

## Intervention on Structure of the 2015 Agreement

### ADP 2 -5 Contact Group

June 14<sup>th</sup>, 2014

1. Thank you co-chair
2. I have the honor to speak on behalf of the AILAC countries.
3. The ADP must have as an outcome a *Protocol*, which shall aim at achieving the *ultimate objective* of the convention. The agreement must set a shared common global responsibility to address the causes and impacts of climate change, and a clear pathway towards a climate resilient, low carbon, sustainable future.
4. The 2015 agreement should include, as a cross cutting element, under each of its components, a long term goal, that sets the global direction towards which the international community needs to direct its efforts for each element. These long-term goals may be expressed differently for each of the individual components. Yet, the inextricable linkages between them must be acknowledged.
5. Additionally, for AILAC, the agreement must serve as a catalyzer of action at the domestic level, incentivizing ambitious action, and providing a robust structure of support for it; it should act as a powerful tool that helps parties in their own efforts to contribute to the global endeavors to combat climate change.
6. For this, the long-term goals should be complemented with the individual efforts and actions that each country will undertake to contribute, from its national context, to the collective global efforts.
7. The 2015 agreement needs to have a structure that is sufficiently flexible to allow for diversity and differentiation between types of commitments. It must include a system to ratchet up ambition over time, while at the same time avoiding lengthy re-negotiations of the entire system.
8. This means that each party needs to be able to increase its own level of commitment over time, without requiring and overly complicated ratification process each time the time period defined for its contributions expires.
9. It also means that each party will define its own contribution, and that this contribution should not require for other parties to ratify, and needs to be included in an instrument that is flexible enough for revising the contributions upwards in the future.
10. The period over which the contributions of parties will take place should be long enough to provide space for planning and implementing ambitious targets, while remaining short enough to avoid locking in unambitious targets, allowing for a periodic process to ratchet up ambition.
11. On the structure of the text of the agreement itself, AILAC sees that it should include the following elements:

- i. A **Preamble** – that sets forward the spirit and context of the Agreement. Here, particular attention should be given to frame the principles and provisions and objective of the Convention as well as cross cutting issues such as intergenerational equity and gender considerations, which are of particular relevance in the context of the objective of the Convention and therefore the Agreement.

It is also important that this framing builds on the agreements on raising ambition in the pre 2020 era which are under consideration in Workstream 2 of the ADP.

- ii. A **Mitigation** section – which should establish a global mitigation goal and calls for **universal** action that follows the principles of CBDR RC and differentiation based on equity and specific national circumstances, recognizing the commitments established under the Convention and enhancing global efforts to address increasing emission levels.

The mitigation chapter **must** anchor into the agreement the Nationally Determined Contributions on mitigation, establishing a commitment of all parties to implement what they will have set forth as their contributions.

This anchor must also be crafted in such a way so as to evidence on a tangible basis an aggregate global commitment and its adequacy to stay on the pathway towards the achievement of a global mitigation goal in accordance with the objective of the Convention.

In this section a link should be included to a rules based system in terms of accounting that allows for the aggregation of mitigation contributions.

- iii. **Adaptation** – A section on Adaptation that acknowledges it's global nature, and a global goal to address climate resilience in the understanding that adaptation action occurs on the local level which has aggregate effects on the global scale. This global goal must explicitly recognize the relationship between mitigation ambition, climate change impacts, and the consequent adaptation needs.

Taking into account the particular nature of adaptation, the section on Adaptation should also include an anchor for the contributions on adaptation.

- iv. **Means of Implementation (MoI)**– in coherence with the provisions on Adaptation and Mitigation, the provision on MoI must clearly indicate their condition as enablers for the achievement of actions and results. For this a global goal on the provision of MoI should also be included in the agreement, along with an anchor to the contributions to the provision of MoI, as part of the the global collective effort to address climate change.



- v. **Loss and Damage** must also be included in the 2015 agreement, as a separate item from adaptation.
- vi. **Transparency** – The section on transparency should address both the issue of MRV of Action and MRV of Support. We have given further detail on this issue during the session focused on transparency.
- vii. **Compliance** – embedded within the instrument must be a Compliance Mechanism aiming at ensuring the respect of international obligations. While compliance is not equivalent to MRV, and the two must be clearly distinguished, we believe that the outputs of the MRV processes that we design could be one of the options to trigger mechanism, amongst others.
- viii. **Legal clauses:** There are many legally sound precedents that can be used to fill this subheading Mr. Co-Chair, and they should not be particularly controversial. There will be enough time to discuss them in detail in due course.

Mister Co Chairs we appreciate the conceptual initiative that our colleagues of Argentina have presented earlier. We are encouraged by this positive spirit and expect to continue working together on the road to Lima.

Co Chairs, we want to finish by stating that AILAC wants us to move forward under your guidance, and on the basis of our leadership as parties. For this, we are like to request you to provide us with a synthesis document, on the basis of all the inputs by parties, which contains in a conceptual language all the elements of the Lima Draft, as son as possible and well in advance of our next session in October. It is encouraging to see that there appears to be a consensual expectation from you co chairs to guide us in this direction.

