# UNFCCC NEGOTIATIONS

A RESOURCE BOOK



parabukas

This Resource Book is a publication of Forest Foundation Philippines (SEC registered as Philippine Tropical Forest Conservation Foundation, Inc.) and Parabukas, with the Department of Environment and Natural Resources (DENR). However, the views expressed in this work do not necessarily reflect the current views of Forest Foundation, Parabukas, or the DENR.

This work may be copied, redistributed and adapted for educational or non-commercial purposes, provided that the work is appropriately cited. Forest Foundation and Parabukas would appreciate receiving a copy of any publication that uses this work as a source.

No use of this work may be made for resale or any other commercial purpose without prior permission in writing from Forest Foundation and Parabukas. Applications for such permission may be sent to info@forestfoundation.ph.

ISBN:

978-971-95904-5-3 (Softbound) 978-971-95904-8-4 (PDF)

#### Illustrations and Design

Desiree Llanos Dee and Nityalila Saulo

#### **Photo and Image Credits**

UN Conference Photographs: Earth Negotiations Bulletin/International Institute for Sustainable Development

Additional photographs provided by Parabukas, Forest Foundation Philippines, Island Film Project, and Mr. Shubert Ciencia

#### **Advisory Body**

Department of Environment and Natural Resources–Biodiversity Management Bureau, through Director Krisma Rodriguez

Department of Environment and Natural Resources-Climate Change Service, through Undersecretary Analiza Teh and Director Elenida Basug

#### **Suggested Citation**

Forest Foundation Philippines and Parabukas. 2019. *UNFCCC Negotiations: A Resource Book*. Forest Foundation Philippines, Makati City, Metro Manila.

For Ditas, who fought tirelessly for the most vulnerable.

Bernarditas de Castro-Müller 1942 - 2018

#### **FOREWORD**

2018 saw the release of two important scientific studies that have tremendous ramifications for international environmental policy and sustainable development.

The Intergovernmental Panel on Climate Change (IPCC) Special Report on Global Warming of 1.5°C, published in October, stressed the importance of limiting further warming by 2030 through transformational system change.

The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) reports released in March, on the other hand, found alarming rates of biodiversity loss all over the world. According to the reports, in the Asia-Pacific region alone, a region of vast biodiversity with a high number of endemic species and unique ecosystem, rapid economic growth and resulting socioeconomic and demographic changes have driven the degradation of habitats, an increasing number of invasive alien species, and pollution.

These represent the interdependence of what have become known as the Rio Conventions, and the urgency for the Philippines – one of the eighteen most megadiverse countries in the world and at the same time one of the most vulnerable to climate impacts – to continue leading in international environmental processes

for the sake of our people and the planet. It is high time then to listen to the science and come up with a legacy of transformative policymaking that could be passed on to future generations.

The Philippines has much to gain from participating fully in these international talks. We have a strong foothold in these processes through the paths blazed by veteran Filipino negotiators like Bernarditas Muller, to whom these books are dedicated, who have fought for ecological justice for years.

These resource books are for the next generation of negotiators who dream of creating the change we need toward a sustainable and resilient future for all. The opportunity to shape policy and bring about the just transition we need to achieve an equitable, inclusive, and renewable-energy powered world lies in wait. We hope that these books will prove instrumental in that journey.



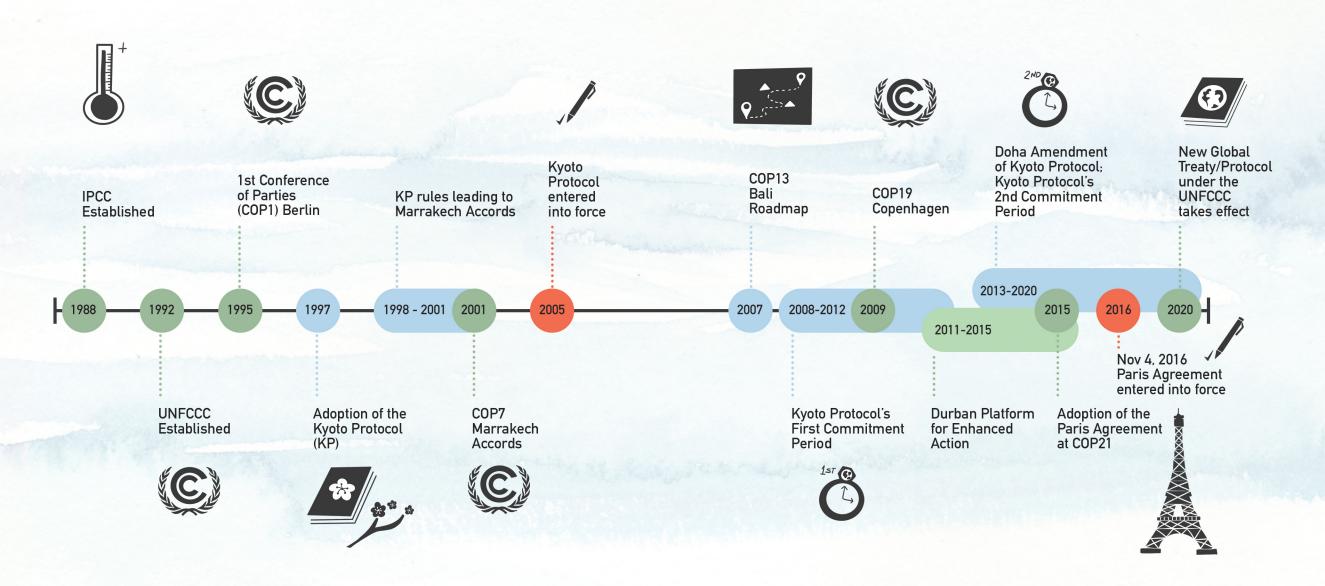
ANTONIO G. M. LA VIÑA Chairperson, Board of Trustees Forest Foundation Philippines

#### TABLE OF CONTENTS

١.	Ηi	story of the UNFCCC and the Paris Agreement	11
	A.	The United Nations Framework Convention on Climate Change	13
	В.	The Kyoto Protocol	16
	C.	The Paris Agreement	18
II. The Climate Negotiations			
		Institutional and Negotiation Structures  Meetings, Outcomes and Events	24 26
	C.	Negotiating Blocs	28
	D.	Philippine Delegation	31

III. F	Policy Responses and Philippine Positions	35	
A.	Policy Responses	36	
	1. Mitigation	36	
	2. Adaptation	38	
	3. Means of Implementation	40	
B.	Philippine Positions	42	
	1. COP 21 and INDCs	42	
	2. Negotiating Principles and Key Positions	43	
IV. Emerging Issues and Positions			
	The Paris Agreement Rule Book	50	
В.	The IPCC Special Report on 1.5°C	54	

#### UN FRAMEWORK CONVENTION ON CLIMATE CHANGE – TIMELINE AND KEY MOMENTS





**UNA** 

HISTORY OF THE UNFCCC AND THE PARIS AGREEMENT

# THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

In December 1990, the United Nations General Assembly launched negotiations on what would become the United Nations Framework Convention on Climate Change (UNFCCC), an international environmental treaty aiming to stabilize concentrations of greenhouse gases in the atmosphere to avoid "dangerous anthropogenic interference" to the climate system. The negotiations concluded in just fifteen months, and the treaty was adopted in May 1992.

Upon ratification, the UNFCCC committed nations to take steps to mitigate global greenhouse gas emissions. It also established the principle of "common but differentiated responsibilities and respective capabilities" (CBDRRC), which recognized that countries varied in their contributions to climate change as well as in their capacities to address its impacts and mitigate emissions. This principle likewise made a distinction regarding countries' obligations under the convention, with the Convention committing developed countries to assist developing countries in mitigation and adaptation efforts.

## THE UNFCCC IS COMPOSED OF:

 A Preamble acknowledging anthropogenic climate change and noting that the largest share of historical and current global emissions has originated in developed countries; the need for the widest possible cooperation by all countries because of the vulnerability of low-lying and other small island countries; and the special difficulties of developing countries whose economies are particularly dependent on fossil fuel production, use and exportation; the need to coordinate responses to climate change with social and economic development; and the need for access to resources, especially for developing countries, among many others;

In 1988, the United Nations General Assembly endorsed the formation of the Intergovernmental Panel on Climate Change (IPCC) by the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP). The IPCC is mandated to assess climate change science – the physical scientific basis, the impacts on, adaptation to, and vulnerability of natural and human systems to climate change, and its mitigation – and produce assessment reports in cycles of six to seven years.

Since its inception, the IPCC's findings are respected as authoritative and thereby instrumental in global climate change policymaking. In fact, the initial task for the IPCC outlined in the UN General Assembly Resolution 43/43 was to prepare "a comprehensive review and recommendations with respect to the state of knowledge of the science of climate change; the social impact of climate change, and possible response strategies and elements for inclusion in a possible future international convention on climate."<sup>2</sup>

In 1990, it published its First Assessment Report containing the declaration of certainty that emissions resulting from human activities are substantially increasing the atmospheric concentrations of greenhouse gases, resulting on average in additional warming, with CO2 responsible for over half the greenhouse effect.<sup>3</sup>

This became the basis for negotiations on what would become the global response to the realities of climate change science, the United Nations Framework Convention on Climate Change.

- Definition of terms;
- The declaration of its ultimate objective: the stabilization of greenhouse gas concentrations at a level that would prevent dangerous anthropogenic interference with the climate system;
- A set of principles guiding future climate action under the Convention, emphasizing the principle of common but differentiated responsibilities (CBDR);
- Differentiated commitments developed and developing countries taking into account CBDR in producing inventories, transfer of technologies, protection of sinks, cooperation for adaptation, the provision of new and additional financial resources by developed countries to meet the agreed full costs incurred by developing countries in complying with their obligations, and special considerations for implementation of commitments for countries with unique circumstances (small island countries, countries with low-lying coastal areas, countries with arid and

- semi-arid areas, countries prone to natural disasters, etc.), among others;
- Articles for developing and strengthening further research and systematic observation and for the promotion and facilitation of education, training and public awareness;
- An article establishing the **Conference** of Parties (COP) which is the supreme body of the Convention and keeps under regular review its implementation, its subsidiary bodies and rules of procedure such as the participation of non-party observers in its meetings; and an article establishing the Secretariat, which makes arrangements for the COP and undertakes coordination with other secretariats administrative and functions;
- A provision establishing the Subsidiary Body for Scientific and Technological Advice (SBSTA) to provide the parties with timely information and advice on scientific and technological matters;
- A provision establishing the Subsidiary

Body for Implementation (SBI) to assist the COP in the implementation of the Convention and its decisions;

- An article establishing a financial mechanism for the provision of resources including the transfer of technology and its modalities;
- An article enjoining parties communicate information related to implementation, which includes a national inventory of emissions, a general description of steps taken or envisaged to implement the Convention, and any other relevant information, with specific commitments for Annex 1 (developed) countries to include detailed descriptions of policies and a specific estimate of the effects of these on sources and removals:
- Articles establishing a consultative process for the resolution of questions regarding implementation at the first COP, guiding the settlement of disputes concerning the interpretation of application of the Convention, the proposal of amendments to the convention,

the adoption and amendment of annexes to the convention, and protocols and their communication to Parties; establishing the right to vote for each country and for regional economic integration organizations; designating the Secretary-General of the United Nations as the depositary of the Convention and of protocols; opening the convention for signatures from 20 June 1992 to 19 June 1993; discussing and providing for interim arrangements on ratification, acceptance, approval, or accession, entry into force, reservations, withdrawal, and on the deposit of authentic texts.

 Two annexes, containing a list of countries designated as part of either Annex I or Non-Annex I.

The worldwide response to the adoption of the UNFCCC was remarkable. It has near-universal membership with 196 parties, who meet at least once annually to discuss ways forward in the Conference of Parties.

B.

# THE KYOTO PROTOCOL

During the first COP in 1995, Parties to the UNFCCC decided to launch negotiations towards a sub-agreement, which would establish targets and timetables that are binding for developed countries and effectively extend the UNFCCC to specific targets for specific commitment periods. The resulting Protocol was adopted at COP 3 in Kyoto, Japan in 1997 and entered into force on February 16, 2005. Currently, it has 192 parties.

The first commitment period of the Kyoto Protocol was from 2008-2012 and it enjoined parties to reduce total greenhouse gas emissions by at least 5% from 1990 levels. A second commitment period from 2013-2020 was decided at COP 18, resulting in the Doha Amendment.

# The six greenhouse gases subject to limitations are the following:

- 1. Carbon dioxide (CO2)
- 2. Methane (CH4)
- 3. Nitrous oxide (N2O)
- 4. Hydrofluorocarbons (HFCs)
- 5. Perfluorocarbons (PFCs)
- 6. Sulphur hexafluoride (SF6)

Nitrogen trifluoride (NF3) was added to the list of controlled greenhouse gases in the Doha Amendment.

The Kyoto Protocol also introduced three mechanisms to provide Parties with more flexibility in meeting emission reductions targets. These mechanisms allowed countries to achieve reductions and remove carbon through cost-effective measures in other countries, thus lowering the overall costs of achieving targets.

"Any party included in Annex I may transfer to, or acquire from, any other such Party emission reduction units resulting from projects aimed at reducing anthropogenic emissions by sources or enhancing anthropogenic removals by sinks of greenhouse gases in any sector of the economy".

This mechanism allows a country with commitments under the Protocol to earn units called Emission Reduction Units (ERUs) from an emission-reduction or emission removal project in another country, which can be counted towards meeting the former country's Kyoto target.<sup>4</sup>

• Clean Development Mechanism (Article 12) - "parties included in Annex I will benefit from project activities resulting in certified emissions reductions" and "parties included in Annex I may use the certified emission reductions accruing from such project activities to contribute to compliance with part of their quantified emission limitation and reduction commitments (...)"

Like the Joint Implementation Mechanism, the Clean Development Mechanism (CDM) allows Annex I countries to meet part of their commitments through projects in other countries. However, the key difference is the purchase of units called Certified Emission Reduction units (CERs). As a project-based emission reduction strategy, CDM allows the inclusion of developing countries' initiatives not participating in the Kyoto commitments in the Protocol,

considering that developing countries are projected to substantially increase their emissions through the years.

The CDM is also the main source of income for the Convention's Adaptation Fund.<sup>5</sup>

• Emissions trading (Article 17) - "Parties included in Annex B may participate in emissions trading for the purposes of fulfilling their commitments under Article 3. Any such trading shall be supplemental to domestic actions (...)"

Emissions trading recognizes that parties with commitments under the Kyoto Protocol have accepted targets expressed as levels of allowed emissions over the 2008-2012 commitment period, called Assigned Amount Units (AAUs). Trading allows countries that have spare units to sell this to countries over their targets. This scheme created an international carbon market.<sup>6</sup>

C.

# THE PARIS AGREEMENT

On December 12, 2015, 195 countries adopted the Paris Agreement during the 21st Conference of Parties in Paris, France. The Agreement is "undoubtedly an extraordinary political and legal success (...) and simply unprecedented in history", bringing together nations towards a unanimous decision to change once and for all "the course of the global economy."

In enhancing the implementation of the UNFCCC, the Paris Agreement also aims to increase the ability of countries to adapt to the adverse impacts of climate change and foster climate resilience, as well as make finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development, while reflecting equity and the principle of common but differentiated responsibilities.

Parties are also mandated to communicate ambitious efforts through instruments called Nationally Determined Contributions (NDCs) to achieve the purposes of the Agreement. Efforts of all parties must represent a progression every five years starting in 2023, with an interim review in 2018 before the Agreement goes into effect in 2020.

At least USD100 Billion per year in climate financing by 2020 is also established by the Agreement as its new collective quantified goal, recognizing the importance of adequate and predictable financial resources in the implementation of policy approaches.

The Agreement acknowledges "the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change" which is crucial to poor and especially vulnerable countries like the Philippines suffering from both slow-onset impacts and extreme weather events.



UNFCCC COP 21 PLENARY AT THE ADOPTION OF THE PARIS AGREEMENT
Photo by
IISD/ENB

#### **AMBITION**

Article 2.1.a of the Paris Agreement adopts the long term temperature goal of "holding 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". The accompanying decision to the Agreement also invites the IPCC to provide a special report in 2018° on the impacts of global warming of 1.5°C. This goal came to be understood as a benchmark for countries to calibrate their mitigation efforts.<sup>10</sup>

The scope of ambition enshrined in the Agreement covers not just mitigation but also adaptation and support. Developing countries have argued that enhanced expectations on mitigation should be matched by enhanced support<sup>11</sup> and that there should be balanced work between mitigation and adaptation. Parties agreed to a qualitative long-term goal on adaptation, partly to ensure that the adaptation goal "could not be interpreted to create new, open-ended financial obligations."

The Agreement ensures progression in ambition operationalized through a progressive cycle of contributions and a global stocktake. Parties are bound to communicate an NDC every five years, while the collective stocktaking established by Article 14 as a top-down element assesses the progress reflected towards the long-term goals.

#### **DIFFERENTIATION**

One of the premises of the climate regime is that leadership from developed countries is the "equitable and appropriate basis on which the international response to climate change must be structured." While being disputed throughout the years, the nature and extent of differentiation are evident in the UNFCCC and the Kyoto Protocol through the use of annexes, and in the Paris Agreement through its recital in the preamble and in the Agreement's declaration of purpose, but more importantly through specific forms in different areas.

For the Agreement's mitigation provisions, Parties "embrace a bounded self-differentiation model" as they determine the scope, form, rigor and information accompanying their commitments starting in the submission of their Intended Nationally Determined Contributions (INDCs) in 2015. It is considered the pragmatic choice as it provides flexibility, favors sovereign autonomy, and encourages broader participation while respecting "national circumstances" and "respective capabilities." <sup>13</sup>

For finance, developed countries are required to provide financial resources (through the use of the mandatory "shall") "in continuing their existing obligations under the Convention." The Agreement also obliges these countries to communicate "indicative and qualitative information" biennially in relation to the provision and mobilization of finance. 15

#### **SUPPORT**

For years, developing countries have argued that scaling up ambition must be matched with scaled-up support. In the decision accompanying the Paris Agreement, this support is quantified through "a new collective quantified goal from a floor of USD 100 Billion per year." <sup>16</sup>

Many countries, in fact, have premised the fulfillment of the commitments articulated in their Intended Nationally Determined Contributions on support. The Philippines, for example, initially submitted an INDC of about 70% reduction by 2030, completely conditional "on the extent of financial resources, including technology development and transfer, and capacity building, that will be made available to the Philippines."<sup>17</sup>

Of the 156 INDCs submitted to the UNFCCC by the closure of COP 21 and the adoption of the Paris Agreement in December 2015, at least 78% of these included conditions, with 33% including an explicitly conditional-only set of commitments. However, the aggregated volume of finance and the type of support required remains unclear as these are often unspecified in the INDCs. Even where the financial support requirements are specified, the overall finance needed to implement the INDCs is not determined. Partly, this is related to a general lack of detailed analysis of finance needs at national and sectoral levels. <sup>18</sup>

While many are concerned that this floor value is not enough to match the conditionality of dozens of NDCs, Parties are taking measures to increase ambition and predictability of support through the Paris Rulebook, the implementing set of guidelines for the Agreement further discussed below. Proposals have been guided by the intent to provide information to the body aiming at enhancing predictability, transparency, comparability, and clarity of support, especially in finance, such as the inclusion of a timeframe of provision to developing countries, the inclusion of an overview of trends on mobilization over time, and information on challenges and barriers encountered in the past to facilitate/mobilize support and/or investments and measures taken to overcome them, and many other options.<sup>19</sup>



# **IKALAWA**

# THE CLIMATE NEGOTIATIONS

#### Α

# INSTITUTIONAL AND NEGOTIATION STRUCTURES

Article 7, 8, 9 and 10 of the UNFCCC established institutional structures in the implementation of its provisions, but Parties have also come up with negotiation structures and blocs to organize themselves in order to negotiate various issues.

## The Conference of Parties

Article 7 of the UNFCCC provided for the establishment of a supreme body called the Conference of Parties (COP), like most modern multilateral environmental agreements. Composed of State Parties to the Convention, the UNFCCC COP usually takes place towards the end of each year. Non-Party stakeholders like civil society organizations and various arms of the United Nations may attend these meetings as observers.

The COP's main function is to continuously review and evaluate the implementation of the UNFCCC and any related legal instruments.<sup>20</sup> COPs usually include a High-Level Segment (HLS) composed of the highest-level representatives of party delegations attending.

#### **CMP**

The first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) was held in 2005 in Montreal, Canada. CMP 1 initiated a process to consider further commitments post-2012 in addition to adopting a "rule book."

#### **CMA**

The first session of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA) was held in Marrakesh, Morocco in 2016 in conjunction with CMP 14 and COP 22.

#### **Subsidiary Bodies**

## Subsidiary Body for Scientific and Technological Advice (SBSTA)

Established under Article 9 of the UNFCCC, the SBSTA's main role is to provide the COP with "timely information and advice on scientific and technological matters relating to the Convention." It is "open to participation by all Parties and shall be multidisciplinary," comprised of "government representatives competent in the relevant field of expertise."

## Subsidiary Body for Implementation (SBI)

Established under Article 10 of the UNFCCC, the SBI's main function is to assist the COP in the "assessment and review of the effective implementation of the Convention." The body shall "consider the information communicated in accordance with Article 12 paragraph 121 to assess the overall aggregated effect of

the steps taken by Parties in light of the latest scientific assessments concerning climate change," "consider the information communicated in accordance with Article 12, paragraph 2<sup>22</sup> in carrying out reviews," and assist the COP in "the preparation and implementation of its decisions."

#### Ad Hoc Working Groups

Some bodies are meant to be temporary or ad hoc via the nature of their tasks. For example, COP 1 of the UNFCCC set up the Ad hoc Group on the Berlin Mandate (AGMB) which led to the Kyoto Protocol. COP 21 resulted in a Decision to establish the Ad Hoc Working Group on the Paris Agreement (APA) to prepare for the Paris Agreement's entry into force.

Some responsibilities of the APA include the preparation of draft decisions relating to the mitigation section of decision 1/CP.21 including features of Nationally Determined Contributions, further guidance in relation to adaptation communication, and modalities, procedures and guidelines for the transparency framework for action and support. The APA was instructed to complete its work by CMA 1 in 2016.<sup>23</sup>

#### Other Bodies

Matters are routinely referred to various groups not provided for in the Convention or in decisions as it is never easy to address issues in plenary meetings attended by scores of Parties and observers.<sup>24</sup> Most

negotiations often actually take place in such groups below:

#### **Working Groups**

Chairs of sessions might suggest, on their own initiative or at the request of Parties, that key items on the agenda be considered in more detail in a working group.

This ensures that the item in question is considered by a group of interested States while at the same time allowing the Chair to move along the agenda on the understanding that he or she will return to the deferred item once the working group reports back.<sup>25</sup>

#### **Contact groups**

Contact groups are set up to deal with hard-to-resolve issues that could slow down progress. The Chair of the COP, a subsidiary body, or a working group might suggest holding a contact group. Usually, this group involves the States that have strongly opposing opinions on an issue.<sup>26</sup>

#### **Drafting group**

These groups meet in closed sessions upon instruction of the Chair to develop text on specific issues.

#### Legal drafting group

During negotiations, legal drafting groups are set up composed of lawyers from different delegations to examine legal issues. They can also review the wording of each article proposed for inclusion in agreements and decisions.

#### В.

#### MEETINGS, OUTCOMES AND EVENTS

#### Formal meetings

#### Plenary

Plenary meetings are open to all. This includes observer organizations and the media. Bodies meet in plenaries to adopt agendas, agree on other procedural matters and adopt decisions, which is why all Parties must be included.<sup>27</sup>

Sessions usually start with an opening plenary with agendas for each subsidiary body laid out for the plenary. The closing plenary is usually when conclusions or decisions are adopted.

During plenaries, Parties can make statements and interventions. Statements are usually prepared beforehand and read out, and made available on the UNFCCC website after the session. Interventions, on the other hand, are responses to what have been said by other Parties and the presiding officers.

#### Contact group meetings

Presided by one representative from an Annex I party and another from a non-Annex I party, contact group meetings are usually aimed towards the production of a text, which is then forwarded to the respective plenary to be adopted or approved.

#### Informal meetings

#### Informal consultations

If there is particular difficulty in getting through an agenda item due to a contentious issue, informal meetings might be suggested outside of the contact group meetings to find ways forward. Cofacilitators often summarize the outcomes of these and are relayed at the beginning of the next contact group meeting.

#### **Coordination meetings**

Coordination meetings among country groupings/blocs are held daily during the COPs and SB sessions. These are undertaken to provide members with updates and consult and/or agree on group positions.

#### **Bilaterals**

Usually closed meetings, bilaterals are delegation-to-delegation meetings used to clarify positions, acknowledge common interests, or find ways to negotiate around points of divergence.

#### Outcomes

#### **Decisions**

Decisions are the key outcomes of each COP session. They usually start with a preamble that guides the interpretation of the "operative text."<sup>28</sup> These are numbered and compiled in the report of each session, searchable on the UNFCCC website.

#### **Conclusions**

The SBI and SBSTA each come out with conclusions, which are outcomes of the



negotiations per agenda item. These conclusions include recommendations to the COP.

#### **Events**

#### Side events

Side events are opportunities to share work and views among Parties and non-Party stakeholders, also providing the chance for networking and the exchange of contact information for participants working on the same issues or similar areas.

Many side events are platforms for countries, civil society, academe, businesses, multilateral organizations, and other observers to showcase and promote various programs or initiatives.

#### **Press conferences**

Organized through the Secretariat, UNFCCC press conferences are usually participated in by accredited journalists who are following the negotiations. Organizations and delegations may organize press conferences, but the UNFCCC Secretary also organizes regular briefings to update the media on progress.

C.

#### NEGOTIATING BLOCS

#### Group of 77 and China (G77 and China)

Developing countries generally work through the G77 and China to establish common negotiating positions. However, due to the diversity of views, individual countries also make their own interventions during meetings, as well as smaller groupings within the bloc. These include:

- African Group of Negotiators Comprised of 54 member states and represents the interests of the region
- AILAC Independent Alliance of Latin America and the Caribbean
- ALBA Bolivarian Alliance for the Peoples of our America
- AOSIS Association of Small Island States
- Arab Group Comprised of 22 member states
- BASIC Comprised of Brazil, South Africa, China and India
- Coalition for Rainforest Nations
- LDCs Least Developed Countries
- LMDC Like-Minded Developing Countries
- SIDS Small Island Developing States

#### European Union (EU)

Representing and speaking for its 28 member states, the European Union itself is a Party to the Convention

#### Environmental Integrity Group (EIG)

Comprised of Mexico, Liechtenstein, Monaco, the Republic of Korea, Switzerland and Georgia

#### Umbrella Group

A coalition of Parties formed after the adoption of the Kyoto Protocol, made up of Australia, Belarus, Canada, Iceland, Israel, Japan, New Zealand, Kazakhstan, Norway, the Russian Federation, Ukraine, and the United States

## COUNTRY GROUPS AND SUB-GROUPS

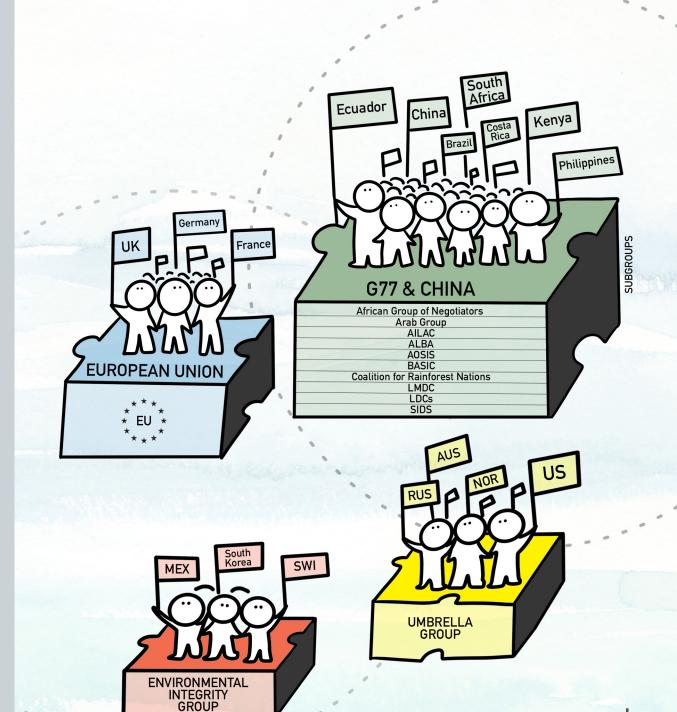


Illustration by Desiree Llanos Dee



D.

# PHILIPPINE DELEGATION

The Philippine delegation to the COP is headed by the highest ranking government official attending the conference, usually either from the Department of Environment and Natural Resources (DENR) or the Climate Change Commission (CCC). Historically, CCC commissioners and DENR secretaries

have attended the COP as heads of delegation, although legislators have also taken on the role.

The delegation is composed of representatives from a variety of agencies with mandates relevant to the objectives of the Convention, including, but not limited to: the Departments of Environment, Agriculture, Finance, Energy, and Transportation; the National Economic and Development Authority; scientific and research institutions such as the Department of Science and Technology and the Philippine Atmospheric, Geophysical and Astronomical Services

Administration; and the Department of Foreign Affairs (DFA), which provides overall negotiation and diplomacy support. Vetting and finalization of the delegation are jointly undertaken by the CCC and DFA.

The Philippines is somewhat unique in the degree to which it has integrated civil society members into the delegation to the climate COPs. Representatives from non-government organizations, academe, indigenous peoples' groups, people's organizations, and other stakeholders have historically been welcomed and included as advisers and even as

negotiators. Some of the Philippines' most staunch champions in the process have been from civil society, fiercely protecting the country's interests, while also playing key leadership roles and helping parties come to agreement on highly contentious negotiation issues.

The current process requires nongovernment representatives to secure endorsement letters from government regarding the need for their assistance at the COP, and accomplishing a request for inclusion and signing terms of reference regarding the scope of their participation.

Before the COP, the DFA and CCC typically schedule pre-COP meetings to discuss priority agenda items, roles/ designations of delegation members, and country positions, including red lines and negotiation strategies. Logistical arrangements, such as flight details, accommodations, and security measures, are also discussed.

During the COP, the Philippine delegation communicates through messaging applications (such as Viber and Whatsapp) for quick exchanges, and through e-mail to transmit files and reports. Delegation meetings occur every day or as determined by the CCC in coordination with the head of delegation. These meetings often include reporting per work stream or agenda item, sharing of updates by the negotiating teams, and harmonization of views according to official country positions. Negotiating teams per work stream or agenda item are also asked to submit regular (formal) reports to the CCC documenting daily developments and making recommendations as necessary.

Conference days start from about 8:00 in the morning, including negotiation bloc meetings (the G77 and China daily meetings are usually scheduled from 9:00-10:00 in the morning, for example), and last through the evening. Official meeting schedules are posted on the UNFCCC website, the official mobile application, and screens around the venue, which are prudent to check as they may change throughout the day. Some meetings, such as "informal informals" and "spinoffs," are not posted on official channels, but rather announced at formal sessions and/or

circulated to internal mailing or messaging lists of negotiators following specific agenda items. In this case, it is useful to make sure one is in the loop and ask to be included in the lists, which takes a bit of asking around and relying on friends/allies, especially for new negotiators or for issues the Philippines has not historically followed.

Negotiations often go beyond regular "office hours" depending on how critical it is to arrive at agreement on a particular issue. This is why it is important for the delegation to designate negotiationsteams, so that negotiation sessions - even the ones that last past midnight - are covered by more than one person and team members can support one another. Scheduling could also have to do with the facilitation style/strategy of group chairs or facilitators. Everything is of course subject to the pleasure of the Parties, where a meeting could or could not push through on the power of even just a single country's position on the matter. Most of the time though, Parties will try to work with others and accommodate their wishes, in the interest of achieving successful outcomes.

A debriefing session for the Philippine delegation is usually scheduled by the CCC a few weeks after the COP to discuss key learnings, positions articulated, and ways forward. Specific agencies may also schedule their own debriefs, involving non-negotiation staff and other stakeholders. Non-government delegates may also report back to their respective institutions.

#### PRE-COP

It will be useful to visit the UNFCCC website weeks in advance to download relevant documents, such as the annotated agenda per workstream and information notes for participants. The annotated agenda typically provides the context for the negotiations ahead, including other documents that will be relevant per agenda item, such as the compilation of draft decisions and SBSTA/SBI reports that contain additional information like guidelines or studies. Information notes for participants, on the other hand, provide information about the venue, the services for delegates such as shuttle services, and focal points per workstream.

It will also be particularly helpful to review the preceding COP's decisions.

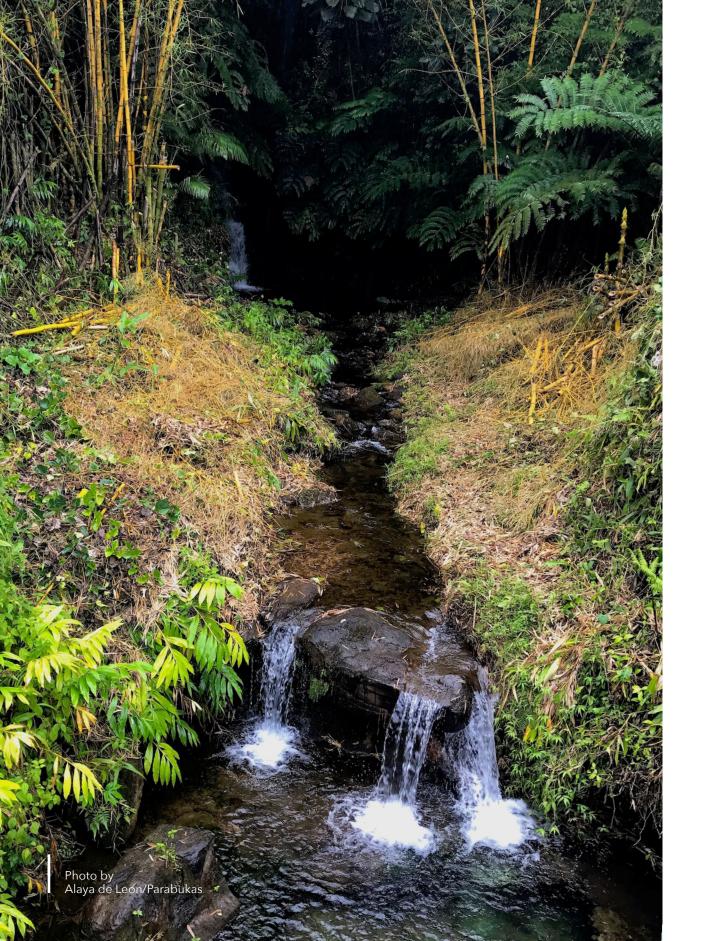
#### COP-PROPER

The draft decisions document per workstream will be the springboard for the negotiations during the COP. It is helpful to review this repeatedly before and during COP in tandem with intervention drafts presented by the relevant agencies and negotiation heads during the preparatory and delegation meetings.

All of these papers can be accessed through the UNFCCC website or through document printing stations available at the venue.

#### POST-COP

It is useful to review adopted decisions after each COP to determine ways forward with the relevant agencies. Delegation members must also note invitations to submit country information or positions under each decision and the relevant deadlines for these.



**IKATLO** 

POLICY RESPONSES AND PHILIPPINE POSITIONS A.

#### **POLICY RESPONSES**

## MITIGATION: CUTTING DOWN ON GREENHOUSE GAS EMISSIONS

Under Article 4b of the UNFCCC, Parties are enjoined to communicate mitigation efforts by reporting "measures to mitigate climate change by addressing anthropogenic emissions by sources and removals by sinks" of greenhouse gases.<sup>29</sup> This two-pronged approach of addressing both sources (as in through the evaluation of different sectoral contributions to emissions per country) and the removals through sinks (for example, through the sustainable management and enhancement of forests) is essential to the Convention's ultimate aim.

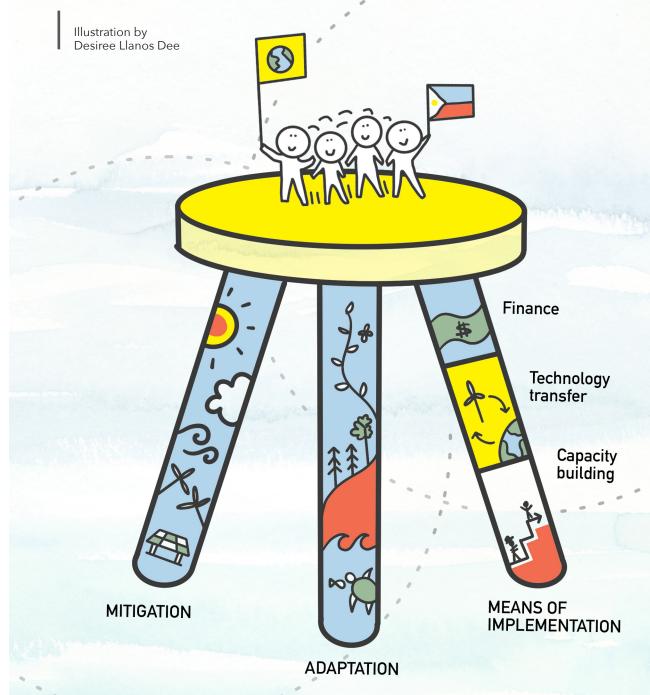
The Kyoto Protocol is a response to the qualitative aim of "stabilizing greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system" with quantitative commitments from Annex I countries. It committed industrialized countries to stabilize their GHG emissions in terms of economy-wide caps for national emissions, including in land use, land use change and forestry (LULUCF).

In the Paris Agreement era, mitigation commitments are enshrined in parties' NDCs, all aimed towards the long-term mitigation goal set forth in the Agreement, with the temperature goal serving as the starting point for the mitigation goal:

#### Article 4.1

In order to achieve the long-term temperature goal set out in Article 2, Parties aim to reach global peaking of greenhouse gas emissions as soon as possible, recognizing that peaking will take longer for developing country Parties, and to undertake rapid reductions thereafter in accordance with the best available science, so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century, on the basis of equity, and in the context of sustainable development and efforts to eradicate poverty.

# MITIGATION, ADAPTATION, MEANS OF IMPLEMENTATION: PILLARS OF THE CONVENTION



The principle of differentiation is observed in this long-term mitigation goal through the recognition that "peaking will take longer for developing parties." This is further strengthened through Article 4.4, where developed countries are tasked to "continue taking the lead by undertaking economy-wide absolute emission reduction targets," and 4.5, where the provision of support to developing countries "recognizing that enhanced support for developing country Parties will allow for higher ambition in their actions" is reiterated.

## ADAPTATION: RESPONDING TO THE IMPACTS OF CLIMATE CHANGE

Under the UNFCCC, adaptation is defined as an adjustment in natural or human systems in response to actual or expected climate stimuli or their effects, which moderates harm or exploits beneficial opportunities. The ultimate aim of the Convention "to stabilize greenhouse gas emissions at a level that would prevent dangerous anthropogenic interference" is coupled with the condition of achieving the above "within a timeframe sufficient to allow ecosystems to adapt naturally, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner."

For many developing countries like the Philippines, this is a priority issue given the onslaught of climate impacts over the last several years. Many small island developing states (SIDS), for example, are alarmed that potential sea level rise could threaten their territories and very existence.

In 2010, Parties adopted the Cancun Adaptation Framework during COP 16, affirming that adaptation must be addressed with the same level of priority and urgency as mitigation. The Adaptation Committee was established under this framework, tasked to provide technical support, share relevant information, promote synergy and strengthen engagements, provide recommendations drawn from good adaptation practices, and consider information on adaptation based on parties' communication of their National Adaptation Plans. These plans are Parties' means of identifying medium and long-term adaptation needs and developing and implementing strategies and programmes to address those needs.

In the Paris Agreement, for the first time in climate change negotiations history, a global goal on adaptation was established:

#### Article 7

1. Parties hereby establish the global goal on adaptation of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, with a view to contributing to sustainable development and ensuring an adequate adaptation response in the content of the temperature goal referred to in Article 2.

During the negotiations, Parties and groups such as the African Group, AlLAC, South Korea, Mexico, and the Dominican Republic argued in favor of this goal, with the African Group particularly arguing for a quantitative goal. Ultimately, Parties agreed on this long-term vision serving as a framework for Article 7.30 How this is to be operationalized remains to be determined, but is significant nonetheless for balancing the Paris Agreement's work between mitigation and adaptation as well as the need for allocation of financial resources to support adaptation in developing countries.



#### MEANS OF IMPLEMENTATION

#### **Finance**

In 1992, the Convention laid out a set of provisions applicable only to public financial resources provided by developed countries to developing countries. This set of provisions did not explicitly define the scale by which these resources were to be mobilized, but introduced the concepts of "agreed full costs," assisting "to meet full incremental costs," as well as "adequacy and predictability."<sup>31</sup>

In the Paris Agreement, however, "making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development" is set as one of the objectives. This is further expounded in Article 9 of the Agreement which quantifies the financial commitment needed at USD100 Billion by developed countries and also encourages the provision of voluntary support by other countries.

A key climate finance aspect in the Paris Agreement is the question of accounting of resources. Central to this is the discussion on how developed countries will fulfill the annual commitment by 2020 from a wide variety of sources, public and private, bilateral and multilateral, including alternative sources.

#### Technology transfer

Developing and creating enabling environments that would allow the transfer of technologies is one of the key pillars in allowing countries to fulfill their climate commitments. In Article 4, 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.<sup>32</sup>

In the Paris Agreement, Article 10 defines the long-term purpose of fully realizing technology development and transfer "to improve resilience to climate change and to reduce greenhouse gas emissions," reflecting that the process serves both adaptation and mitigation actions. A technology framework was also established to provide overarching guidance to the work of the Technology Mechanism established in 2010 in promoting and facilitating enhanced action on technology development and transfer in order to support the implementation of the Agreement. Two bodies serve this mechanism: the Technology Executive Committee and the Climate Technology Centre and Network.



The importance of financial support for the mechanism, its bodies and other activities was also stressed in the article, highlighting that the effort to accelerate, encourage and enable innovation is critical for an effective long-term global response to climate change and promoting economic growth and sustainable development.

#### Capacity-building

Capacity-building is essential to both adaptation and mitigation, and therefore of great relevance for the implementation of the UNFCCC and the Paris Agreement. Article 11 of the Agreement is dedicated to this exclusively, and it is of crucial importance because it is the first time that capacity-building is laid down in a stand-alone provision within the UNFCCC regime, separate from other means of implementation. <sup>33</sup>

Under Article 11, developing countries are identified as the recipient of capacity-building, facilitating: development, dissemination and deployment of technology; access to climate finance; education, training and public awareness; as well as transparent, timely and accurate communication of information. It also particularly highlight countries with least capacity, namely "the least developed countries and those that are particularly vulnerable to the adverse effects of climate change, such as small island developing States," as recipients.

It set responsibilities of the parties to determine modalities of cooperation, such as but not limited to developed-developing-country arrangements and the communication of capacity-building efforts with regularity, including the progress on implementing capacity-building plans, policies, actions, and measures.

#### В.

# PHILIPPINE POSITIONS

#### 1. COP 21 AND INDCs

In accordance with Decisions 1/CP.19 and 1/CP.20 and anchored on the Philippine Climate Change Act, the Philippines submitted its Intended Nationally Determined Contributions (INDCs) on October 1, 2015.<sup>34</sup>

The Philippines INDC is premised on pursuing climate mitigation as a function of adaptation, and states that adaptation actions with additional support from international sources will enhance the country's capacity towards resiliency and the implementation of mitigation options.

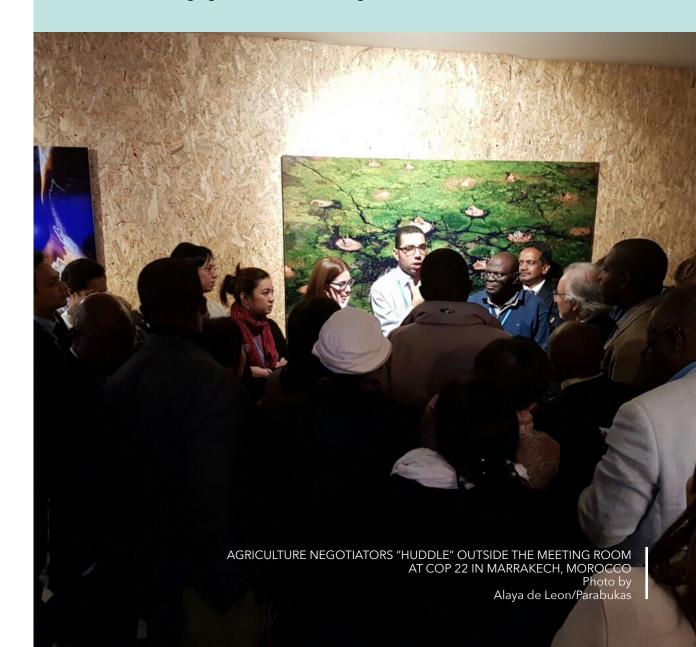
Recognizing the leadership role of developed countries and the principle of fair share, the INDC also states that the pursuit of mitigation measures is anchored fully on financing resources, including technology development and transfer and capacity building. The Philippines intends to undertake emissions reduction of about 70% by 2030 relative to its BAU scenario of 2000 - 2030, coming from energy, transport, waste, forestry, and industry sectors.

Reiterating the vulnerability of the country to climate impacts, the INDC prioritizes and adopts adaptation as its anchor strategy, claiming that the path towards low emission development will require climate resilience and improved adaptive capacity. Minimizing loss and damage is identified as the basic foundation for prioritizing adaptation measures, to ensure that the achievement of national development targets through building capacities and enhancing resilience to avoid and mitigate losses in a sustainable manner. As of this writing, the INDC is in the process of being revised and refined, for submission as the first Philippine NDC before 2020.

During COP 21, the Philippine delegation in Paris fought hard for a clear reference to human rights and the inclusion of indigenous people's rights in the negotiating text.<sup>35</sup> The Philippines was also praised for fighting for the inclusion of the 1.5°C goal, together with other SIDS, as well as a "solid qualitative and quantitative goal for target setting, progression and review every five years" for adaptation finance, which is ideally public and grant-based, in its interventions.<sup>36</sup>

#### 2. NEGOTIATING PRINCIPLES AND KEY POSITIONS

The Philippines recognizes the importance of the principle of common but differentiated responsibilities and equity, and utilizes these particularly for more ambitious pre-2020 actions. As previous Chair of the Climate Vulnerable Forum, the Philippines was one of the primary advocates for the long-term temperature goal of "limiting global average temperature to well below 2°C and to pursue efforts to limit temperature increase to 1.5°C."<sup>37</sup> Given the new IPCC Special Report on Global Warming of 1.5°C, discussed in more detail below, rules and modalities under the COP for pathways towards 1.5°C was one of the emerging issues in the 2018 negotiations.<sup>38</sup>



#### A. MITIGATION

The Paris Agreement does not adopt the Clean Development Mechanism of the Kyoto Protocol, which makes the future of the Adaptation Fund uncertain. This makes the Philippines' positions on the new article on market mechanisms and non-market approaches, Article 6, significant moving forward, to ensure that requirements around mitigation serve Philippine interests.

The Philippines is paying close attention to the rules and modalities of the new mechanisms established under this article during the development of the Paris Agreement Rulebook. The country also has special interest in Article 6.4 or the new Sustainable Development Mechanism, taking the position that the dual goal of fulfilling NDC commitments while furthering sustainable development should be pursued through a bottom-up approach while prioritizing national needs. <sup>39</sup>

#### **B. FORESTS**

The country's last UNFCCC submission on forests was in 2014, on the guidance for activities relating to reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks (REDD-Plus) in developing countries. The Philippines pursues REDD-Plus to "facilitate important synergies and mutual reinforcement between mitigation and adaptation." It is particularly committed to the sustainable management of forests, and the conservation and enhancement of forest carbon stocks.

The country adheres to the recognition of, respect for, and protection of the rights of indigenous cultural communities/indigenous peoples (ICCS/IPs) contained in its Indigenous Peoples' Rights Act (Republic Act No. 8371, 1997) and reflected in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).<sup>40</sup> The Philippines values the experience and knowledge of indigenous peoples and local communities, holding that traditional knowledge should be integrated in methodologies developed where appropriate.

The country also outlines the importance of recognizing non-carbon benefits, supporting the view that REDD-Plus needs to provide social, environmental, and governance benefits to make carbon benefits possible and sustainable. Because these benefits can vary widely, they should be nationally-defined with processes determined at the country level.

#### C. ADAPTATION AND AGRICULTURE

The last UNFCCC submission on adaptation by the Philippines was through Vietnam on behalf of ASEAN member states. According to the submission, the ASEAN views adaptation measures to include interventions relating to policy and planning, finance, achieving scale through innovative approaches, improving gender equity and social inclusion, and research and knowledge systems. However, these measures need to be underpinned by agricultural practices and technologies.

This is further expanded by the Philippines through its recent submission on the new Koronivia Joint Work on Agriculture, relating to modalities for implementation of the outcomes of the UNFCCC workshops on issues related to agriculture. The submission highlighted scaled-up mobilization, access to and actual provision of means of implementation, as required to ensure access to adaptive technologies like early warning systems, efficient land and water use, climate-informed crop and livestock management, agroforestry, and irrigation systems. The Philippines also emphasized that support to be provided to implement recommendations from the workshops should allow for innovation to flourish at the national level, noting that adaptation is governed by the specific circumstances of the localities where they will be applied.<sup>41</sup>

#### D. LOSS AND DAMAGE

The Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM) was established under the Cancun Adaptation Framework during COP 19 in Warsaw, Poland in November 2013 to address loss and damage associated with climate impacts, including extreme events and slow onset events, in developing countries particularly vulnerable to the adverse effects of climate change.

Loss and damage refers to the loss and damage of human lives, species, habitats, and infrastructure. Many developing countries like the Philippines experience losses and damages during disasters exacerbated by human-induced climate change. In a sense, the WIM under the UNFCCC may be seen as a treaty to avoid further loss and damage in the future. However, due to drastic climate change, it is projected that there will be unavoidable loss and damage especially in countries most vulnerable to its impacts.

During the establishment of the WIM in 2010, the Philippines made a reservation regarding the institutional placement of the mechanism under the Cancun Adaptation

Framework. It declared that this effectively limited the actions to be undertaken in addressing loss and damage to adaptation and risk management, and omitted the required actions necessary for the recovery and rehabilitation of lost and damaged livelihoods, communities, and ecosystems.

It was decided that this mechanism, including its structure, mandate, and effectiveness, would be reviewed during COP 22 in Marrakech, Morocco. Negotiators however decided to adopt a five-year work plan and continue the review in COP 24 in Katowice, Poland, during which the Paris Rulebook was also adopted as the Katowice Climate Package.

Under the Enhanced Transparency Framework, the objective of generating comprehensive information on loss and damage to inform the Global Stocktake has been inserted. Under the finance discussions, the Association of Small Island States (AOSIS) and Least Developed Countries (LDCs) suggest that developed countries should provide information on the support they intend to provide for loss and damage under Article 9.5.

Upon the conclusion of COP 24, this was further articulated through the encouragement of the Standing Committee on Finance to provide input to the technical paper of the Executive Committee of the WIM on the sources of financial support.

#### **E. CLIMATE FINANCE**

The Philippines was successful in making sure that scaled-up financial resources aim for a balance between adaptation and mitigation.<sup>42</sup> The country pushed for this balance recognizing that current financing is still skewed towards mitigation actions and as a vulnerable country, negotiated for grants-based adaptation finance.

During the High Level Ministerial Dialogue on Climate Finance in Marrakech, Morocco during COP 22, the Philippines reiterated the need to enhance climate finance flows through multilateral and bilateral channels devoid of usual conditionalities and above aid flows, supporting country-driven strategies. The Philippines also stressed the need for regular replenishment serving as an indicator of commitment to ensure funding predictability from developed countries.<sup>43</sup>

# BUILDING BLOCKS OF THE PARIS AGREEMENT





**IKA-APAT** 

EMERGING ISSUES

#### A.

# THE PARIS AGREEMENT WORK PROGRAMME

Decision 1/CP.21, through which the Paris Agreement was formally adopted, called on the first meeting of parties to the Agreement to adopt rules, modalities, procedures, and guidelines elaborating its provisions. This has become what is known today as the Katowice Climate Package, comprised of a set of decisions adopted at COP 24 in Katowice, Poland in December 2018.

If the Agreement contains the fundamental points and principles each party has subscribed to - serving as the framework guiding Parties' future commitments and actions - the Package on the other hand contains operationalizing rules and regulations that give every provision its implementing guidelines. The clarity of these guidelines will determine and "enhance predictability and confidence in the transformation to a low-carbon and climate-resilient world, while enhancing international cooperation and support for countries and communities with limited capacities."

#### NDC IMPLEMENTATION AND TRANSPARENCY

One key issue that will determine the success of the Paris Agreement is the establishment of common elements and timeframes for the Agreement's central component, the NDCs. The first round of NDCs submitted by Parties varied in their implementation timeframe, some with a reference point of 2025 and others 2030.

In the agreed text of the Katowice Package, parties are required to apply common timeframes to their NDCs to be implemented from 2031 onward, with the SBI requested to continue its consideration of the timeframe during its fiftieth session in June 2019, for a recommendation to be made and adopted at the next COP.

#### **GLOBAL STOCKTAKE**

One of the key characteristics of the Paris Agreement is its five-year review cycle, the idea being that parties will come together periodically to take stock of whether or not they are meeting their long-term goals, and to increase ambition towards achieving the objectives of the Agreement.

The Package re-emphasized how crucial this process is "for enhancing the collective ambition of action and support towards achieving the purpose and long-term goals of the Paris Agreement." With the first review cycle drawing to a close in 2023, ground rules were established, including the structure of the stocktake process: information collection, technical assessment, and consideration of outputs.

#### ADAPTATION COMMUNICATION

The Paris Agreement established for the first time a global goal on adaptation. All countries are expected to communicate adaptation actions informing the global stocktake. The UNFCCC will draw on these to assess adaptation needs and determine the level of support needed to further enhance actions.

According to the Agreement, these communications can be a component of or produced in conjunction with other submissions, including National Adaptation Plans or NDCs. There is a debate about which is more suitable, and there is also lack of consensus on which elements must be included. There is, however, broad agreement that core elements comprise national circumstances, assessments of impacts, vulnerabilities and risks, adaptation priorities and planned actions, and adaptation support needs.

In the Katowice Package, it was decided that adaptation communications should be country-driven and flexible, containing most of the suggested elements above, and to be factored into the global stocktake by encouraging Parties who wish to submit them to do so in time for the review cycles.

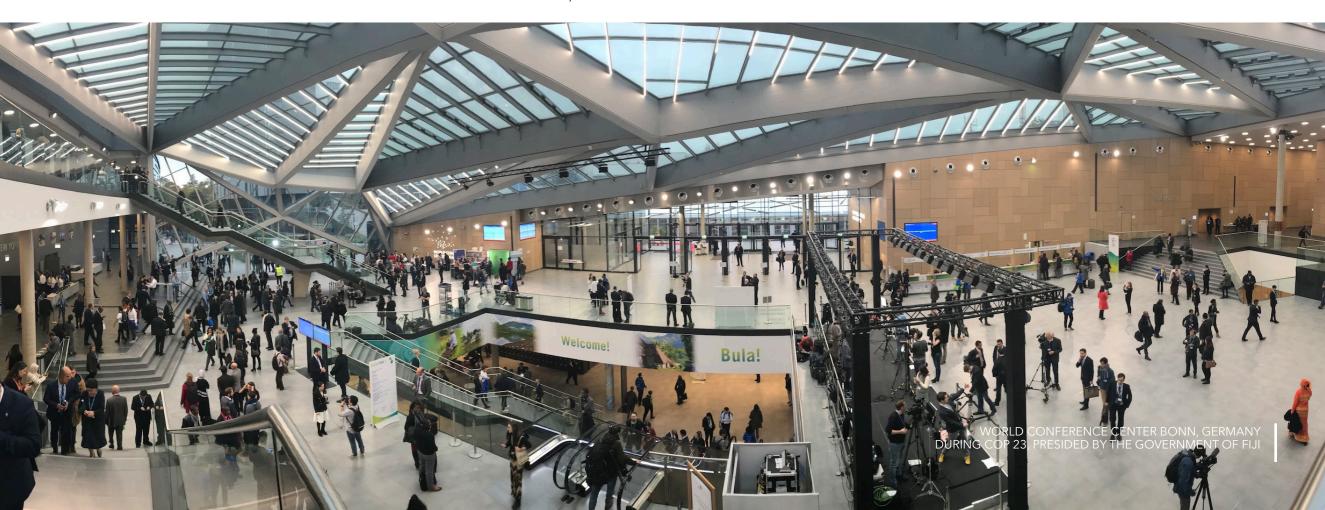
#### FINANCE COMMUNICATIONS

The core element to be decided at COP 24 in Katowice was the main type of information to be submitted by Parties on finance, the frequency of finance communications, as well as how the CMA will utilize information submitted in accordance with Article 9.5, which

states that developed country Parties must communicate "indicative quantitative and qualitative information" on the provision and mobilization of finance "as applicable." Flexibility, however, is also referred to in this article: "including, as available, projected levels of public financial resources to be provided."

While there are some valid concerns concerning national circumstances that hinder concrete decisions on the elements of these submissions by developed countries – projections about public finance in some countries and different budgetary cycles, for example – developing countries were especially disappointed about the lack of progress and clarity in finance communications, because they rely heavily on the predictability of finance to meet their targets.

The Rulebook now states that developed Parties shall biennially communicate indicative quantitative and qualitative information including, as available, projected levels of public financial resources to be provided to developing countries. The secretariat is also requested to organize biennial in-session workshops after the first year of submissions in 2020, with a biennial high-level ministerial dialogue on climate finance complementing it to begin also in 2021.



B.

# THE IPCC SPECIAL REPORT ON 1.5°C

The UNFCCC's ultimate objective to "prevent dangerous" anthropogenic interference with the climate system" can be operationalized by expressing "dangerous anthropogenic interference" in terms of the global long-term temperature goal. Central to the Paris Agreement is its aim to "limit global warming to 'well below' 2oC with efforts to limit it to 1.5°C," and while translating this into action still depends on continuous evaluation, it provides "essential information for science-based political decisions by outlining the impacts, risks and vulnerabilities, as well as technological, economic and feasibility assessments associated with different goals."<sup>44</sup>

The accompanying decision of the Agreement<sup>45</sup> invited the Intergovernmental Panel on Climate Change (IPCC) to provide a special report in 2018 on the impacts of global warming of 1.5°C. The IPCC officially accepted this invitation in April 2017. Ninety-one authors and editors were involved in the production of this report, including one from the Philippines, Dr. Rosa Perez.

The report's key finding is that global warming is likely to reach 1.5°C between 2030 and 2052 if it continues to increase at the current rate. The principle of equity is central to the report, recognizing that many of the impacts of warming up to and beyond 1.5°C, and some potential impacts of mitigation actions required to limit warming to 1.5°C, fall disproportionately on the poor and vulnerable.

Among the findings are projections concerning human health, migration, conflict, sea level rise, biodiversity, and ecosystems. For human health, the report's key finding is that "any increase in global warming is projected to affect human health with primarily negative consequences. At 1.5°C, it describes that twice as many megacities as present are likely to become heat stressed, potentially exposing more than 350 million people to deadly heat stress by 2050. Risks from some vector-borne diseases are also projected to increase, including potential shifts in geographical range."<sup>46</sup>

For migration and conflict, projections indicate that at 1.5°C there will be "increased incidents of internal migration and displacement, with outmigration in agricultural-dependent communities positively and statistically significantly associated with global temperature." Drought will "significantly increase the likelihood of sustained conflict for particularly vulnerable nations due to livelihood dependence on agriculture." Small

islands and small island nations are also projected to be affected by sea level rise and thus by migration. Previous IPCC reports have confirmed that "increased storm surges, coastal flooding and sea level rise due to global warming is projected to exacerbate the risk of death, injury, ill-health and the disruption of livelihoods, with coastal communities especially suffering from reduced health, income, livelihoods, cultural identity and coastal protection."<sup>47</sup>

For biodiversity and ecosystems, constraining global warming to 1.5°C rather than 2°C and higher "has strong benefits for terrestrial and wetland ecosystems and for the preservation of their services to humans." The response of most of the world's forests and seagrass ecosystems, which play key roles as carbon sinks, must also be noted. As climate change increases in the intensity of storms, wildfires and pest outbreaks, these can potentially lead to forest dieback. The increase of total ecosystem respiration in spring and autumn, in relation with higher temperature, may turn boreal forests from carbon sink to carbon source.

The report, however, also includes an entire chapter on mitigation pathways consistent with 1.5°C.<sup>48</sup> Deep reductions in the emissions of methane and black carbon, cooling aerosols, nitrous oxide and hydrofluorocarbons in concert with a 45% reduction of emissions using a 2010 baseline and reaching net zero by 2050 was found to be required to keep warming at 1.5°C. Removals by sinks, anthropogenic removals, a marked shift in investment patterns, and policies reflecting a high price on emissions are also necessary to achieve 1.5°C.

The report also finds that future climate-related risks would be reduced by the upscaling and acceleration of "far-reaching, multi-level and cross-sectoral climate mitigation and by both incremental and transformational adaptation." In the context of sustainable development and poverty eradication, limiting the risks from global warming of 1.5°C "implies system transitions that can be enabled by an increase of adaptation and mitigation investments, policy instruments, the acceleration of technological innovation and behavior changes." 49

The Philippine's particular vulnerability to climate change impacts - including its dependence on agriculture, its circumstances as an archipelago and as a megadiverse country, to name a few - suggest that understanding 1.5°C in the domestic context is crucial. The report's findings have significant implications on the Philippines, which should be assessed and inform the country's plans and priorities, particularly in relation to adaptation actions and finance needs.

#### REFERENCES

- 1. See Fischlin 'Background and Role of Science' In Klein, D., Carazo, M.P., Doelle, M., Bulmer, J., & Higham, A. The Paris Agreement on Climate Change: Analysis and Commentary (pp. 3 - 17). Oxford.
- 2. See https://www.ipcc.ch/organization/organization\_history.html
- 3. See the executive summary of the policymakers summary of the First Assessment Report https://www.ipcc.ch/site/assets/uploads/2018/03/ipcc\_far\_wq\_l\_spm.pdf
- 4. Each ERU is equivalent to one tonne of CO2. See the UNFCCC briefer on Joint Implementation at https://unfccc.int/process/the-kyoto-protocol/mechanisms/joint-implementation. (last accessed 7 October 2018)
- 5. See the UNFCCC CDM portal at https://cdm. unfccc.int/about/index.html. (last accessed 7 October 2018)
- 6. See 'Greenhousegas emissions a new commodity' https://unfccc.int/process/the-kyoto-protocol/mechanisms/emissions-trading. (last accessed 5 October 2018)
- 7. See Christiana Figueres' Foreword in In Klein, M. P. In Carazo, M. In Doelle, J. In Bulmer, & A. In Higham (Eds.), The Paris Agreement on climate change: Analysis and commentary (pp. 74 90). NY: Oxford University Press
- 8. See Rajaani and Guerin, 'Central Concepts in the Paris Agreement and How They Evolved' in D. In Klein, M. P. In Carazo, M. In Doelle, J. In Bulmer, & A. In Higham (Eds.), The Paris Agreement on climate change: Analysis and commentary (pp. 74 - 90). NY: Oxford University Press
- 9. The report was published last October 8, 2018 and concludes that "global warming is likely to reach 1.5°C between 2030 and 2053 if it continues to increase at the current rate." See http://www.ipcc.ch/report/sr15/. (last accessed 3 October 2018)
- 10. Analyses of countries' commitments typically use the 1.5°C target as a benchmark for genuinely ambitious national actions. Multiple studies have confirmed that current commitments fall below the 1.5°C target. See the latest compilation of actions by Climate Action Tracker: https://climateactiontracker.org/documents/352/CAT\_BriefingNote\_SB48\_May2018.pdf. (last accessed 5 October 2018).
- 11. See Article 2 of the Paris Agreement
- 12. Rajamani and Guerin, 2017.
- 13. See Rajamani and Guerin's 2.2

- Operationalizing CBDRRC-NC in the Paris Agreement, p. 84.
- 14. See Paris Agreement Art 9.3 and Decision 1/CP.21 para 53.
- 15. Paris Agreement, Art 9.5
- 16. See Decision 1/CP.21 para 53
- 17. See Philippines INDC submitted to the UNFCCC in 2015: http://www4.unfccc.int/submissions/INDC/Published%20Documents/Philippines/1/Philippines%20-%20Final%20INDC%20submission.pdf. (last accessed 5 October 2018)
- 18. See Conditionality of Intended Nationally Determined Contributions (INDCs) by Thomas Day, Frauke Röser, Marie Kurdziel (NewClimate Institute): https://www.transparency-partnership.net/sites/default/files/indc-conditionality\_0.pdf. (last accessed 6 October 2018)
- 19. See the latest Paris Agreement Work Plan version as of September 9: https://unfccc.int/documents/182607. (last accessed 6 October 2018)
- 20. See UNFCCC Art. 7
- 21. Parties are required to communicate a national inventory of anthropogenic emissions by sources and removals by sinks, a general description of steps taken or envisaged by the Party to implement the Convention and any other relevant information suitable for inclusion. See UNFCCC Art 12 Par 1.
- 22. Annex 1 parties are required to incorporate in their communication a detailed description of policies and measures that it ha adopted and a specific estimate of the effects that these will have on anthropogenic emissions. See UNFFF Art 12 Par 2
- 23. See full session documentation and reports at https://unfccc.int/process/bodies/subsidiarybodies/apa. (last accessed 8 October 2018)
- 24. See Institutional Practice other bodies in Machinery: Institutional and negotiation structures. In Multilateral Environmental Agreement negotiator's handbook (pp. 3-21). Joensuu: University of Joensuu, Department of Law.
- 25. Ibid., p. 3-20
- 26. Ibid., p. 3-31
- 27. See http://pubs.iied.org/pdfs/17385IIED.pdf
- 28. Ibid.

- 29. See Article 4 of the UNFCCC. Art 4 Par B also states that parties must communicate "measures to facilitate adequate adaptation to climate change".
- 30. See Perez and Kallhauge, 'Adaptation (Article 7)' in D. In Klein, M. P. In Carazo, M. In Doelle, J. In Bulmer, & A. In Higham (Eds.), The Paris Agreement on climate change: Analysis and commentary (p 203). NY: Oxford University Press
- 31. See UNFCCC Art 4.3
- 32. See https://unfccc.int/topics/climate-technology/the-big-picture/what-is-technology-development-and-transfer. Last accessed 20 January 2019.
- 33. See d'Auvergne and Nummelin, 'Capacity-building (Article 11)' in D. In Klein, M. P. In Carazo, M. In Doelle, J. In Bulmer, & A. In Higham (Eds.), The Paris Agreement on climate change: Analysis and commentary (p 276). NY: Oxford University Press
- 34. See the Philippine INDC at https://www4. unfccc.int/sites/submissions/INDC/Published%20 Documents/Philippines/1/Philippines%20-%20 Final%20INDC%20submission.pdf (last accessed 9 November 2018).
- 35. Paris Agreement's Preamble and Article 2.2. See also 'One more week to change the world: the Paris Promise' by Tony La Vina and Purple Romero: https://www.rappler.com/thought-leaders/115210-cop21-change-the-world-parispromise. (last accessed 8 October 2018)
- 36. See the Philippine statement during the High-Level Segment 8 Dec 2015: https://unfccc. int/sites/default/files/cop21cmp11\_hls\_speech\_philippines.pdf . (last accessed 8 October 2018)
- 37. See Article 2.1.a of the Paris Agreement.
- 38. See next chapter. The IPCC report does not make political recommendations, but according to Poland COP President Michael Kurtyaka, there will be ample space for this in the upcoming Katowice negotiations for COP 24.
- 39. Parties were invited to submit their views by the end of COP 22 on matters relating to Article 6, but there is no official Philippine submission. These are official Philippine interventions during COP 22.
- 40. See https://www4.unfccc.int/ sites/SubmissionsStaging/Documen ts/39\_16\_130453073202641862-Philippines\_ Meth.pdf (last accessed 10 November 2018)
- 41. See the Philippines submission at https://www4.unfccc.int/sites/SubmissionsStaging/Documents/201811061426---SUBMISSION%20

- BY%20THE%20PHILIPPINES\_KJWA.pdf. (last accessed 10 November 2018)
- 42. See the Philippine statement during the High Level Ministerial Dialogue on Climate Finance at https://unfccc.int/sites/default/files/philippines\_ cop22\_hld\_climate\_finance\_11.16.2016.pdf (last accessed 09 March 2019)
- 43. http://climate.gov.ph/index.php/what-we-do/we-inform/media-resources/15-press-release/54
- 44. Schleussner, C., Rogelj, J., Schaeffer, M., Lissner, T., Licker, R., Fischer, E., ... Knutti, R. (2016). Science and policy characteristics of the Paris Agreement temperature goal. Nature Climate Change. Retrieved from https://core.ac.uk/download/pdf/52954970.pdf
- 45. See https://unfccc.int/resource/docs/2015/cop21/eng/10a01.pdf#page=2
- 46. Hoegh-Guldberg, O., D. Jacob, M. Taylor, M. Bindi, S. Brown, I. Camilloni, A. Diedhiou, R. Djalante, K.L. Ebi, F. Engelbrecht, J.Guiot, Y. Hijioka, S. Mehrotra, A. Payne, S.I. Seneviratne, A. Thomas, R. Warren, and G. Zhou, 2018: Impacts of 1.5°C Global Warming on Natural and Human Systems. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I.Gomis, E. Lonnoy, T.Maycock, M.Tignor, and T. Waterfield (eds.)]. In Press.
- 47. Ibid.
- 48. Rogelj, J., D. Shindell, K. Jiang, S. Fifita, P. Forster, V. Ginzburg, C. Handa, H. Kheshgi, S. Kobayashi, E. Kriegler, L. Mundaca, R. Séférian, and M.V.Vilariño, 2018: Mitigation Pathways Compatible with 1.5°C in the Context of Sustainable Development. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)]. In Press.

57

49. Ibid.

#### **ACRONYMS**

Assigned amount unit

Adaptation Committee

Ad hoc Working Group on the Durban Platform for Enhanced Action

Adaptation Fund

Alliance of Small Island States

Ad Hoc Working Group on the Paris Agreement

AWG-KP

Ad hoc Working Group on further commitments for Annex I Parties under the Kyoto Protocol

AWG-LCA

Ad hoc Working Group on Long-term Cooperative Action under the ConventionB

**BAP** 

Bali Action Plan

**BINGO** 

Business and industry non-governmental organisations

**CACAM** 

Negotiating coalition of countries of Central Asia and the Caucasus, Albania, and the Republic of Moldova.

Convention on Biological Diversity

Clean Development Mechanism. the year of submission), with a high probability of registration with the UNFCCC and

Certified emission reductions

Chlorofluorocarbons

Conference of the Parties serving as the meeting of the Parties to the Paris Agreement

Convention on the Conservation of Migratory Species of Wild Animals

Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol

Carbon dioxide

Conference of the Parties

Common Reporting Format

Conference room papers

United Nations Commission on Sustainable Development

**Designated National Authority** 

Countries with Economies in Transition

Emission reduction unit

**Environmental Integrity Group** 

Economic and Social Commission for Asia and the Pacific

**European Union** 

Food and Agriculture Organization of the United Nations

Global Environment Facility

Global warming potential

Green Climate Fund

GHG

Greenhouse gases

Group of 77 countries and China

Group of Latin American and Caribbean States

Hydrofluorocarbons

Independent Assessment Report

International Energy Agency

Intended Nationally Determined Contributions

Intergovernmental Panel on Climate Change

Joint implementation

**Kyoto Protocol** 

LULUCF

Land use, land-use change, and forestry

**Least Developed Countries** 

L&D

Loss and damage

Montreal Protocol

Measurable, reportable and verifiable

N<sub>2</sub>O

Nitrous oxide

National adaptation programmes of action

Nationally appropriate mitigation actions

Nationally Determined Contributions

NGO

Non-governmental organizations

Organization of Petroleum Exporting Countries

PFC

Perfluorocarbon

Reducing Emissions from Deforestation and Forest Degradation

**RMU** 

Removal unit

Sulphur hexafluoride

Second Assessment Report

Small Island Developing States

Subsidiary Body for Implementation

Subsidiary Body for Scientific and Technological Advice

TAR

Third Assessment Report

Trade related non-governmental organisations

Umbrella group

UNCCD

United Nations Convention to Combat Desertification.

UNCED

United Nations Conference on Environment and Development

**UNCTAD** 

United Nations Conference on Trade and Development

**UNDP** 

United Nations Development Programme

United Nations Economic Commission for Europe

United Nations Environment Programme

United Nations Framework Convention on Climate Change

**UNIDO** 

**United Nations Industrial Development** Organization

WCC

World Climate Conference

World Health Organization

World Meteorological Organization

World Trade Organization

YOUNGO

Youth non-governmental organisation



Founded in 2002, under two bilateral agreements between the governments of the United States of America and the Philippines, the Forest Foundation Philippines is a nonprofit organization that provides grants to organizations that empower the people to protect the forests.

Since its inception, the Forest Foundation Philippines has supported over 450 projects that improved the management of approximately 1.5 million hectares of forest lands, restored approximately 4,200 hectares of forests by reintroducing appropriate native species, established over 40 community conserved areas, and built more than 60 community enterprises.

Guided by the Forest Foundation Philippines Program Plan 2017-2021, the Foundation has allocated PHP 480 million to protect the country's most critical forest landscapes: Sierra Madre, Palawan, Samar and Leyte, Bukidnon, and Misamis Oriental.

www.forestfoundation.ph info@forestfoundation.ph

## parabukas

Parabukas is a boutique consulting firm seeking to demystify legal and policy issues around climate change, the environment, and sustainable development. Working in international, national, and local contexts, Parabukas contributes to improving inclusiveness and participation in legal and policy decision-making, empowering those most affected by environmental degradation and associated social problems to address them practically and effectively.

www.parabukas.com hello@parabukas.com

