcome of the negotiations, can present their views. Starting with the parallel conferences arranged at the United Nations Conference on the Human Environment in 1972, civil society involvement has grown to become an integral part of the UN negotiating process.

The side events at the Conference of Parties (COP) are today the most visible component of civil society engagement in the international climate negotiations. They provide a forum for science and policy interaction and for NGO and social movement participation in the multilateral negotiations. They also comprise a forum where countries and international organisations can convey their messages outside the more constrained formal negotiations of the United Nations Framework Convention on Climate Change (UNFCCC).

Side events have the sole purpose of benefiting participants attending the session of the Conference of the Parties and/or subsidiary bodies of the Convention. The purpose of the side events can be achieved in various ways. A common conception is that the side events should provide a forum for input to the negotiations. Wide participation in side events is expected to increase the legitimacy of both the negotiating process leading up to agreements and the results achieved at COPs. By involving a wider range of stakeholders and perspectives, side events can be said to legitimise climate governance through fostering inclusiveness. Our starting point was

the question of input legitimacy and the procedural framework for the diffusion of ideas in the negotiations. However, as side events also promote other objectives, most notably capacity building, technology development and transfer, learning by doing, adaptation process as well as providing a platform I which practical examples and case studies are demonstrated.

5.4 Participation of observer, NGOs, civil society, Academia, business communities and the media,

Principle 10 of the Rio Declaration on Environment and Development, Agenda 21,120 and the Rio + 20 outcome document *The Future We Want* have all underlined the important role of non-State actors in the development and implementation of sustainable development policies and actions. These actors include major groups such as women, children and youth, Indigenous Peoples and local communities, NGOs, local authorities, workers and trade unions, business and industry, the scientific and technological community, and farmers. Since 2015, they are collectively known in the UNFCCC process as non-Party stakeholders.

The achievement of the global goals set out in the Paris Agreement depends largely on behaviour change by citizens and action at the local level driven by citizens. It is through their consumer choices and pressure that business will change; and it is through their votes that the direction of public policy and related public investment decisions will shift. The importance of the role of non-Party stakeholders in the climate change intergovernmental process cannot therefore be denied.

The texts of the UNFCCC, the Kyoto Protocol, and the Paris Agreement as well as the Rules of Procedure provide for the admission and participation of "observers" in the climate change intergovernmental process is provided in Article 7.6 of the UNFCCC: "*Anybody or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention...*" may be admitted as an observer at the COP, *"...unless at least one third of the Parties present object*".

It further provides that the admission and participation of observers shall be subject to the Rules of Procedure of the COP. These provisions are replicated in Article 13.8 of the Kyoto Protocol and Article 16.8 of the Paris Agreement. Although Article 7.6 of the UNFCCC seems to have contemplated the further elaboration of detailed procedures for the admission and participation of observers in the Rules of Procedure, Draft Rule 7 simply reproduced the text of

that Article with the only new element being the provision that "admitted observers may, upon the invitation of the President, participate without the right to vote in the proceedings of any session...unless at least one third of the Parties present object". The secretariat has established procedures for the screening, review, and consideration of applications for observer status by eligible organisations which are published on its web-site as the "Standard admission process".

These procedures have been endorsed by the SBI and Non-Party stakeholders in the process represent a broad spectrum of interests and are grouped into nine recognized constituencies:
Business and industry non-governmental organizations (BINGOs).
Environmental non-governmental organizations (ENGOs).
Local governments and local authorities.
Indigenous Peoples' organizations.
Research and independent non-governmental organizations (RINGOs).
Trade union organizations.
Women and gender organizations.
Youth organizations.
Farmers' organizations.

Each constituency has a "focal point" as a channel for communication and dialogue between the secretariat and the observer organizations. As of 2018, over 2200 NGOs and 130 intergovernmental organizations were admitted as observers to the UNFCCC process.

The scope, space, and opportunities for participation of observers in the process have been progressively expanded and strengthened through the years, beyond the narrow and limited conceptualization of "participation in proceedings", to encompass inputs into the process and recognition of non- Party stakeholders' climate actions. Initially, the only mode of participation was through interventions in the formal plenary meetings of the COP, SBI, and SBSTA in conformity with Rule 7.2 of the Rules of Procedure. Subsequent developments have enhanced opportunities for observers by allowing attendance in contact groups and some informal consultations; inputs into technical meetings and processes; and participation in the high-level segment of the COP.

At COP4 in 1998, Parties agreed that observer organizations could attend open-ended contact groups unless at least a third of the Parties present object, with the understanding that the

presiding officer may determine at any time that the contact group is closed to observers. Upon the establishment of a contact group, a presiding officer is required to establish whether there are any objections to the attendance of observers.

At SBI20 (The twentieth session of the SBI) in 2004, the SBI recognized the value of NGO contributions to deliberations on substantive issues, and welcomed the practice of presiding officers in permitting their interventions when appropriate. NGOs are normally given the floor after observer States and IGOs. Importantly, the SBI agreed that requests for submission of information and views be extended to NGOs, and their submissions be made available on the secretariat website.

At SBI34 in 2011, Parties recommended that where there is no contact group for an agenda item, the first and final meetings of the informal consultations should be open to observers. At SBI36 in 2012, Parties recommended that representatives of observer organizations be allowed to make interventions at the high-level segment of the COP. Since then, observer organizations active participation in the high- level segment has become settled practice.

In 2017, SBI46 held an in-session workshop on opportunities to enhance the effective engagement of non- Party stakeholders to strengthen the implementation of COP Decision 1/CP.21. A number of opportunities were identified, including:

- Presiding officers increasing opportunities for interventions, providing regular briefings to non-Party stakeholders on progress of work, and making greater use of non-Party stakeholders inputs in workshops, technical meetings, and through submissions.
- Future COP Presidencies exploring ways for open dialogue between Parties and admitted NGO constituencies.
- The secretariat enhancing practices for facilitation of non- Party stakeholders participation; and enhancing Parties' access to submissions from non-Party stakeholders.

COP21 welcomed the efforts of non-Party stakeholders to address and respond to climate change, and encouraged Parties to work closely with non-Party stakeholders to catalyze efforts to strengthen mitigation and adaptation action. A number of initiatives and processes were launched under the UNFCCC:

- Decision 1/CP.21 welcomed the efforts of non-Party stakeholders to scale up their climate actions and encouraged their registration in the NAZCA Platform.
- The Marrakech Partnership for Global Climate Action, under the leadership of the high-level climate champions, seeks to strengthen collaboration between governments and non-Party stakeholders to implement the Paris Agreement.
- Non-Party stakeholders were robustly engaged in the preparation and conduct of the TALANOA Dialogue, launched at COP23 in 2018 to take stock of the collective effort of Parties in relation to progress towards the long- term global goal referred to in Article 4.1 of the Paris Agreement.
- The Local Communities and Indigenous Peoples Platform was established by Decision 1/CP.21 to strengthen the efforts of local communities and Indigenous Peoples related to addressing climate change and its impacts. The Facilitative Working Group to operationalize the Platform includes representatives of local communities and Indigenous Peoples' organizations.
- The eight-year Doha Work Programme on Article 6 of the UNFCCC adopted at COP18 in 2012 seeks to promote the implementation of activities relating to education, training, public awareness, access to information, public participation, and international cooperation. Under the Work Programme, the SBI is required to organize an annual multistakeholder dialogue where IGOs, NGOs, the private sector, and Parties discuss issues relating to implementation in the six thematic areas. Subsequently, COP22 and CMA1 decided that efforts related to the implementation of Article 6 of the Convention and Article 12 of the Paris Agreement should be referred to as Action for Climate Empowerment.

Many Parties now include non-Party stakeholders in their delegations. This allows these stakeholders to participate in the full negotiation process, subject to meeting the requirements of the Party concerned. As such, many stakeholder organizations have fully integrated themselves into the negotiation process and play a pivotal role in directing outcomes.

5.5 Meaning and identification of different documents produced by the COP/CMP/CMA,

All official papers (including draft decisions and conclusions, but not non-papers) have document codes in the top right corner of the page. It is important to be familiar with the coding to ensure that you have the correct document during the decision making process. All code starts with 'FCCC', and is followed by the code for the relevant body and the year the document was issued:

- - /CP/2016/ — for the COP
- - /KP/CMP/2016/ — for the CMP
- - /PA/CMA/2016/ — for the CM
- - /SBI/2016/
- - /SBSTA/2016/
- - /APA/2016/
- - ...or /TP/[year] if a document is a technical paper not associated with one particular body.

After the year, there will normally be a number, or letter and number denoting the type of the document or agenda number, for an example, information document will have "info no., addendum document wi;ll have 'Add no. revised document will have "rev no. etc.. If the code -/L is used, it means that the document is a draft, with the number denoting the version. Remember, 'draft conclusions' from a subsidiary body that only need plenary approval to be considered 'final' are still 'L. docs' and you need to know which number corresponds to the latest L. doc that is being forwarded to plenary for approval. Other useful codes to know:

- -/CRP/- for 'conference room paper', which is a document that parties agree to use in the negotiations
- -/INF/- for information notes such as a synthesis of submissions prepared by the secretariat, or the list of participants for a session

-- FCCC/SBI/2006/ MISC.17, for miscellaneous document

-- FCCC/TP/2012/1, for technical paer,

-- FCCC/ CP/2018/10/ Add. 2, for addendum documents

-- FCCC/ CP/2019/3/Corr.1, corrigendum documents

5.6 Brief oversight on the process of reaching the COP/CMP/CMA decisions and procedural conclusions.

The Conference of the Parties meeting as COP, CMP and CMA serves two main purposes:
To review the implementation of the Convention, the Kyoto Protocol and the Paris Agreement, respectively; and
To adopt decisions to further develop and implement these three instruments.

The latter can include establishment of any subsidiary bodies that are deemed necessary. Parties may also negotiate and adopt new legal instruments, like the Paris Agreement adopted by the COP in 2015 or the Doha Amendment to the Kyoto Protocol adopted by the CMP in 2012.
The conduct of the meetings follows certain rules (the so-called UNFCCC draft rules of procedure that are being applied by the COP, CMP, CMA and their subsidiary bodies). The arrangement for agreed outcomes within the collective decision-making framework of the COP/CMP/CMA, is a highly complex exercise which involves negotiation and compromise.

The COP/CMP/CMA currently convenes annually for two weeks, usually in late November or early to mid-December, along with meetings of the subsidiary bodies, Ad hoc negotiating bodies, and additional preparation meetings and technical workshops. The first week of the sessions typically focuses on technical sessions of the subsidiary bodies and any Ad hoc working groups.

The second week includes a 'high-level segment', with statements from ministers and often with their active engagement in the negotiations on a political outcome for the conference. The high-level segment is included to facilitate agreement on the major political issues (rather than negotiate details) and demonstrate priority for the UN climate change process and ensure momentum.

At the opening of each conference, a President (often a senior official or minister from the State hosting the sessions) is elected by the Parties to preside over the COP, CMP and CMA. Consideration of agenda items begins in the formal plenary meetings of the COP, CMP and CMA, the decision-making bodies for the Convention, the Kyoto Protocol and the Paris Agreement, respectively, with the adoption of the agenda and the organization of work of each body.
The COP, CMP and CMA then refer many of their agenda items to the subsidiary bodies (the SBSTA and the SBI, or possibly an existing Ad hoc working group) to move the issue forwards, resolve differences and reach agreement. Some agenda items are not referred, but are considered further by Parties within the COP, CMP or CMA itself. The aim is to forge agreement

on draft decisions or conclusions that reflect the consensus among Parties, with a view to presenting the draft texts to a plenary meeting (of COP, CMP or CMA) for adoption at the ends of session.

While under consideration by the subsidiary bodies (or sometimes the COP, CMP or CMA), the issue is often referred to smaller more informal groups, such as 'contact groups' and 'informal consultations', which are more suited to working on detailed text. During the meetings, national delegates try to achieve convergence, and ultimately consensus, on draft decisions that reflect the views of all Parties.

Once a draft decision is agreed in an informal group, it is normally forwarded for approval to the body that launched the informal group (e.g. one of the subsidiary bodies or an Ad hoc negotiating group), which then forwards it, after brief consideration or further negotiation, as needed to the plenary of the COP, CMP or CMA for final adoption. If Parties cannot reach agreement in the smaller negotiating groups, the draft text is forwarded to the COP, CMP or CMA for further debate. For some politically sensitive issues the President may hold further consultations to reach a final agreement.

During the final meetings of the COP, CMP and CMA, the President will present the results of the negotiations texts containing draft decisions and/or conclusions in the plenary for approval and adoption by Parties. Successive decisions taken by the COP, CMP and CMA make up a detailed set of rules for practical and effective implementation of the Convention, the Kyoto Protocol and the Paris Agreement.

If no agreement can be reached on a decision and Parties agree to apply rule 16 of the Draft Rules of Procedure, the issue is automatically included in the agenda of the next COP/CMP/ CMA. This rule allows for keeping all documents produced during the session before Rule 16, is applied. However if Parties do not agreed to applying Rule 16, then procedural conclusion is applied to the agenda item. This simply means that there no carry over document to the next session. When the agenda item is considered in the next session, negotiations will start from no document on the item coming from previous session.

CHAPTER 6: UNFCCC COP 26

COP 26 is going to be held at the time when the world continues to witness the ever growing impacts of climate change through world storms, floods and wildfires, etc**.** The COP take note that air pollution is sadly affecting health of tens of millions of people and unpredictable weather causes untold damage to homes and livelihoods, but while the impacts of climate change are devastating, progress in tackling it will lead to cleaner air, create good jobs, restore nature and at the same time unleash economic growth. However despite the world's progressive understanding the science and available information presented, the world is not acting fast enough to address the problem. The need to join forces and act fast to avert this crisis have never been urgent as it is now, when the world is going to the UNFCCC COP 26 negotiations.

The COP26 Presidency sated it boldly and clear that *"COP26 presents an opportunity for the world to take immediate action to end the fossil fuel era and start regenerating nature while ensuring that all our remaining natural ecosystems stay intact. As nations look to rebuild their economies in the wake of COVID19, we have seen an emphasis on 'building back better 'through a green recovery. More and more countries, businesses, and investors are also coming forward with commitments to decarbonize by 2030 or 2050. But while these long-term commitments send a very important signal, it is the decisions we make today that really matter. What we say yes to. What we say no to and where we choose to invest our human and financial capital right now and not in years to come. The eyes of the young people are on COP26 and beyond and every day, minute, and hour that passes without urgent action translates to failing future generations. The climate crisis is already causing loss and damage for so many people and while we may all be in the same storm; we are definitely not all in the same boat. COP26 is an opportunity and a time to move from commitments to real urgent action."*

6.1 The <u>overview of UNFCCC COP 26</u>,

The time has come for the international community to unite and support people who are most vulnerable to the impacts of the changing climate. The need for more action to avert, minimize and address the loss and damage that is already occurring from climate change has never been so high. The world must do more than creating plans and putting pledges for enough finance if they are put in place improve early warning systems, flood defences, and build resilient infrastructure and agriculture to avoid further loss of life, livelihoods and natural habitats as a result of climate change impacts.

The is growing understanding that protecting and restoring natural habitats is a powerful way to boost resilience to the impacts of the changing climate. They help to build natural storm and flood defenses, whilst flourishing ecosystems contribute to sustainable farming and support billions of lives worldwide. In that way, all countries should produce an 'Adaptation Communication', a summary of what they are doing and planning to do to adapt to the impacts of the changing climate, challenges they face and support they need. There is a strong need to learn together and share best practice between countries, if we are to build resilient communities.
The UK Presidency has already initiated this process of learning together and sharing best practices through developing an Adaptation Action Coalition, in partnership with Egypt, Bangladesh, Malawi, the Netherlands, Saint Lucia and the United Nations Development Programme. The coalition is bringing countries together to find solutions to some of the most challenging impacts of climate change, and it is inviting all countries to join us.

It is now a fact that some climate change summits are more important than others. The 2021 climte change summit, to be hosted by the UK and held in Glasgow, is going to be one of the most crucial one, ranking alongside those such as Kyoto in 1997 and Paris in 2015 in terms of delivering the Convention's ultimate objective of 'stabilizing greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system.'

The Paris Agreement marked the first occasion at which all the world's governments pledged to constrain their greenhouse gas emissions. Richer ones set targets for cutting emissions, and less advanced economies pledged to reduce the rate at which their emissions are rising, with the intention of cutting them at a later date.

Governments also collectively committed, based on science, to keep global warming since pre-industrial times 'well below 2C' and 'make efforts' to hold it to 1.5ºC. Scientists have since shown that allowing warming to progress to 2ºC carries significantly more risks than meeting the 1.5ºC target.

In the context of the Coronavirus and recovery from global recession, climate change continues to impact, and climate risks are increasing around the world. Therefore the need progressively tackled climate change problem at COP 26, there are hree components that will make a successful COP26:

- what happens in the year before COP26 to advance climate ambition;

- how successful the official negotiations are at COP26, including the high level segment with Heads of State and Ministers from around the world; and
- what progressive coalitions and alliances emerge for action on climate change to implement the Paris agreement successfully.

All Parties to the Paris Agreement have been requested to submit updated pledges (Nationally Determined Contributions, NDCs) during 2020, setting tougher targets for reducing emissions by 2030. The question that how many governments did so during 2020, or ahead of the summit in 2021 is a key test of the effectiveness of the Paris Agreement. In February 2021 the UNFCCC produced a synthesis report assessing whether enough progress is being made on increasing the ambition in the NDCs or not. So far developing countries are coming forward with improved NDCs, and the UK and EU presented their enhanced NDCs in December 2020.
2020 was also the year when the wealthy nations were due to deliver the target of $100bn a year in climate finance. The UNFCCC is expected to make a review whether this has been achieved ahead of COP26.

The official negotiations at COP26 is going to take place over two weeks, like most COPs. The first week is primarily technical negotiations by government officials through the SBs and established contract groups, informals and formals groups. The second week is dominated by the high level Ministerial and Heads of State meetings. The most challenging issues of the negotiations go to the Ministers to make the final negotiated decisions.

There are several technical issues to be finalized at COP26, this includes some difficult sticking points which were carried over from COP25 in Madrid in 2019. Issues which will be brought to COP26 include:

- Carbon market mechanisms, which would allow countries to purchase carbon credits (reductions) from another country to allow the purchasing country to continue to emit within its borders. Carbon markets may also include trade in 'negative' emissions such as carbon absorption through forestry. There are very diverse views from Parties on the extent and rules for these markets.
- Funding for Loss and damage: While Loss and damage is a core part of the Paris Agreement there is no mechanism as yet within the UNFCCC to fund responses when vulnerable countries experience loss and damage. This is

viewed as a critical factor by LDCs (African countries forms the majoring of LDCs) to unlock the negotiations but is resisted by many wealthy nations.

- Discussions over the delivery of the $100 bn finance target are likely, and again will be a critical factor for less developed countries. Additionally, COP26 is likely to set the next target for climate finance to be achieved by 2025.
- An increasingly important aspect of the climate debate is around 'nature-based solutions' (NBS). That is how nature (forests, agriculture and ecosystems) can become a climate solution for absorbing carbon and for protecting against climate impacts. COP26 will start to discuss how to integrate NBS into the Paris implementation strategy.
- The other element of the 'Paris rulebook' which requires agreement is on common timeframes for countries' NDCs - whether those timeframes should be five years or ten years. The shorter timeframe means revision of NDCs more frequently, potentially driving greater ambition than if they were only revised every decade, and
- Other listed items in the COP/CMP/CMA agendas

6.2 The UNFCCC COP 26,

Raising ambitions consistently with limiting temperature increase to 1.5 degree, build resilient nations for sustainable economic development and providing support needed by less developed countries remains an urgent need to avert climate change crises. COP26 has put four broad topic that could help us move swiftly toward avoiding climate change crises:

- Secure Global Net Zero by mid- century and keep 1.5 degrees within reach. Countries are being asked to come forward with ambitious 2030 emissions reductions targets (NDCs) that align with reaching net zero by the middle of the century. To deliver on these stretching targets, countries will need to accelerate the phase- out of coal, encourage investment in renewables, curtail deforestation and speed up the switch to electric vehicles.
- Adapt to protect communities and natural habitats. The climate is already changing and it will continue to change even as we reduce emissions, with devastating effects. COP26, countries need to work together to enable and

encourage countries affected by climate change to protect and restore ecosystems, build defense, put warning systems in place and make infrastructure and agriculture more resilient to avoid loss of homes, livelihoods and lives.

- Mobilise finance, to realise our first two goals, developed countries must deliver on their promise to raise at least $100bn in climate finance per year. International financial institutions must play their part and countries need to work towards unleashing the trillions in private and public sector finance required to secure global net zero.
- Work together to deliver. We can only rise to the challenges of climate change by working together. At COP26 countries must finalise the Paris Rulebook (the rules needed to fully implement the Paris Agreement). And, countries have to turn their ambitions into action by accelerating collaboration between governments, businesses and civil society to deliver on our climate goals faster.

6.3 Advancing the implementation of the Paris Agreement (Understanding needs of Article 6 of PA)

Article 6 is one of the least accessible and complex concepts of the global accord. This complexity was a major reason that Article 6 was not agreed to until the last morning of the Paris negotiations in 2015 and has not been fully unresolved so far. Getting these rules right is critical for fighting climate change and depending on how they are structured, Article 6 could help the world avoid dangerous levels of global warming or let countries off the hook from making meaningful emissions cuts.

Countries that struggle to meet their emissions-reduction targets under their national climate plans (NDCs), or want to pursue less expensive emissions cuts, can purchase emissions reductions from other nations that have already cut their emissions more than the amount they had pledged, such as by transitioning to renewable energy. If the rules are structured appropriately, the result can be a win-win for everyone involved, both countries meet their climate commitments, the overachiever is financially rewarded for going above and beyond, finance is provided to the country generating the emissions reductions, and the world gets a step closer to avoiding catastrophic climate change.

Article 6 has three operative paragraphs, two of which relate to carbon markets:

- Article 6.2 provides an accounting framework for international cooperation, such as linking the emissions-trading schemes of two or more countries (for example, linking the European Union cap-and-trade program with emissions-reduction transfers from Switzerland). It also allows for the international transfer of carbon credits between countries.
- Article 6.4 establishes a central UN mechanism to trade credits from emissions reductions generated through specific projects. For example, country A could pay for country B to build a wind farm instead of a coal plant. Emissions are reduced, country B benefits from the clean energy and country A gets credit for the reductions.
- Article 6.8 establishes a work program for non-market approaches, such as applying taxes to discourage emissions. For this explainer, we will focus on the carbon markets elements of Article 6.

While Article 6 established these concepts in broad strokes and countries achieved some progress on defining the rules over the years, their final shape remains yet to be agreed. Finalizing these rules is a key agenda item for COP 26.

Carbon markets are a big deal, both in terms of potential emissions reductions and the cost savings they can generate. Half of countries' initial NDCs (constituting 31% of global emissions) include the use of international cooperation through carbon markets. According to IETA, the potential benefits to cooperation under Article 6 include cost savings of $250 billion per year in 2030.

International cooperation through carbon markets can bring additional public and private finance and catalyze emissions reductions in a country hosting the mitigation activity. And for purchasing or acquiring countries, using carbon markets enables access to a wider pool of opportunities to reduce emissions. This might lead to higher ambition, given that mitigation can be made more cost-effective, which provides flexibility.

Without the right rules in place, Article 6 could actually weaken countries' NDCs and increase global emissions. There are a few ways in which this could happen:

- Double-counting: For example, country A might build a wind farm and then sell the credits for those emissions reductions to country B, so now country B can count those emissions reductions as part of its progress to achieving its

NDC. But if country A claims those same emissions reductions toward achieving its own NDC, that is double-counting. While the Paris Agreement is clear that double-counting must be avoided under Article 6, the extent to which double-counting is actually avoided depends on how accounting rules are operationalized. If emissions reductions are double-counted, it will potentially result in an increase in global emissions and weaken the already inadequate NDCs.

- Additionality: The way in which Article 6 is finalized will dictate whether emissions reductions under Article 6 will be additional to what would have occurred anyway. For example, if country A was already going to build that wind farm instead of a coal plant, here the carbon market didn't offer a climate benefit. Without guidance ensuring additionality of emissions reductions, Article 6 rules could weaken NDCs.
- Failing to deliver increased ambition and progression: Article 6 can be designed in a way that either supports or hinders increased ambition, for example, by determining whether subsequent NDCs will be incentivized to increase coverage of GHGs and sectors over time, and whether transfers of emissions reductions will result in greater emissions cuts.
- Avoiding double-counting: Countries were clearly concerned about double-counting at COP21 in Paris; the need to avoid it is mentioned no less than seven times in the Paris Agreement and its accompanying COP decision (decision 1/CP.21). The Paris COP decision specifies that double-counting in Article 6 must be avoided on the basis of a "corresponding adjustment" – a term you'll hear often at COP26. A corresponding adjustment means that when one country sells emissions reductions to another, it must adjust its own emissions figures accordingly. In other words, it must increase its level of emissions reductions in its NDC to make up for the fact that it sold some emissions reductions to another country. Conversely, the country that purchased the credit adjusts its own emissions reductions downward.

There are several critical issues in the negotiations about when corresponding adjustments apply and how to avoid double-counting. One of the largest issues that countries disagree on has

to do with whether corresponding adjustments will be required from credits from specific projects under Article 6.4. For example, credits from an emissions-reduction project like a wind farm could be sold to another country, and then the country that pursued the emissions reductions may choose to also apply those reductions towards achieving its NDC. If there's no corresponding adjustment, the emissions reductions of that project are counted twice.

For some Parties, overall mitigation in global emissions could mean that some of the credits generated under Article 6.4 for emissions reductions are essentially taken off the table, not used toward any Party's NDC. In other words, rather than transferring them between Parties and allowing a buying country to count those emissions reductions toward its target, these unused emissions reductions could be set aside to provide a net decrease in global emissions. For example, if 10 credits were generated from country A's wind farm, intended for transfer to another country, some percentage of the 10 credits would not be applied to either the NDC of country A or a purchasing Party. In this case, Article 6 would not simply be an offsetting tool, in which emissions reductions are transferred from one country to another with no guarantee of additional emissions cuts beyond the NDCs, but rather a tool that contributes to further emissions reductions. Countries are primarily divided on whether overall mitigation in global emissions applies only to Article 6.4 or to Article 6.2 approaches as well, as well as how overall mitigation in global emissions is done in practice (via discounts, cancellations, or other means).

Share of proceeds: Under the Kyoto Protocol, a levy was placed on trades under the Clean Development Mechanism, and the resulting proceeds were used for administrative purposes and to replenish the Adaptation Fund, which provides support to vulnerable countries to adapt to the impacts of climate change. The Paris Agreement was explicit about continuing this support for adaptation and administrative purposes under Article 6.4 (trading credits from emissions reductions resulting from specific projects), but did not mention it in Article 6.2 (when two or more countries transfer emissions reductions, for example through linked emissions-trading schemes). Countries arev still negoatiating how the share of proceeds under Article 6.4 will be carried out and whether there will be a share of proceeds from Article 6.2 transfers to generate revenue for the Adaptation Fund.

Carryover of pre-2020 Kyoto Mechanism units: Another issue is whether countries can use credits generated under the Kyoto Protocol prior to 2020, which remain unused given a lack of demand. A recent study estimated that there could be as many as 4 billion such units leftover from

the Kyoto Protocol, representing 4 gigatonnes of emissions. If countries take full advantage of these credits towards achieving their already insufficient NDCs, the world will get even further off track from reaching the goals of the Paris Agreement.

Studies show that if designed well, Article 6 has the potential to contribute to the Paris Agreement's goals at a lower cost. It can also provide great incentive for private sector investment in various countries and could help some countries leapfrog their technological development. But all of this can only occur if the market is credible, reliable and has integrity. Depending on how these issues are resolved in the negotiations, Article 6 could either deliver this ambition or fail dismally. If it fails, the intent and purpose of national commitments under the Paris Agreement will be seriously undermined.

Negotiations on this agenda item will build on the substantial work of COP 25 as well as the intensive diplomatic and technical effort over the last two year, since Katowice COP to get countries to a better place. However, most importantly, countries must resist the urge to just tick the box on getting the Article 6 rules done. They need to get them done right. Article 6 must aid rather than undermine the ambition and environmental integrity of the Paris Agreement and countries' commitments under it.

6.3 Road to UNFCCC COP 26, (UNFCCC/IPCC AR6)

Another annual conferences for the United Nations Framework Convention on Climate Change (UNFCCC), an international environmental treaty addressing climate change is on its way to the UK before the end of 2021. At this stage every country that is a signatory to the UNFCC is working around the clock to get its act together to be part of the global community that is tackling the climate change crises. Governments and Non-state actors are progressively and decisively putting their act together to unleash their climate actions that would increase ambition in their plans, build resilient nations, mobilize funding for the needy developing countries discuss strategies for nature based solutions and adopt the market mechanism of the Paris Agreement to get its fully operationalized.

Under the leadership of the UK presidency and other climate change actors, several initiatives to bring all climate change actors together to discuss climate change in order to accelerate the momentum for a successful COP26 are being taken throughout the globe. In that case, Glasgow will be the culmination of tireless work by the UK Presidency over the course of

2020 and 2021, which will continue until at the end of 2022 when the Presidency will be handed over to an African Countries as the COP27 Presidency, as is dictated by the UN's system of regional orientation. A list of such activities which are by no means exhaustive is given below:

- UN Climate Change Conference - Sessions of The Subsidiary Bodies 31 May - 17 June 2021,

  The UN Climate Change Conference Subsidiary Bodies session convenes all Parties and Observers of the United Nations Framework Convention on Climate Change (UNFCCC) to make progress on negotiations in advance of COP26 in Glasgow.

- G7 LEADERS SUMMIT, 11 - 13 June 2021

  Prime Minister Boris Johnson will gather leaders of G7 nations, the EU and guest countries to unite leading democracies to help the world fight and then build back better from COVID-19, and create a greener, more prosperous future.

- CLIMATE AMBITION SUMMIT, 12 December 2020,

  In December 2020 the United Nations, United Kingdom and France co-hosted the Climate Ambition Summit, in partnership with Chile and Italy. The Summit brought together 75 leaders from around the world. It was a major stride forward, with new commitments announced by every leader, including 28 new and enhanced NDCs at or just before the event.

- PETERSBERG CLIMATE DIALOGUE, 6-7 May 2021,

  As incoming COP President the UK co-hosted the Petersberg Climate Dialogue with Germany, bringing together Ministers from around 40 countries to work together to accelerate progress on negotiations in advance of Glasgow.

- Firty-Fourth Session of The Intergovernmental Panel On Climate Change (Ipcc-54) and Working Group I, 6th Assessment Report, Approval by Plenary 26 July - 6 August 2021,

  The IPCC produced its Sixth Assessment Report (AR6). The contribution from Working Group I assesses the physical science basis of climate change and will provide a key input into the negotiations at COP26.

- 76th Session of The UN General Assembly (UNGA) 14 September 2021,
  UNGA brings together leaders of the UN Member States to discuss global challenges including recovery from COVID-19 and tackling climate change. It will provide a critical moment for countries to come together and raise their ambition on climate ahead of COP26.
- PRE-COP26, 30 September - 3 October 2021,
  The Pre-COP is a preparatory meeting for COP26, bringing together ministers from a representative group of countries to discuss and exchange views on key political aspects of the negotiations, to find solutions to outstanding issues and set the tone for COP26.
- GLOBAL CONFERENCE OF YOUTH (COY16), 28 - 31 October 2021,
  Organized under the banner of YOUNGO (official youth constituency to the UNFCCC), this conference is in its sixteenth year and serves as a space for capacity building and policy training for young climate leaders from across the globe. The conference will culminate in a policy document shared during the UN climate change negotiations. COY16 will be held in Glasgow just before COP and is endorsed by the UK COP26 Presidency, UNFCCC and UN Secretary General's Youth Envoy.

6.4 UNFCCC COP 26.

While efforts to get the AGN key position for COP 26 from AMCEN are still being made without success at the moment, it was felt that the conclusions of discussion paper on Climate

Change and Development in Africa Post COVID-19, by the United Nations Economic Commission for Africa, the African Climate Policy Centre (ACOC) and Ideas for a prosperous Africa clearly articulate the African Position ahead of COP 26. The conclusion from the discussion paper found to be most appropriate for this topic are quoted directly from the paper and listed below without prioritization:

1. We have learned from the COVID pandemic that timely response is of the essence. It marks the difference between containing a crisis and allowing it to spill over and completely overwhelm public organizations' ability to function effectively. African governments must demand that the UNFCCC process immediately puts in place actionable measures to limit GHG emissions in line with the timescales prescribed by the IPCC in order to prevent the climate emergency spiralling out of control and resulting in irreversible anthropogenic interference with the climate system. As it stands, there is every reason to fear that the NDCs are already ill-suited to this task, and many are outdated before they are even implemented. The NDC 'ratchet-up' mechanism needs to be urgently put to the test. If the revised NDCs still do not put us on course for the below 20C target, then an immediate review of the NDCs should be called for.
2. The COVID response has demonstrated the importance of adopting a whole-of-society approach. Citizens have positively responded to contribute to containment measures such as 'sheltering in place', social distancing, self-quarantining and community support, and have willingly done so for extended periods of time wherever possible. Certainly people have resisted these measures when they have been viewed as onerous. But drastic climate action has not been constrained by the possibility of widespread social resistance. Rather, part of the reason why political will to take drastic climate action has been lacking is because of the influence of powerful hydro-carbon interests on policy makers. A whole-of-society approach has the potential to counteract the inordinate influence of one set of actors over the fate of our planet. The UK government, in their capacity as President of the UNFCCC COP 26, have committed to taking a whole of society approach to the organization of the COP. We urge that the COP space be opened to the participation of all major stakeholders to ensure democratic outcomes that are not determined by financially powerful interests, and also put in place

enforceable accountability mechanisms. All stakeholders need to be on board for these strategies to work.

3. Strategies for climate action should be evidence based, and make full use of historical as well as current data. The climate response has thus far been characterised by political expedience. COVID – 19 has demonstrated that scientific evidence is key in garnering public support for radical measures. African governments should increase investment in National Hydrological and Meteorological Services (NMHSs) in order to ensure the production of world class early warning weather and climate information from reliable observation infrastructure. They should also put in place laws and policies to enable the uptake and use of weather and climate information in development planning and practice.
4. In addition to investing in improved early warning systems, a vulnerability index for African countries would be a desirable addition to existing tools to support resilience building. COP 26 should accept the key recommendations of the IPCC Special report on 1.50C, to reduce CO2 emissions by 45% by 2030 if CO2 emissions are to reach net zero by 2050 and global warming kept below 1.50C this century.
5. COP 26 should further recognize the acknowledgement by the IPCC that such radical emissions cuts will require massive transformations in the global energy and transport systems, and the protection and restoration of natural ecosystems. Such transformations will require predictable and accessible finance for Africa.
6. The UNFCCC Conference of parties should move from perpetual negotiation to a deliberative and democratic process where representatives of all stakeholders in society agree on the best ways to transition to a sustainable future, including imposing restrictions on detrimental activities and determining the allocation of responsibilities, costs and reparations.
7. The Paris Agreement should be based on the CBDR principle, and contain enforceable emissions reduction targets with requisite penalties for non-compliance.
8. Climate change is a global emergency, and has been for decades already. As a global emergency, the response requires concerted action by all governments on the basis of agreed priority actions, sequenced interventions and set timeframes for implementation. Adequate resources should be set aside for these actions. The

determination and prioritization of these actions and allocation of resources should be the business of COP 26.

9. A socially fair and just transition to a sustainable, green economy should be prioritized. Such transformative actions should not only be about just transitions in a few sectors, but should be based on broad approaches to address the underlying causes of vulnerability and put in place mechanisms to ensure that no one is left behind.
10. The current reduction in carbon emissions and plummeting oil prices should not result in post COVID economic recovery policies which are skewed in favor of preserving carbon-based production systems and consumption patterns. Developed countries should take the lead in ensuring recovery policies that put the global economy on green development pathways.
11. A post COVID global economy should be based on a complete system reset. The transformation of global economies should ensure that they meet the needs of people and planet. We should not seek to simply restore the pre-pandemic status quo. What is required is a paradigm shift. Green transitions are not only about energy transitions, they are about transforming everything from food systems to consumption and waste management. A whole of society approach is required to ensure that all stakeholders, and especially the most vulnerable to long term climate impacts, are principal actors in the system reset.

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