Beginning of the End
An Analysis of the

Musings from the meetings of the 19th Conference of the Parties (COP-19) to the United Nations Framework Convention on Climate Change, November 11–23, 2013, in Warsaw, Poland. The author participated in COP-19 as a business and industry non-governmental organization representative.

Late on November 23, 2013, weary delegates completed their work at the 19th Conference of the Parties (COP-19) to the United Nations Framework Convention on Climate Change (UNFCCC), with the adoption of a series of decisions on long-term finance, loss and damage, and advancing the negotiations of a new global agreement to reduce greenhouse gas (GHG) emissions. The meetings,
Further Advancing the Durban Platform

The main focus of the meetings was on the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP), the body charged with negotiating the new global agreement under the Convention. The ADP’s work is split into two areas: Workstream 1 (negotiating the new global agreement, i.e., “the 2015 agreement”) and Workstream 2 (enhancing pre-2020 ambition). The Annex I Parties arrived at COP-19 hoping to advance a fairly detailed work plan, but developing countries seemed intent on slowing down the process. The work of the ADP, in particular, was punctuated by developing country rhetoric over who was responsible for what under the Convention.

In the end, the ADP was able to deliver a set of conclusions and decisions that accelerate its work by calling for the Parties to intensify the preparation of their “nationally determined contributions” to the 2015 agreement; submit their post-2020 mitigation contributions “well in advance of [COP-21]”

Conference of the Parties

The 19th Conference of the Parties (COP-19) to the United Nations Framework Convention on Climate Change was held November 11–23, 2013, in Warsaw, Poland. It included the 9th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP-9), and meetings of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP), the Subsidiary Body for Implementation (SBI), and the Subsidiary Body for Scientific and Technological Advice (SBSTA).

For more information on the UNFCCC process and COP-20, visit: http://unfccc.int.
(i.e., by the first quarter of 2015 by those Parties ready to do so);” and enhance their pre-2020 ambitions. The final documents also direct the ADP to begin elaborating elements for a draft negotiating text at its first meeting next year, and increase the number of ADP meetings next year (see sidebar opposite for dates and locations of the upcoming meetings).

However, the outcomes lacked some of the specific details that had been sought. For example, the United States and others had hoped that the Parties could agree on a specific time in early 2015 when post-2020 reduction pledges would be brought forward, in order to allow a period of review before the final negotiations later that year. Instead, the final decision includes the vaguer language cited above.

Also, in a last minute compromise, “commitments” are now referred to as “contributions.” This was the result of efforts by the developing countries to tie the earlier wording of “commitments” to Article 4 of the UNFCCC, under which only Annex I Parties have legally binding reduction obligations, which developed countries would not allow. The Parties were also unable to agree on a list of information that should be provided when putting forward contributions, and instead agreed to identify that information by COP-20 next year. At the insistence of the developing countries, the ADP conclusions were modified during the last meeting to remove an annex that many delegates thought could serve as an informal list of elements for the 2015 agreement.

The United States has indicated that it plans to announce its post-2020 commitment in the first quarter of 2015. Given that compliance with the GHG regulations being developed by the U.S. Environmental Protection Agency (EPA) will likely not begin until 2017/18 at the earliest—and, therefore, most of the GHG reductions achieved by the standards will occur after 2020—it is likely that the post-2020 reduction targets to be announced by the United States will be shaped, in part, by the new and existing source GHG standards. Conversely, the stringency of the GHG standards may be shaped, in part, by the administration’s view of an appropriate reduction commitment for the post-2020 period.

**Loss and Damage**

The issue of loss and damage also surfaced as a major issue of contention. Developing countries insisted that developed countries agree to a stand-alone mechanism under which they would be compensated for losses and damages associated with the adverse impacts of climate change (e.g., severe storms and other weather events). Developed countries were opposed to such a mechanism, fearful of being exposed to legal claims for such damages, and insisted that the issue should only be addressed as part of adaptation. The issue was emotionally charged from the beginning of the conference, following with destruction of parts of the Philippines by Typhoon Haiyan. The Parties ultimately agreed to establish the Warsaw international mechanism for loss and damage associated with the impacts of climate change in “developing countries that are particularly vulnerable to the adverse effects of climate change,” but to do so under the Cancun Adaptation Framework. The mechanism will be reviewed at COP-22 in 2016.
Framework for Various Approaches
Coming into the meetings, there was some optimism that there might be an advance in the development of a framework for various approaches (FVA), essentially a mechanism through which varying types of reductions could be linked together under the new global agreement. Initially, it appeared that there had been progress in reaching consensus that the FVA would operate as an information-sharing platform. Unfortunately, negotiators were unable to reach agreement, and this package of issues was deferred until SBSTA-40 in June 2014.

The COP President attempted to revive discussions on this issue during the second week, but after a day of closed-door ministerial discussions, he was forced to abandon the effort. Nonetheless, many Parties highlighted the importance of markets in addressing GHG emissions.

Other Key Developments
As noted above, one of the last issues to be resolved was long-term financing. Funding from all sources (public and private) for the GCF is supposed to reach $100 billion annually by 2020, and developed nations have already pledged $30 billion annually, which was their agreed-to initial “fast start” contribution. At a High-level Ministerial Dialog on Financing during the second week, a number of developed countries, including the United States and the European Union, indicated that they would make additional commitments to the GCF. However, developing countries insisted that developed countries make specific commitments to increase their pledges to the GCF to $70 billion annually by 2016. In the end, the final decision contained no such milestones.

The Parties were unable to resolve accounting and reporting issues for the second commitment period under the Kyoto Protocol (KP2), despite the fact that these issues need to be resolved in order for the developed countries that will have legally binding emission reduction commitments under KP2—particularly the European Union—to ratify the Doha amendment establishing KP2. Other notable developments included agreement on a package of decisions related to the issue of reducing deforestation and forest degradation in developing countries (known as the Warsaw Framework for REDD+), and an announcement by Japan that it was revising its 2020 GHG reduction commitment from 25% below 1990 levels to 3.8% below 2005 levels (or approximately 3% above 1990 levels).

Conclusion
COP-19 marked the halfway point in the process begun in 2011 to negotiate a new global agreement by 2015. Its outcomes signal the end of the initial high-level consideration of what might be in a new agreement, and the beginning of the end-game of negotiating a new treaty. Despite its accomplishments, there was an underlying theme throughout COP-19 that not enough was being done—as exemplified by the walkout by environmental groups over a perceived lack of meaningful progress in the negotiations, warnings by various international bodies that the world was increasingly unlikely to be able to limit projected global temperature rise to 2 degrees Celsius, and a fast by a Philippine delegate until a “meaningful outcome” was achieved. The Parties will need to increase their efforts significantly if the 2015 meetings in Paris are to end successfully.

Key Upcoming Climate Meetings

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<td>SBSTA-40, SBI-40, and ADP-3, Bonn, Germany</td>
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<td>U.N. Secretary-General climate summit, New York, USA</td>
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