



On a New Climate Protocol



I. THE FAILURE OF KYOTO AND FALSE CLIMATE SOLUTIONS

On the Kyoto Protocol

The Kyoto Protocol (KP), adopted at the COP 3 (Kyoto 1997), was a legal instrument signed by 192 parties to help operationalize the United Nations Framework Convention on Climate Change (UNFCCC) by substantially reducing global greenhouse gas (GHG) emissions that cause climate change.

Under the KP, parties were categorized into three main groups according to different commitments: Annex I countries, non-Annex

I countries, and Annex II countries. This is in line with the principle of “common but differentiated responsibilities and respective capabilities” or CBDR-RC.¹

Annex I countries are obliged to reduce their GHG emissions to levels specified for each of them. Annex II countries, a subset of Annex I, are required to provide finance to help developing countries undertake mitigation and adaptation programs, and provide technology to developing and selected other countries for the same purpose. Non-Annex I countries (155 developing countries, including China and India) have no such binding obligations as Annex I countries. But they too share the common responsibility of all countries.

The biggest weakness of the KP was its low mitigation ambition. Annex I countries committed to achieve a collective 5.2% GHG reduction target by 2012. This very low target was not difficult to achieve, mostly through steep declines in Eastern European countries' emissions.

On the other hand, the United States and other industrialized countries worked to undermine the KP. The US was a signatory to the KP but did not ratify it, while Canada withdrew in 2011. Other industrialized countries also insisted on low mitigation commitments, arguing that too-deep emissions cuts would seriously harm their economies; and that different yardsticks applied to developing countries was "unfair." At their behest, "flexibility mechanisms" were introduced into KP, which allowed these countries to escape real GHG emission reductions.

Thus, together with giant transnational corporations (TNCs) that were among the most dependent on fossil-fuel resources and technologies, the highly industrialized countries diluted the KP and set it up for eventual failure. Despite broad public, scientific, and political consensus about the need for urgent climate action, GHG emissions are continued to be spewed out at ever-increasing rates.

On false climate solutions

In lieu of the premises and principles that drove the Kyoto Protocol, Northern states and TNCs have been offering a broad range of false climate solutions. These so-called "solutions" promise to solve or greatly assuage the climate crisis (and the crises in food and energy too) basically by relying on market-based mechanisms, technology-obsessed fixes, and financial schemes based on the profit motive.

The failure of market-based mechanisms

The Kyoto Protocol was amended to permit countries, especially the industrialized countries, to use three mechanisms to earn points, which were then counted as contributing to their GHG emission reduction commitments. Among the most important mechanisms were: emissions trading, joint implementation (JI), and clean development mechanism (CDM).

Basically, these carbon market mechanisms allowed Annex I countries and big corporations unable or unwilling to meet real cuts in their own GHG emissions to "buy" real GHG emissions cuts and trade these among themselves.² Many CDM projects in the global South, especially dams and biofuel plantations, have caused biodiversity loss, disrupted ecosystems, deforestation, and displacement and repression of indigenous peoples.²

Critiques of REDD+

In similar fashion, the Reducing Emissions from Deforestation and Forest Degradation (REDD) program, later expanded into REDD+, was supposed to reduce GHG emissions by offering incentives to developing countries and IP communities to increase forest cover through conservation, sustainable forest management, and enhancement of forest carbon stock.³

While the upfront objective of REDD+ is commendable, its underlying mechanism is a form of carbon offset, which again allows industrialized countries and TNCs to avoid reducing their own GHG emissions by financing emission-reduction projects in the global South, turning this mitigation effort into a financial and market mechanism. It has thus become a source of profit for corrupt bureaucrats, local authorities, and agro-forestry companies in developing countries. REDD funding has gone into monoculture tree plantations, including genetically modified trees, which destroy

original forests and their biodiversity.² As a result, IPs and other rural communities have become more susceptible to land grabbing, becoming rent-paying tenants in their own land or forced to leave their own ancestral lands and traditional sources of livelihood.⁴

The dangers of “climate-smart” agriculture

In recent years, the Food and Agriculture Organization of the United Nations (FAO) and World Bank (WB) have been pushing for “climate-smart agriculture” (CSA) ostensibly for all forms of agriculture—farms, crops, livestock, aquaculture, and fisheries—to adapt to the aggravating effects of climate change.⁵

While CSA has been fully supported by the newly launched Global Alliance for Climate-Smart Agriculture, which includes 20 governments and 30 organizations and corporations, including McDonalds and Kelloggs, it has met serious concern and criticism by a growing number of CSOs representing food-producing sectors.⁶

Most CSA projects are funded from the discredited schemes for carbon trading and offsetting.⁷ Also, the CSA framework does not have any criteria or definition for “climate-smart agriculture,” allowing it to include industrial approaches in agriculture that can in fact increase GHG emissions and farmers’ vulnerability.⁸ The involvement of corporate giants in the CSA opens the door for more aggressive promotion of agribusiness and industrial agriculture, which undermine food sovereignty, rather than real climate solutions that are rooted among and mostly benefit the billions.

Geo-engineering

Geo-engineering is the “intentional, large-scale human intervention in the environment to counteract global warming and climate change.”⁹ The basic approach of geo-engineering is to employ high levels

of technology at large scales (in some cases at the global scale) to drastically intervene in atmospheric processes, with the hope of stopping climate change. The key feature of such schemes is their being high-tech and large-scale, emphasizing the supposed power of technology to fix our ailing ecosystems.

The problem with such interventions is that they are basically non-solutions to global warming because they don’t address its direct cause, require long-term investment (which only highly industrialized states and TNCs can afford), will only produce results at high-tech levels and at very large scales, require long-term tests and global governance challenges, and carry yet-unknown or unpredictable side effects and potential points of failure.⁹

Other false climate solutions

Old, dirty, and discredited sources of energy are being aggressively pushed because they have supposedly emit less or no GHGs, or even repackaged as new, clean, and promising sources. These include big dams, nuclear power, biofuels, and even more fossil fuels “redesigned” to “burn more cleanly and efficiently.” In short, dirty energy is being green-washed as part of the climate solution.

Nanotechnology and biotechnology, seemingly the opposites of most geo-engineering technologies, are high-tech manipulations of materials at very small scales (genetic, molecular or atomic level), to produce new goods or to facilitate processes otherwise impossible or too expensive to achieve. Some of these products and processes have been hyped as possible sources of renewable and non-GHG-producing energy. Underlying this, however, are attempts by TNCs to monetize the world’s efforts at mitigation and adaptation.

In addition, many such biotech and nanotech solutions present a wide range of actual and potential hazards to human and ecological health and threats to biodiversity. In the spirit of the precautionary principle, all biotech and nanotech consumer or community applications must undergo strict scientific testing and evaluation processes before they are considered for deployment, especially at the scales required for massive mitigation.²

By all indications, most of these market-driven or corporate-sponsored climate solutions have not succeeded. At the same time, they have only distracted governments and resources from directly confronting the fundamental cause of climate change, which is the predominant production and economic system that survives by relentlessly belching out increasing quantities of anthropogenic GHG emissions.

II. PRINCIPLES TOWARDS A REAL CLIMATE SOLUTION

The principle of CBDR

It is axiomatic that the response to climate change, which is a global and long-term phenomenon, must also be fully global, comprehensive, effective, science-based, and sustained—involving all countries, their governments and communities, and all sectors. At the same time, the burden of carrying this global and comprehensive response must be shared equitably. In this regard, we must continue to uphold the principle of “common but differentiated responsibilities and respective capacities.”

This concept was first officially enunciated at the first UN Conference on the Human Environment in 1972 and the resulting Stockholm Declaration, which described CBDR as “the applicability of standards which are valid for the most advanced countries but which may be

inappropriate and of unwarranted social cost for the developing countries.”¹⁰

This concept was formally enshrined as Principle 7 of the 1992 Rio Declaration, which states:¹¹

In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

The CBDR concept, along with the clarifying phrase “and respective capacities,” was centrally applied to the global agreement on climate change, when it was further enunciated in Articles 3 of the UNFCCC.¹² Since the UNFCCC was ratified by most of the world’s countries, this concept has become a principle of international law, with application not just in climate action but also in closely related issues of sustainable development.

The CBDR-RC principle recognizes that the largest share of historical and current global GHG emissions originated in developed countries. On the other hand, GHG emissions in most developing countries are still relatively low, especially when computed on a per-capita basis.

The CBDR-RC principle also recognizes that GHG emissions by developing countries are growing as they try to meet their social and development needs. These countries too must sooner or later reduce their emissions, but in a different way. Their first and overriding priorities must be economic and social development, and poverty eradication, and their own climate mitigation and adaptation efforts should greatly depend on financial resources and transfer of

technology that developed countries are mandated to support them with.¹³

In addition to the differentiated responsibilities among countries, restorative justice and the principle of equity further requires distribution of responsibility according to historical per capita emissions not just on a per-country basis, but more significantly on a per-polluter basis. The greatest burden of climate action must be on the most industrialized countries and their TNCs (wherever these are located), as well as on Southern elites, which have caused and benefited the most from exploiting the global commons.¹³

We concede that the world economy has indeed changed since 1992, and differentiation of responsibilities must reflect the changes in per-country GHG emissions and levels of development in the two decades since then. The new climate protocol being negotiated for 2015 should reflect these changes, but must remain in the context of the CBDR principle, which remains valid.

The concept of sustainable development

The societies and economies of most countries, as currently configured, are relentlessly generating GHGs and other pollutants and depleting the planet's resources in unsustainable ways, and in the process reinforcing social inequalities—thus worsening climate change and its impacts. The ultimate way out of the climate crisis is therefore by building sustainable and equitable societies. This leads us to the principles relating to sustainable development.

First of all, development should revolve around people, not profit. Real human development is about enhancing the quality of people's lives and enlarging people's choices in all their economic, social, political, and cultural dimensions. It is not simply about producing and

marketing more and more commodities, with profit as the driving force.

For development to fully serve the people's needs, it must be seen from the broadest and long-term view. This means taking into account the needs of all people in all countries in their diversity, meeting these needs of the present without compromising the ability of future generations to meet their own needs, and viewing these present and future needs in the context of maintaining the health of the planet and its ecosystems. In short, real development must be sustainable development.

The most frequently quoted definition, from the Brundtland Report, states that sustainable development contains two key concepts:

- the concept of needs, in particular the essential needs of the world's poor, to which overriding priority should be given; and
- the idea of limitations imposed by the state of technology and social organization on the environment's ability to meet present and future needs.

There has been a giant avalanche of critical literature on the flaws of the global capitalist system. Most climate stakeholders now agree that this has a central role in climate change, since capitalism is fundamentally based on an economic paradigm obsessed with the relentless production and trade for profit reinforced by a profligate consumerist lifestyle. In short, capitalism (which encompasses developed and developing countries alike) has resulted in unsustainable economies that generate and aggravate many factors for climate change.

All these factors cause more massive GHG emissions and discourage drastic emission cuts (because they lead to losses in production and profit), which in turn worsen climate change. These factors also worsen a broad range of physical,

economic, and social susceptibilities of countries and communities to the various impacts of climate change, especially in the global South and among poor people.¹⁴

The concept of sustainable development, in contrast to the dominant capitalist paradigm, emphasizes interconnectedness and balance—of people in society, both in space and in time, between people and nature, between economic production and social organization. The focus is on raising the quality of life for all, not just the quantity of consumption or material wealth for a few.

Realizing this kind of development requires system change because its pillars are the very opposite of the capitalist paradigm. Such a system change cannot remain in the mode of piecemeal policy reforms that remain within the same paradigm, but must be in the context of building alternatives to the current global capitalist system.

Sustainable development can provide long-term solutions to the climate crisis by: (1) effecting a transition to a more ecologically sustainable set of technologies and methods of production; (2) democratic decision-making and planning to make this ecological transition truly and deeply rooted among the people; (3) democratized ownership and control over productive resources in order to achieve long-term and stable development gains; and (4) a redefinition of human development—away from the idea that wellbeing means overconsumption and profligacy—to achieving a sustainable level of consumption necessary for people’s genuine wellbeing, which at the same time imposes less demand on the planet’s carrying capacity.¹⁴

The principle of climate justice

The principle of justice must underlie the whole range of climate responses because these must address a long history of injustice and inequalities that are closely linked to climate change and its impacts.

The long-standing demands of the developing countries in relation to climate change mitigation and adaptation, including financial and technology support, for example, are clearly in the framework of addressing the age-old social, economic, and political imbalances imposed by developed countries and aggravated by climate change impacts.

The principles of CBDR and “polluter pays” imply an aim of restoring or achieving equity, if only in the form of compensatory climate-related finance and technology support provided by the most industrialized, high-emissions, and financially capable countries to the poor countries most vulnerable to climate change impacts.

The world’s poor in their billions, especially the urban and rural poor in the Third World countries, are the most vulnerable to climate change impacts. They must, therefore, be the most prioritized and the urgent beneficiaries of climate programs relating to mitigation and adaptation, and other environmental programs. Thus we have been pushing for climate justice in the broader context of social justice, environmental justice, and development justice.¹⁵

The principle of people’s sovereignty and the role of social movements

At the international level, it would appear that producing and implementing effective climate solutions are mostly the duty of states and multi-state bodies, with states exercising their respective national sovereignty and negotiating a global consensus with their respective national interests in mind. This would then be translated at the national level by each individual state mobilizing all its constituencies and resources to meet its climate obligations.

We should, however, view the principle of sovereignty in the sense of people’s

sovereignty. This means that broad masses of people are asserting their sovereignty to implement real and long-lasting solutions to climate change through many channels of action ranging from government policies and programs to community or civil society mobilization. It is the duty of governments and multi-state processes to listen to the voice of the people and their organizations and to empower them to act.

The people organized in communities, civil society organizations and other genuine participatory structures are the foundation for national sovereignty. They have essential roles in defining, guiding, and determining the work of any and all major conferences and official processes for defining and managing climate action at the local, national, regional, and global levels. We must, in particular, give primacy to the role of social movements in achieving a genuine and long-term solution to climate change.

Building sustainable and equitable societies as the long-lasting solution to climate change is attainable only through the assertion of people's sovereignty—principally by means of social movements. The general role of social movements in society is a highly concentrated catalyst of social change. This has been particularly true in the past two centuries or so (representing the heyday of capitalism) until the present, throughout which various social movements pushing for radical system change have proliferated and persisted.

Social movements, especially those representing the poor and marginalized which comprise the biggest bulk of the people in most countries, must be prepared to merge and scale up their efforts not only to push for specific climate actions or for a more comprehensive and effective climate agreement, but for thoroughgoing system change towards sustainable and equitable societies.¹⁴

III. BUILDING BLOCKS FOR A NEW CLIMATE PROTOCOL

Loopholes and amendments gradually crippled the Kyoto Protocol through its first Commitment Period. The Doha Amendment defined a second Commitment Period for 2013-2020, but was ratified only by a few countries and thus is not yet effective.

Meanwhile, member-states agreed at COP 17 (Durban 2011) to create a new, comprehensive, and legally binding climate treaty by 2015, which would come into effect in 2020 and fully replace the KP.

Thus, we note renewed hopes that through this aspired-for new treaty, the spirit of KP could be given a second life and bring the world closer to the ultimate objectives of the UNFCCC: to bring atmospheric GHG to levels that will stop human-induced climate change, and at the same time, pursue sustainable development in the decades ahead.

Conflicts of fundamental interest between developed and developing countries, however, continue to mark the negotiations for a new (post-2015) climate protocol.

The world's peoples, in asserting their overriding interests, must insist on applying the basic principles of sustainable development and common but differentiated responsibilities in seeking real long-term solutions to the climate crisis. In this light, we propose the following policy positions which we believe should form the most crucial building blocks for a new climate protocol. At the same time, we join the rest of the civil society in pushing for an inclusive process inside and outside the next COPs in Lima and Paris, to fight for such a protocol that will truly substantiate climate justice in all its dimensions.

The Durban Platform and the ADP

The Durban Platform is the defined process of negotiations under the UNFCCC Convention that will bring about a new protocol, legal instrument or other outcome that will be adopted by COP 21 (Paris 2015) and come into effect from 2020 onwards.

The Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) is the UNFCCC's subsidiary body created in Durban for managing the process of creating and adopting this new climate protocol. The ADP has three objectives:

- First, to further elaborate on the contents of the draft negotiating text of the 2015 agreement; the work is also called "Workstream 1";
- Second, to enhance the pre-2020 mitigation ambition, in order to close the so-called "ambition gap"; the work is also called "Workstream 2"; and
- Third, to advance work on the information related to the intended nationally determined contributions (INDC).

At this point, the ADP process is unavoidably at center stage for all climate stakeholders as it represents the global effort to both forge a new and comprehensive climate agreement by 2015 (to go into effect by 2020), and to increase pre-2020 mitigation action by all countries to sufficient levels.

Major issues in negotiating the new protocol

In COP 17 (Durban 2011), six core elements to be contained in the 2015 agreement were identified: mitigation, adaptation, finance, technology development and transfer, transparency of action and support, and capacity building.¹⁶ Governments and peoples must firmly demand that the

2015 agreement contain solid provisions on all six core elements, especially on mitigation, adaptation, and finance.

Basic mitigation measures

The most crucial target of mitigation in the 2015 agreement must be to keep the increase in global average temperature below 1.5 °C above pre-industrial levels, consistent with the latest scientific information as presented for example in the 5th Assessment Report (AR5) of the UN's Intergovernmental Panel on Climate Change (IPCC).

Developing countries are very much aware that capping the temperature increase at 2°C is not enough, since that would mean a 3-4°C rise in tropical regions, with very severe impacts on their peoples and economies.

Small island developing states (SIDS) are especially vulnerable. Even with less than 1°C of temperature rise, these states have suffered more intense storms and rising sea levels leading to more destructive flooding.

The IPCC has repeatedly emphasized that the GHG reduction targets by industrialized countries under the KP (aggregate 5.2% reduction by 2008-2012) were too insufficient to slow down climate change and prevent serious damage. In fact, a global reduction of at least 60% – 70% from 1990 levels is needed in the first half of the 21st century in order to avoid cataclysmic climate change, according to the IPCC.

Therefore, the aggregate effect of all countries' mitigation efforts must be enough to achieve the below-1.5 °C target. Assuming that member-states adopt Intended Nationally Determined Contributions (see below, for discussion on INDCs), these national targets should be clearly computed to establish that the below-1.5 °C target will be attained.

At the same time, developing countries cannot bear the same mitigation burden as the developed countries. Thus, global mitigation efforts must continue to be structured in a differentiated manner, reflecting the basic distinction between developed and developing countries and their respective obligations. This is in the context of the continuing applicability of the principles of CBDR-RC and equity (See further below, on the question of differentiation as applied to INDCs.).

Adaptation and other measures

The 2015 agreement now under negotiation will stand or fall on the central issue of bridging the mitigation gap. Nevertheless, developing countries face huge challenges in adopting adequate adaptation measures. In that context, they require commensurate financial support from developed countries.

Climate adaptation measures require a global response since climate change impacts are global. Adaptation must thus be pursued more integrally as a global effort. It must be incorporated in the 2015 agreement as a major component, and be reflected in individual country efforts that contribute to the global goal.

All member-states must define their own adaptation needs. In addition, member-states with higher capabilities must contribute to the general effort to support countries with lower capabilities and higher susceptibilities. Again, this is in the context of the continuing applicability of the principles of CBDR-RC and equity.

The 2015 agreement must also incorporate provisions on means of implementation (MOI), also presented in a differentiated manner according to CBDR-RC. Developed countries, in particular, must provide obligatory and predictable support to developing countries through definite delivery mechanisms and channels, and with indicative timelines.

The 2015 agreement must include strict monitoring, review, and verification processes in the context of enforcing the provisions on mitigation and other core elements of the agreement.

On intended nationally determined contributions (INDCs)

At COP 19 (Warsaw 2013), member-states defined the process for coming up with the 2015 agreement, in which they agreed to come up with “intended nationally determined contributions” (INDCs)—one INDC for each country—on all aspects of mitigation, adaptation, finance, technology development and transfer, and capacity building. Preparing and submitting INDCs are described as an “ex-ante process” because it is done as part of the bigger and on-going ADP process of forging the 2015 climate agreement. The process enjoins member-states to submit their INDCs well in advance of COP 21 in Paris—by March 2015 for those ready to do so.

INDCs must be legally binding

Most member-states, including developing countries, see certain advantages in the INDC mechanism. It is considered as an antidote to the danger of any interested bloc controlling the drafting of the 2015 agreement, because it allows member-states to immediately and collectively construct it (“party-driven negotiation process” or “peer-pressured and peer-reviewed” process).

However, the contentious debate seen in Warsaw threatens to erupt anew on whether or not “contributions” mean legally binding commitments in the context of the 2015 agreement. The process has so far been able to bypass the issue. This sticky point, however, must be resolved at COP 20 (Lima 2014) in favor of INDCs being legally binding commitments—while at the same time applying the CBDR principle

and differentiating between developed and developing countries (see further below).

Also, there are attempts to “jump the gun” on the 2015 agreement by stopping at INDCs as a stand-alone vehicle—which is disadvantageous to developing countries as a whole. INDCs must be negotiated not as a separate piece but in conjunction with all the other components of the agreement.

INDCs must cover a wide range of climate measures

As agreed in Durban (COP 17, 2011), the core elements that should go into the 2015 agreement include mitigation, adaptation, climate finance, technology transfer, and capacity-building support to developing countries. All elements must therefore be addressed by INDCs in a balanced manner, and seen as an entire package and under a single mandate in the wider context of the UNFCCC.

While many member-states now agree that the INDC vehicle is the heart of the new post-Kyoto regime, this point has turned into a sticky issue because most developed countries insist that INDCs should mainly focus on mitigation, and will only deal later with the other elements.

The danger in mitigation-focused INDCs is that Annex I countries are attempting to use it as a “back-door” to dilute their mitigation commitments, spread out the mitigation responsibility to the rest of the world, deprioritize other elements, and thus jump the gun on the 2015 agreement.

As a minister of an African country warned: “The end of the Kyoto Protocol is looming large, giving way to the pre-eminence of a bottom-up mitigation-only approach on INDCs that, if not managed in a balanced and equitable manner, may result in least-effort mitigation efforts from Annex I Parties and increased pressure on non-Annex I Parties to close the mitigation gap.”¹⁷

Member-countries, especially developing countries, should therefore insist that INDCs be discussed within the broader context of the six core elements, and demand that information should be linked to specific climate measures that comprise these elements.

The CBDR-RC principle as applied to INDCs

Under the Kyoto Protocol, the most developed countries with the biggest responsibility for GHG emission reduction (the Annex I countries) were called upon to undertake legally binding commitments commensurate to their definite and measurable collective effort. Non-Annex I countries, on the other hand, only had to undertake “nationally appropriate mitigation actions.” This division between Annex I and non-Annex I countries, resulting in differential commitments, were explicitly based on the principles of CBDR-RC and equity.

Under the COP 19 (Warsaw 2013) decision on INDCs, this binary division is no longer explicit and automatic. Member-countries are now allowed to “self-differentiate” in preparing their respective INDCs. The INDC vehicle is supposed to resolve many difficult issues, including the most sensitive one of differential commitments. But it also poses the danger of diluting the principles and provisions of the UNFCCC in the guise of allowing “nationally determined contributions.”

The world may have evolved beyond the original division of Annex I and Non-annex 1 Parties, but the basic distinction between developed and developing countries remains, and the principles of CBDR-RC and equity as well. The said principles must remain applicable in the INDC preparation process and in the resulting 2015 agreement. This is in the interest of all countries, but especially those of developing countries that have been bearing the brunt of climate change impacts.

In their INDCs, developed countries must give information and commit to economy-wide and quantified GHG reduction targets, and provide quantified support to developing countries in the form of finance, technology development and transfer, and capacity building support for both mitigation and adaptation actions.

Particularly in matters of GHG emissions reduction and climate finance, developed countries must communicate their INDC pledges in the form of explicit commitments and indicative metrics, from medium term to long term. In climate finance, for example, pledges should be quantified as percentage of GDP, and expressed in actual dollar amounts for short-term and in line with budget cycles.

INDCs of developing countries, on the other hand, must be defined in the context of meeting their respective social and development needs, and as appropriate to their respective capabilities. These INDCs must also be premised on the extent of financial, technological and capacity building support that will be provided by developed countries.

Still consistent with the principles of CBDR-RC and equity, the 2015 agreement must also allow for a significant degree of differentiation among developing countries. For example, least developed countries (LDCs), SIDs, and other highly vulnerable countries should be given priority in financial and other support. Middle-income countries (MICs) or so-called emerging economies, on the other hand, could focus on supporting their own efforts while also supporting less-capable developing countries.

INDCs must be clear, transparent, and measurable

The INDC process requires that member-states must provide sufficient information about their contributions in a clear,

transparent, measurable and comparable manner. INDCs by the member-states must be made publicly available and subject to scrutiny by all stakeholders, or at least to peer review, for comparison and validation if their nationally determined efforts are indeed adequate, fair and equitable based on each member-state's respective circumstances and capabilities.

Making the INDC information publicly available ensures in particular that the member-states' levels of mitigation ambition can be computed to measure their aggregate effects, and are validated as indeed sufficient to achieve the global long-term 1.5°C and 2°C goals. There should also be clear-cut remedial measures if it were found that the aggregate contributions are not adequate in meeting the temperature goal.

On climate finance

Ensuring pre-2020 financial commitments

At Cancun (COP 16, 2010), in the broad context of long-term financial support, industrialized countries committed to provide funds rising to USD 100 billion per year by 2020 to support concrete mitigation actions by developing countries.¹⁸

However, so far there has been no clear plan for this. In the run-up to Lima (COP 20, 2014), in fact, there have been attempts by developed countries to depart from these obligations or to view these as not legally binding in the 2015 agreement being negotiated. Some of them avoid numerical financial targets in the new agreement, saying that "it is impossible" to make such commitments several years ahead due to national budgetary cycle constraints. They warn that this issue could be the "deal-breaker" in Lima or Paris.

Developing countries must firmly confront this issue, and insist that developed

countries deliver on their pre-2020 financial commitments by providing a clear roadmap and time-bound financial targets. The Like-Minded Developing Countries (LMDC) bloc, for example, must be supported in its reasonable demand that developed countries should provide developing countries with USD 50 billion in climate finance by 2015, increasing annually by increments of USD 10 billion, until it reaches USD 100 billion by 2020.¹⁹

Enhancing climate finance beyond 2020

Climate finance must be comprehensively defined as a fundamental building block of the 2015 agreement. It is a critical element for ensuring and sustaining high-level and long-term climate action outcomes, especially in providing support to developing countries.

The 2015 agreement must therefore contain scaled-up and legally binding finance commitments by developed countries (and developing countries with sufficient capabilities as well). It must address the gaps in the current financial architecture and flows that cannot be filled up by individual member-states. It must define a clear financial roadmap with targets, timelines, and sources that are measurable, reportable and verifiable. It must squarely resolve issues that have hobbled climate finance in previous years, such as adequacy, accessibility, predictability, sustainability, transparency, and additionality. Measurement, reporting and verification (MRV) of climate finance by developed countries should be enhanced. This must be done through clear-cut definition of terms, common accounting rules, and common reporting system.

The full implementation of pre-2020 financial commitments must serve as starting point for developed countries to further enhance climate finance support for the post-2020 period, again with a

clear roadmap on scaling up the finance, including targets, timelines and sources.

The Green Climate Fund and other institutional mechanisms

In the post-2020 period, institutional mechanisms such as the Green Climate Fund (GCF), the Adaptation Fund (AF), and the COP's Standing Committee on Finance (SCF) are expected to serve a central and comprehensive role in climate finance. These mechanisms must be solidly anchored in the 2015 agreement and aligned with its core elements. In order to play a truly positive role, all institutions involved in climate finance must observe the well-established principles of democratic governance and development effectiveness, including those of democratic country ownership and accountability.

Their combined finance windows must be rationalized to be able to cover the different needs and allocations (e.g. mitigation, adaptation, technology transfer, and capacity building) of countries, both in the short and long term. The scale and reliability of funding must be high enough to respond to urgent adaptation needs of the most vulnerable countries while striking an equitable balance between short-term and long-term adaptation and mitigation. Their institutional and functional relationships must be rationalized to avoid conflicts, duplication, and fragmentation, as characterized in the climate finance landscape in the recent past.

In the case of the GCF, it must increasingly play the central role in climate finance architecture. To be able to do so, it must be capitalized immediately and substantially, and all objections in this regard by developed countries decisively resolved. In particular, its initial resource mobilization must be allowed to reach a very significant scale (in magnitudes of USD 15 billion) by end-2014. Many consider this to be a "key benchmark"

indicating an end to the broken promises of developed countries on climate finance.²⁰

Balancing various sources of climate finance

Both public and private sources of funding play important roles in climate finance, and both have to be scaled up. However, public finance must be the mainstay, with private finance only supplementary. This crucial policy question must be resolved in the 2015 agreement.

Given certain conditions, public finance is able to leverage larger scales of private finance. However, there must be safeguards to ensure that this does not lead to big corporate interests being allowed to hijack and redirect climate action as a fresh and lucrative field of profitable investment.

While the legally binding financial commitments of developed countries must comprise the bulk of climate finance, other sources such as those commonly categorized as South-South Cooperation (SSC) must be tapped through multilateral and bilateral channels.

Unlike commitments made by developed countries, SSC is voluntary, mutually beneficial, and country driven collaboration among developing countries. SSC is free from obliged monitoring and reporting, and is outside the UNFCCC mechanism. This source has some positive as well as negative impacts, which must be evaluated for purposes of instituting safeguards and guidelines in the 2015 agreement.

(For a more thorough discussion on the various ramifications of climate finance, please refer to the 2012 *IBON Primer on Climate Finance*.)

On pre-2020 mitigation ambition

The issue of pre-2020 ambition gaps remains important

While all member-states are increasingly focused on the process that would lead to a new and comprehensive climate protocol by 2015, there is the other process called ADP Workstream 2, which addresses pre-2020 ambition gaps.

These pre-2020 gaps, especially the low level of ambition on mitigation by developed countries, are equally important and need to be urgently resolved. This is because the new climate protocol, assuming it is broadly ratified, will take effect only in 2020, while GHG emissions continue to rise.

In that regard, many developing countries have not totally given up on the hope that Kyoto Protocol's Doha Amendment is ratified by a sufficient number of countries to put the second commitment period (2013-2020) into effect. Despite this increasingly remote possibility, they view the current KP as still the essential and legally binding basis for addressing pre-2020 mitigation ambition gaps.

There is thus a strong push in the run-up to COP 20 (Lima 2014) to redress the lack of progress on mitigation, especially in line with the relentless rise in GHG emission and worsening impacts of climate change in the next five years. Developing countries must also persistently demand more clear-cut pre-2020 commitments and urgent action in adaptation, finance, technology and capacity building support.

On the Lima process and CSO participation

Most stakeholders are looking at the upcoming COP 20 (2014) in Lima, Peru as a last opportunity to lay the foundation for the 2015 agreement—a "do-or-die" phase that

could spell the success or failure of the COP 21 (2015) in Paris, where the agreement must be approved. Some developing countries have posed the situation in these words: “If Lima failed, there will be no Paris.” Thus, most member-states agree that Lima has to result in firm long-term outcomes; it cannot be a business-as-usual COP that keeps pushing decisions to the next COP.

Civil society organizations (CSOs) too are gearing for battle in Lima. Many of them walked out of the Warsaw COP 19 (2013) in frustration due to what they called “backward progress” on GHG reduction targets and climate finance, what they called the “empty shell” of the loss and damage mechanism, over lack of adequate CSO participation in official climate processes, and generally over the neglect of the COP 19 in addressing substantive issues of climate justice. In earlier COPs, such as in Copenhagen (COP 15, 2009), Cancun (COP 16, 2010), and Durban (COP 17, 2011), many CSOs also conducted major protest actions due to the lack of transparency, legitimacy and credibility of the outcomes.

The demand of the world’s peoples that climate action must finally bring about climate justice has reverberated so forcefully these recent years, that in September 2014, an estimated 400,000 people joined a giant People’s Climate March on the streets of New York City even as the UN Secretary General in New York organized a separate UN Climate Summit to “generate political momentum on climate action.”

The international community should welcome increasing CSO assertiveness in pushing for an open, transparent and inclusive COP in Lima instead of keeping it an exclusive arena for governments and a few rich international non-governmental organizations. The COP process must not lockout CSOs or to excessively restrict the number of CSO participants, such as by imposing unreasonable requirements or charging prohibitive rates to hold a side event.

We support CSOs in their Social pre-COP and Social COP in Venezuela, and the Peoples Summit in Lima, which were envisioned and must be sustained as independent and autonomous spaces. Such events are welcome because they consolidate and project the people’s positions on climate justice, and strengthen the demand that such positions be formally incorporated into the Lima COP. If it turns out that this is no longer possible within the COP process, we further support CSOs in pushing their governments and calling on their peoples to pursue these demands beyond the halls of the United Nations.

On the People’s Protocol on Climate Change

Even as we propose the most equitable and viable building blocks for a new climate protocol, which will be defined mainly inside the negotiating halls of the UNFCCC and its COPs, we must admit that these blocks will be insufficient and could even turn out to be incoherent, particularly when they result from the compromises of multilateral negotiations—which is what we expect from Lima (COP 20) and Paris (COP 21), as in previous COPs.

While these blocks may provide detailed options backed up by stupendous technical work, they are hobbled by intentional ambiguities and gaps. It is on this point that we offer the People’s Protocol on Climate Change.

The People’s Protocol on Climate Change (PPCC) was first conceptualized in October 2007 in an Asia Pacific Research Network (APRN) conference attended by some 170 participants, including IBON International. It was initiated as a global campaign that aims to provide a venue for the people and their grassroots organizations, especially from the South and its marginalized sectors, to participate in the process of drawing up what was then anticipated as

a post-2012 climate change framework as the Kyoto Protocol began to unravel.¹³

The PPCC is a framework agreement adopted and supported by people's movements, and their supporters both outside and inside governments, to serve as a common agenda for campaigning, policy advocacy, and lobby work on climate change issues in and out of the UNFCCC processes and government delegations. In that regard, the PPCC acquires renewed relevance in the current situation as the world enters 2015.

The full text of the PPCC has been reprinted as an appendix in the IBON Primer on Climate Change¹³ and as an annex in the IBON Primer on Climate Finance.²¹

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Photos

International Maize and Wheat Improvement Center

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