

A Monthly from the East African Sustainability Watch Network founded by Uganda Coalition for Sustainable Development (UCSD), Tanzania Coalition for Sustainable Development (TCSD) and SusWatch Kenya

Madrid Climate Talks Registered Failure Towards Global Ambition



INFORSE members after the side event at COP25: Photo: INFORSE

This year's annual UN climate conference, COP25 in Madrid, became the longest on record when it concluded after lunch on Sunday, following more than two weeks of tense negotiations. It had been scheduled to wrap up on Friday December 13, 2019. Delegates from nearly 200 countries struggled to reach agreement on key issues on the framework underpinning the Paris Agreement.

No doubt, it got off to a difficult start, when Chile's president Sebastian Piñera announced at the end of October that his country could no longer host the event. Piñera blamed "difficult circumstances", referring to violent anti-government protests in the capital of Santiago. With barely a month to go, Spain stepped in and agreed to take on the event in Madrid, a considerable task that the German government had said "would not have been logistically possible" at the UNFCCC's headquarters in Bonn, where the COP was held in 2017. Nevertheless, Chile retained the presidency, with the event rebranded as "COP25 Chile Madrid".

In December 2018, world leaders assembled in Katowice for the 24th Conference of the Parties (COP24) to the UN Framework Convention on Climate Change (UNFCCC), to come up with operational guidance for the implementation of the Paris Agreement (PA), the so-called rulebook. This contains detailed technical guidance to start the operations under the PA. The Parties to the agreement converged on a common regulatory rulebook to implement and report on their emissions-cutting commitments under the PA. As the rulebook was not completed then, COP25 was mandated by the UNFCCC to resolve the outstanding issues in the Climate Package, including: provisions under Article 6 of the Paris Agreement, which would allow countries to meet, in part, domestic mitigation goals through market mechanisms such as carbon markets; public registries for Nationally Determined Contributions (NDCs) to the Paris Agreement; communications of adaptation efforts under the Paris Agreement; the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM). The UNFCCC subsidiary bodies were to discuss several additional issues including: Common time frames for Nationally Determined Contributions (NDCs) to the Paris Agreement; The Koronivia joint work on agriculture; National adaptation plans (NAPs); The Local Communities and Indigenous Peoples Platform (LCIPP)

In this Issue, we share some of the key (dismal) outcomes from COP25. Some positive achievements were made, including the adoption of a 5-year Gender Action Plan and the inclusion of programs for land and oceans. Many call COP25 a failure, but with large countries reluctant to take climate action, including USA, Brazil and Australia, the results are very much a reflection of the current political situation. As Gunnar Olesen (International Network for Sustainable Energy) remarked, 'Real results are made between the COPs.' So we have a long way to go, and 2020 is a clear call for enhanced ambition given that we are at the brink of missing the opportunity to limit global warming to 1.5°C, if we rely only on the current climate commitments of the Paris Agreement. On the sidelines of the negotiations, UCSD joined other EASE& CA project partners and INFORSE members in a side event: *Local Solutions with Poverty Reduction in NDCs - Experiences from East Africa and South Asia*. **Read Carbon Brief's Key COP25 outcomes:** <https://bit.ly/2PwvBdQ>

Human Rights and Environmental Integrity Pull Back Discussions on Article 6



Greta Thunberg is seen on stage behind young activists at COP25.
Photo: Susana Vera/Reuters

Article 6 of the Paris Agreement generally deals with what is known as cooperative approaches among Parties, which includes the use of market and non-market mechanisms in the implementation of their nationally determined contributions (NDCs). Parties had initially agreed that rules for the implementation of the mechanisms would be adopted last year in Poland. However, negotiations in this regard had proved difficult then and continue to be so in Madrid, with Parties having different understandings on how the mechanisms are to be implemented

According to a planned timetable, countries should have agreed on these rules last year, but the issue was pushed to this year's talks instead. If these rules are well-implemented, supporters argue that Article 6 could unlock higher ambition or reduce costs, while drawing in the private sector and spreading finance, technology and expertise around the world, including engagement of the private sector. On the contrary, critics fear that weak rules could undermine already-insufficient ambition by allowing targets to be met on paper, even as levels of CO₂ in the atmosphere continue to rise.

In a reflection note prepared for COP24, Carbon Watch and the Center for International Environmental Law (CIEL) point out the concerns with regards to finalization of Article 6 guidelines. They argue that UNFCCC Parties need to ensure that any mechanism created under Article 6 does not repeat the mistakes of its predecessors, the Clean Development Mechanism (CDM) and Joint Implementation, or other development finance institutions. Furthermore, CIEL and Carbon Watch flag out other critical provisions in the implementation guidelines, including ensuring environmental integrity.

'Parties should embrace the need for social and environmental safeguards and governance structures to prevent harm. This includes the adoption of a set of detailed rules for robust stakeholder engagement, and the establishment of an accessible, independent avenue for people to raise grievances and seek redress for harms that do occur', the reflection note asserts.

Before the COP25 began, it was noted that Parties had not made progress in solving the key issues in Bonn", at the Bonn intersessional meeting in June 2019. 'The number of unresolved issues is "still high", Paul Watkinson the outgoing chair of the "SBSTA" negotiating track, pointed out in a "reflections note'

Talks on Article 6 progressed at a painfully slow pace through the two-week summit. Crunch political fights over how to handle the issues bulleted above remained more or less open, even on the day the talks were due to close. According to *Carbon Brief*, starting at 672 square brackets before COP25 began, successive iterations of the Article 6 texts were released as the meeting went on. On 4 December the number of brackets dropped to 517, then fell again to 247 a few days later.

Australia and Brazil continued to push for a system with loopholes which allowed initial double counting of emissions reductions and trading of Kyoto-era credits – explained below. But other countries say this would undermine the entire market. As tensions peaked on Saturday, a group of 31 countries led by Costa Rica signed up to the 'San Jose principles', a set of 11 minimum standards for ensuring the integrity of the global carbon market. According to *Climate Change News*, in the end a mere two paragraphs summed up plans to continue talks in 2020. This did acknowledge the draft texts from this year's negotiations as a basis for future talks, meaning countries will not have to start from scratch.

Read more about how Leading countries set benchmark for carbon markets with *San Jose Principles*:
<https://bit.ly/2RWmTal>

Looking Ahead: A Transformative NDC should be Transparent, Inclusive & Participatory



Under the Paris Agreement, an agreement within the United Nations Framework Convention on Climate Change (UNFCCC), Parties to the Agreement develop and present Nationally Determined Contributions (NDCs) to describe their domestic efforts to advance climate action and support. NDCs lie at the heart of the Paris Agreement’s ambition mechanism — more ambitious individual efforts should be communicated every five years and informed by assessments of collective progress. Most of the Parties to the Paris Agreement have communicated an NDC which is of a ten-year time frame, with only the United States and the Marshall Islands having a five-year time frame. The NDCs are expected to be implemented from 2021.

At COP24 in 2018, parties had a “rich exchange of views”, but did agree that all Nationally Determined Contributions (NDCs) should cover a “common timeframe” from 2031, with the number of years to be decided later. To date, Parties have determined the time frame, or duration, for their NDCs. However, as part of efforts to finalize the guidelines necessary to operationalize the Paris Agreement, Parties are discussing options for aligning all NDCs according to a common time frame. Hence, countries agreed in Paris in 2015 to revisit their climate pledges by 2020 (a process that has started in some countries and is expected to be through before COP26). In fact, many countries were pushing this year for a clear call for all countries to submit more ambitious climate pledges next year. This is seen as a key means of ensuring countries put a focus on improving their current pledges, as well as empowering civil society to hold them to account.

But countries such as China and Brazil opposed placing any obligation on countries to submit enhanced pledges next year, arguing it should be each country’s own decision. They instead argued the focus should be on pre-2020 action by developing countries to meet their previous pledges. Reacting to this, a high ambition coalition, led by the Marshall Islands and backed by the EU Commission and a number of European countries, made it clear that final Cop 25 decision text must include a clear call for enhanced ambition in 2020.

In the end, the final text added some more ambitious wording back in, pointing directly to the emissions gap between what country pledges currently add up to and what is needed to keep global temperature rise well below 2C. As talks reached their final days, tensions grew after a draft decision removed any call for countries to “update” or “enhance” their climate plans by 2020. Instead, it only invited them to “communicate” them in 2020 – far weaker language which put no obligation on enhanced ambition.

Ahead of these discussions, the COP25 Wrap up issue of CAN International’s ECO newsletter has put together a list of the necessary ingredients for a truly transformative NDC. ‘The process needs to be Transparent, Inclusive and Participatory. This means: A well-defined timeline for enhancing your NDCs, making sure they are complete by the end of August or, at latest, September 2020; A long-term strategy that will ensure a sustainable, equitable, and just transition of our societies, for people and planet, with real positive impact on the ground and at local levels; A little bit of courage to make sure that, in spite of the lobbying efforts of big emitters and industry, we have ambition that embraces human rights, ecosystems and addresses the needs of the most vulnerable.

Read CSO Proposals for implementation of Uganda’s NDC and to raise its ambition after 2020:
<https://bit.ly/2M2PRRT>