

Independent Association of Latin America and the Caribbean
AILAC

Ad-Hoc Working Group on the Durban Platform for Enhanced Action (ADP)

Submission on the ex-ante information requirements for the communication of INDCs and ex-ante assessment process

1. Following the invitation from the ADP to Parties to make submissions with information, views and proposals on the work of the Ad Hoc Working Group on the Durban Platform (ADP), AILAC presents this submission in order to advance the discussions under the ADP. This is one of a set of three submissions, as follows:
 - *Submission on the ex-ante information requirements for the communication of INDCs and ex-ante assessment process*
 - Submission on the legal architecture and structure of the elements of the 2015 agreement
 - Submission on Workstream 2
2. AILAC presents its views on the ex-ante information requirements for the communication of INDCs in three main sections: A) General considerations on the nature of INDCs; B) Specific ex-ante information requirements for INDCs to be included in a decision of the COP20 in Lima; and C) Process for the ex-ante assessment of the INDCs.
3. The considerations included here on INDCs and the ex-ante information stem from the overarching vision that AILAC has of the 2015 agreement. The present submission should be read in conjunction with AILAC's submission on the legal architecture and structure of the elements of the 2015 agreement.
4. AILAC welcomes the draft decision text presented by the Co-Chairs on July 7 on "Intended nationally determined contributions of Parties in the context of the 2015 agreement". This submission presents AILAC's views and proposals with the aim of furthering the collective work around this matter.

A) General considerations on the nature of the INDCs

5. AILAC has stated that the scope of INDCs should include contributions on mitigation, adaptation and means of implementation.
6. Yet, mitigation, adaptation and means of implementation should not be treated symmetrically. They are different in nature and this difference must be reflected in the way we treat them under the new agreement. Sections B and C below on information requirements and ex-ante process will reflect the difference in treatment across the three issues.
7. The definition of INDCs on issues other than mitigation should not be at the expense of the required mitigation ambition to achieve the 2°C/1.5°C goal.
8. In fact, the efforts that a party undertakes on one issue must not substitute or compensate for the efforts undertaken on other issues. In that sense, the efforts made by parties on adaptation and means of implementation do not substitute for or compensate for the efforts that they must undertake on mitigation.
9. All contributions are nationally determined; countries will determine what they can and want to put forward. The principles of sovereignty and CBDR-RC are inherent in this process.
10. The definition of INDCs should not impose an unfair burden on the most vulnerable countries, and should always take into account each country's capabilities, and responsibility, including, in particular, historic responsibilities; INDCs should enhance collaboration and universal participation.
11. Following the mandate from decision 1.CP/19, the Lima COP needs to decide on the minimum ex-ante information required when Parties communicate their INDCs.
12. In AILAC's view, the Lima COP should also make progress on the ex-ante assessment process that would follow the communication of INDCs in order to evaluate and inscribe them. Sections B and C below include specific considerations on each of these issues.

B) Specific ex-ante information requirements for INDCs to be included in a decision of the COP20 in Lima

13. The different nature of the topics to be part of the INDCs translates into a need for differentiated ex-ante information requirements.

ADAPTATION

14. Having national contributions on adaptation serves multiple purposes and these purposes will shape the potential UFI. These purposes include:
 1. To communicate how parties will contribute to the global goal on adaptation
 2. To help the international community further understand the actions to be undertaken by parties, thereby facilitating collaborative efforts amongst countries.
 3. To foster national ambitious action on climate change
 4. To recognize parties' efforts to combat climate change
 5. To facilitate potential adaptation action as Parties distinguish adaptation contributions made with their own resources from additional adaptation efforts they would carry out with support.
15. At this juncture, AILAC does not foresee mandatory minimum information requirements for INDCs on adaptation; however, Parties can be invited to provide sufficient information on their planned adaptation actions, according to their national capacities.
16. Countries can also be invited to provide information on how their planned adaptation actions help progress towards the achievement of the global adaptation goal to be determined under the 2015 agreement.
17. Developed countries should also provide pathways for their provisions for climate finance for adaptation as part of their contributions on means of implementation - this point is further developed below under the section on means of implementation.
18. Information on the planned adaptation actions of Parties could include basic details of the scope of the national adaptation contribution, such as: the sectors or geographic areas, the policies included, and whether it is a National Adaptation Plan (or segment(s) of a NAP), a Local Adaptation Plan (or segment(s) of a LAP) or a National Adaptation Programme of Action (or segment(s) of a NAPA).
19. Whenever possible, the exercise of determining adaptation actions should take into account climate change scenarios and their foreseen projected impacts.

20. We do not foresee an ex-ante assessment process occurring beyond a natural collaborative understanding of other Parties' adaptation efforts in order to explore forms of leveraging each other's adaptation actions.

MITIGATION

21. It is fundamental to define clear mandatory minimum information requirements in order to make mitigation contributions transparent, comparable, and aggregatable at the global level.

22. To achieve this, countries should provide the following minimum information on each of their mitigation contributions:

- Type of target (inter alia, fixed level below a baseline year, carbon budget, reduction in GHG intensity, reduction in emissions relative to BAU, program or policy);
- Scope of the target (s) (inter alia, economy-wide, sectorial, territorial);
- Timeframe (baseline year, time covered by the contribution trajectory of the target);
- Gases covered;
- Expected emissions reductions or removals;
- Methodology used for accounting including, where applicable, the treatment of emissions and removals from the land sector;
- Estimated use of international market mechanisms, including how they will ensure environmental integrity and avoid double counting of units.

23. In addition, for developing countries:

- Identification of the level of ambition to be achieved through national actions, and the level of additional ambition that could be reached with international support.

24. Countries should also be invited to include information on how their mitigation contribution responds to the principle of equity and is based on the requirements defined by science in order to achieve the 2°C global goal, including the indicators used.

MEANS OF IMPLEMENTATION

25. It is also necessary to define some general information requirements for contributions on means of implementation, which will help countries better communicate their efforts in this area, and clarify the basis upon which actions on adaptation and mitigation are made possible.
26. To achieve this, countries should provide the following information on their means of implementation contribution:
- Policies and measures on how countries plan to progress on the pathway to achieving the collective global goal to be defined for the provision of means of implementation in the 2015 agreement;
 - Efforts to mobilize and provide means of implementation for domestic climate action, and/or efforts to enhance the national enabling environment for increasing the means of implementation for climate action;
 - Any information available on the international provision of any means of implementation (finance and/or technology transfer and/or capacity building), to be provided by developed countries and other countries in a position to do so.
27. In addition, developed countries and other countries in a position to do so should include information on:
- Their respective short-term quantified goal on the provision of public finance, to be set for the same time period as the one set for the mitigation contributions, and to be revised upwards at the same time intervals;
 - The annual expected levels of climate finance that define the pathway towards achieving the short-term collective quantified goal to be defined as part of the 2015 agreement which should sustain and surpass the already agreed USD \$ 100 billion goal, including the specific sources of the funds to be provided.
 - Detail on their future contributions to the GCF and GEF (grants and grant components of concessional loans); contributions to the Adaptation Fund, LCDF and SCCF; contributions to the Climate Investment Funds (CIF); contribution to other Trust Funds managed by Multilateral, Regional or National Development Banks; grants and grant components of concessional loans provided to developing countries by National Development Banks and

Agencies (bilateral); climate-related ODA; other official flows (OOF); and data or estimates on private resources directly mobilized by public funds.

C) Processes for ex-ante assessment of INDCs

28. For AILAC, a decision needs to be taken by COP20 in Lima on the ex-ante assessment process, in order for this process to start in the second quarter of 2015.

29. In its submission on the legal architecture and structure of the elements of the 2015 agreement, AILAC explained its views on the process for defining contributions, commitments, and their revision in the future. That process is *summarized¹ here*:

- **First step:** ex-ante information requirements are agreed by COP20 in Lima.
- **Second step:** Countries communicate their INDCs in country contribution documents.
- **Third step:** an ex-ante assessment process takes place for contributions on mitigation and means of implementation.
- **Fourth step:** After the assessment the country contributions can be modified if necessary, and inscribed in a public repository of committed country contribution documents.
- **Fifth step:** During the contribution period parties report on their progress toward fulfilling their contributions in their Biennial Reports, Biennial Update Reports and National Communications.
- **Sixth step:** an ex-post revision process takes place.
- **Seventh step:** Countries communicate their second round of INDCs for the subsequent period, and the same process described above takes place.

30. The third step on the ex-ante assessment process is described below in detail.

31. Clarification must be made on the difference between adaptation, mitigation, and means of implementation contributions in terms of the ex-ante assessment. Each of the three issues should be treated according to their nature, and therefore the ex-ante assessment applies differently to each of them.

¹ AILAC has presented a separate submission on the legal architecture and structure of the elements of the 2015 agreement, where this process is explained with detail. Both submissions should be read in conjunction.

ADAPTATION

32. There should be no ex-ante assessment process for adaptation; in the long term, an ex-post consultative processes could be designed as a facilitative one, to support countries in strengthening their individual and collective understanding of progress made towards achieving greater resilience and effectiveness of adaptation actions.

MITIGATION

33. The process of ex-ante assessment of mitigation contributions should serve two purposes: first, to assess whether a Party's INDC is equitable, and second, to assess whether the aggregate mitigation level of Parties' contributions is adequate to achieve the global goals on mitigation.

34. This type of ex-ante assessment is therefore only applicable to contributions on mitigation.

35. The assessment process would take place as follows:

- Timing: the assessment of contributions will take place in the subsequent quarter of the year in which the INDC was communicated (i.e. for those who present INDCs in the first quarter of 2015, the assessment takes place during the second quarter; for those who present in the second quarter, the assessment takes places in the third quarter, and so on).
- Modalities:
 - a. For the assessment of the **adequacy** of the INDCs, a mandate could be given to a Task Force of expert scientists selected from the roster of experts working in the IPCC working group III (with regional representation) or another technical expert group such as the United Nations Environmental Programme (UNEP), to consider the INDCs presented throughout an entire year, and to produce a public report before the end of the subsequent quarter, on: i) the adequacy of **the total aggregate mitigation effort** in light of the 2°C global goal and the global goal on mitigation to be agreed under the 2015 agreement; and ii) facilitative recommendations to countries on how to enhance their INDCs.
 - b. For the assessment of the **equity** of the INDCs, a mandate could be given to SBSTA, to consider the INDCs presented in every given quarter of the year, focusing on the

criteria that each Party has included as a foundation for defining the fairness of their own contribution; the Secretariat could be given a mandate to publish a technical report before the end of the subsequent quarter, on SBSTA's considerations.

- c. In both the adequacy and the fairness and equity processes the respective bodies could receive inputs from non-State actors in written form as valuable information to be taken into account for the process.
- Outcome: the two reports described above are to be made public at the UNFCCC website, and communicated to the Parties whose INDCs have been subject to the assessment. Parties can decide to revise their proposed INDCs before these are inscribed in the repository, using the two reports as a significant input.

MEANS OF IMPLEMENTATION

36. Contributions on means of implementation should also undergo an ex-ante assessment with four purposes:

- First, to evaluate the collective progress through all countries' contributions on this issue towards the achievement of the global long-term goal on means of implementation to be defined under the 2015 Agreement;
- Second, to assess the comparability of contributions by developed countries;
- Third, to assess the adequacy of the aggregated quantified contributions of developed countries in light of the necessary pathway towards the achievement of the short-term collective quantified goal to be defined as part of the 2015 Agreement;
- Fourth, to assess the fair share of the contributions of developed countries of the short-term collective quantified goal to be defined as part of the 2015 Agreement.

37. Given the difference in the nature of what is assessed and in the purpose of the assessment, this ex-ante assessment process is only applicable to the area of means of implementation.

38. The assessment process would take place as follows:

- Timing: the assessment of contributions on means of implementation will take place in the subsequent quarter of the year in which the INDC was communicated (i.e. for those who present INDCs in the first quarter of 2015, the assessment takes place during the

second quarter; for those who present in the second quarter, the assessment takes places in the third quarter, and so on).

- Modalities:
 - d. A mandate could be given to the Standing Committee on Finance and the Technology Executive Committee to form a Task Force for the INDC process.
 - e. A mandate could be given to the Task Force, to compile and assess the contributions on means of implementation presented in INDCs in every given quarter of the year, and produce a public report before the end of the subsequent quarter, on: i) the collective progress towards the achievement of the global long term goal on means of implementation to be defined under the 2015 agreement; ii) the adequacy of the individual contributions of developed country parties in light of the necessary trajectory to achieve the short-term collective quantified goal, their comparability and their fair share; and iii) facilitative recommendations to countries on how to enhance their INDCs.
 - f. The Task Force could receive inputs from non-State actors in written form as valuable information to be taken into account for the process.
- Outcome: the report described above is to be made public on the UNFCCC website, and communicated to the Parties whose INDCs have been subject to the assessment. Parties can decide to revise their proposed INDCs before these are inscribed in the repository, using the report as a significant input.

THE CRUCIAL ROLE OF UP FRONT INFORMATION AND EX-ANTE ASSESSMENT FOR DELIVERING ON THE OBJECTIVE OF THE CONVENTION

39. AILAC reinforces the importance of a decision at COP20 on INDCs, up front information, and the ex-ante assessment process, in order to foster our collective progress towards common global goals and the objective of the Convention.
40. Up-front information is important for understanding parties' individual and aggregate role in meeting the Convention's objective and for ensuring comparability of efforts. It will allow parties to identify

needs and opportunities for collaboration and the realization of enhanced action, in response to the ADP's core mandate.

41. Up-front information will provide the necessary signals to the private sector at the national and global levels, in order to foster ambitious national action on mitigation and adaptation, as well as to identify opportunities for using mechanisms such as markets, and other various approaches.
42. The Lima decisions on INDCs, up-front information and ex-ante assessment will provide the aspects of a top-down, rules-based approach that is indispensable to the long-term robustness, viability and effectiveness of the post 2020 regime.