

EQUITY WORKSHOP

Organized by Sweden and Belgium (Brussels, Belgium, 19-20 May 2014)

Summary by the organisers, in consultation with the Co-Chairs

Sweden and Belgium jointly organised a workshop on equity in the international climate change negotiations, in Brussels on 19-20 May. The workshop was co-chaired by Michael Zammit Cutajar and Harald Dovland, former Chairs of negotiating groups under the UNFCCC. This was the third in a series of equity workshops, the others having previously been organized by Sweden and Belgium in 2012 and the Nordic countries and Belgium in 2013.

The workshop focused on two main challenges that are raised by the Warsaw COP decision on “Further advancing the Durban Platform” (1/CP.19):

- 1. How can the decisions to be taken at COP 20 in Lima on up-front information guide Parties in establishing fair and ambitious “intended nationally determined contributions”?*
- 2. How can the time between Lima and COP 21 in Paris be used to enhance the equity and ambition of the contributions that will be inscribed in the 2015 agreement?*

An open seminar was held on the first day, with input by scholars and civil society representatives, responses by negotiators and discussion among all participants. The main findings of the IPCC AR5 with regard to equity were presented, as well as some recent thinking on how equity can be addressed in the run-up to Paris¹.

The output of these exchanges fed into a discussion under “Chatham House rules” among negotiators during the second day. Negotiators from most negotiating groups in the UNFCCC process took part in the discussions. The following summary conveys the impressions of the organizers, in consultation with the Co-Chairs, of views expressed during the second day.

Equity and ambition: general considerations

- 1. Kicking off the second day, participants explored boundaries of a potential **equity or fairness space** that could be acceptable to all, *inter alia* by expressing what they perceive as unfair. Examples of potential “unfairness” that were mentioned include: climate change that threatens the survival of nations, mitigation contributions that would sacrifice development of developing countries, lack of leadership by developed countries, backtracking from existing commitments, refusing to contribute to the global mitigation effort and proposed intended contributions that cannot be understood or compared.**

¹ All presentations are available on <http://www.klimaat.be/nl-be/news/20142/belgian-swedish-workshop-equity>

2. There was a broad consensus that **equity and ambition** cannot be seen as isolated from each other and that contributions need to be framed in a long-term perspective of transformational change, compatible with the agreed long-term goal to keep average global temperature rise below an agreed limit compared to pre-industrial levels.
3. The need for **common ownership of the long-term goal** was highlighted. While most participants referred to the widely accepted goal of keeping global warming below 2°C, reference was also made to the current review of the adequacy of this goal and the potential implications for the required global mitigation effort. This review is to be completed by COP 21 in Paris.
4. A proposal was made to agree on the long-term global phase-out of net emissions. Many insisted on the need for individual low-carbon development paths and on the need for a regular review mechanism in the new agreement that would allow adjustments to be made after Paris, as required by scientific findings and evolving realities, while avoiding backsliding.

COP20 in Lima – scope of contributions and transparency of up-front information

5. The current **lack of clarity regarding the scope of the “intended nationally-determined contributions”** emerged as a crosscutting challenge, hampering the formulation of conclusions and guidance with regard to the up-front information accompanying the intended contributions. More fundamentally, in the view of some of the participants, a scope that comprises mitigation only would leave the other essential elements of equity in the 2015 agreement out of the “equation”. This would lead to a fragmented and incomplete picture, and jeopardise a balanced assessment of intended contributions. However, broadening the scope would not necessarily have to entail complete symmetry among the elements, in terms of either content or process. At the same time, broadening should not lead to trade-offs between the elements or slow down the process.
6. The participants considered how **the Lima decision on the up-front information** accompanying intended contributions could help Parties in establishing equitable contributions. With respect to intended contributions on **mitigation**, participants identified two categories of information that could accompany the contributions.
 - a. Information that would enhance understanding of the contribution e.g. coverage of sectors and gases, metrics used, GHG reductions expected, rules applied with regard to the land sector and markets, base year and target year or period etc. In this context, it was emphasized that the information put forward should be **transparent** and thus **‘reproducible’** by others.
 - b. Information explaining why the Party putting forward the intended contribution sees it as a fair contribution towards the agreed objective for limiting global warming. This information could be contained in an **‘equity box’** and could be of a qualitative or quantitative nature, possibly making use of some comparable indicators. Participants also felt that information explaining the fairness of

intended contributions should not amount to mere self-justification and should not be geared exclusively to national circumstances.²

7. There was less clarity and more divergence in the discussion on what up-front information on **adaptation and means of implementation** could include. Some participants referred to the need to distinguish clearly between those parts of the contribution that will be delivered with the Party's own means, and those whose implementation would be dependent on the provision of support by other Parties or on other conditions. A view was expressed that national regulations regarding the forward commitment of funds should not be an obstacle to the presentation of intentions regarding the future provision of means of implementation.

From Lima to Paris – enhancing ambition and equity

8. In the period between Lima and Paris, the information accompanying the contributions would help to understand them and compare them, taking into account Parties' responsibilities and capabilities. Discussing possible processes in this period, participants explored a spectrum of options ranging from a process to enhance **transparency and understanding** of contributions to a process that would strive to **enhance fairness and adequacy** towards the agreed long-term goal. Several participants underlined the importance of carefully **sequencing** the steps in designing the process towards Paris.
9. The concept of '**reciprocity**' was explored, not only in terms of the mutual recognition of mitigation efforts towards an agreed common goal, but also in terms of the relationship between mitigation action and the need for adaptation and means of implementation.
10. Some participants warned that a process of assessing intended contributions may have the unintended consequence of encouraging Parties to submit low-ambition initial proposals, allowing for an "easy" margin for stepping up afterwards. On the other hand, it was pointed out that some governments might have difficulties in improving their contribution after having adopted their initial proposal.
11. Although there seemed to be broad agreement that a formula-based approach is not feasible, many participants underlined the need to provide more clarity on the rules for assessing fairness and ambition, and the role **indicators and criteria** – unilaterally put forward, or multilaterally agreed – can play in comparing intended contributions and assessing their fairness and ambition. It was mentioned in this context that when Parties use a certain set of elements justifying the fairness and ambition level of their contribution, they should accept that other Parties may use the exact same set of elements to justify their own contributions.
12. Another important question that was addressed is the extent to which any process to consider the intended contributions would need to take place formally **under the UNFCCC, or outside the UNFCCC – or whether the former could be complemented by the latter**.
 - a. Time constraints and political sensitivities in a formal setting might make it difficult to look into all contributions in depth.

² See also para 11 below.

- b. If the intended contributions, accompanied by the relevant information, are made available through the UNFCCC website, any formal process under the UNFCCC could usefully be complemented by **informal processes** involving research institutions, civil society and other observer organisations. It would be important to ensure that the latter are politically unbiased.
13. Participants explored **practical options** for organising the process, taking into account the lessons learnt from similar exercises under the UNFCCC: use of an electronic platform, a role for the secretariat in synthesising the contributions put forward by parties in a synthesis report and a format of workshops. References were also made to the lessons to be learnt from peer reviews in other international fora, such as the Universal Periodic Review under the auspices of the Human Rights Council.
14. The legal nature of the contributions was touched upon in the margins, but was not the main focus of the discussions, as the process established in Warsaw is without prejudice to the legal nature of the contributions.
15. Mention was also made of the relevance of processes outside the UNFCCC, whether these were focused on climate change – as in the Leaders’ Summit convened by the Secretary-General of the United Nations in September 2014 – or more general in their scope – as in the work under the UN General Assembly on Sustainable Development Goals, to conclude in September 2015. Such processes could contribute to a strong Paris agreement and should be kept in view.

Concluding remarks

While the workshop allowed for a useful exchange of views and explanation of concerns and interests, and entailed a better mutual understanding of positions, many divergences remain.

Clear decisions from the Lima COP on the scope of the intended nationally determined contributions, on the information that should accompany these contributions, as well as on the process or processes that will follow between Lima and Paris, will be keys to an equitable and ambitious agreement at the Paris COP in 2015.