

# WHAT'S WRONG WITH THE TEXT?

## What's Wrong With Using The Co-Chairs' Text As The Basis For Negotiations?

Bonn, October 2015

### 1. The text allows developed countries to backslide on their commitments

- » Under the Convention, developed countries committed to take the lead on climate action. The rules are now being deliberately rewritten to create an escape route for developed countries to avoid their commitments and shift burdens to developing countries.
- » Developed countries are backsliding:
  - on their commitments on finance, adaptation and technology transfer under Article 4 of the Convention, and
  - on their mitigation commitments under the Kyoto Protocol
- » The co-chairs' text also lets developed countries off the hook by rewriting the Kyoto compliance rules and the transparency provisions agreed in Cancún.

### 2. Central substantive demands of developing countries are missing

- » The principles and provisions of the Convention have been given a glaring miss from the draft agreement text. The Kyoto Protocol serves as an example of how the principles and provisions of the Convention can be referenced. The fact that these are missing from the draft text reflects the real intention of the drafters to de-link the agreement from the Convention.
- » Also missing are key developing country demands for:
  - a finance roadmap post-2020;
  - links between mitigation ambition and adaptation needs, and means of implementation;
  - the anchoring of a loss and damage mechanism.
- » In the previous Bonn text, many of these central demands were put into the holding bin of Part III of the Co-Chairs' tool. In this non-paper by the Co-Chairs, most of these references have disappeared.
- » However, key controversial developed country demands remain, such as provisions for including markets and land use.

### 3. The agreement is one-sided and mitigation-centric

- » The Co-Chairs' text introduces a whole new term, Nationally Determined Mitigation Contributions (NDMCs), which have never been talked about before in any country submission.
- » Parties agreed in Lima (COP20) that INDCs would cover all elements and not just mitigation. But this is not reflected in the Co-Chairs' text.
- » A global stocktaking exercise of mitigation contributions alone will not help. For developing countries to implement their mitigation contributions, they need developed countries to fulfill their commitments on means of implementation. Developing countries are also bearing the brunt of climate change impacts and have to undertake costly adaptation measures. Clearly, the agreement must cover all these elements in a balanced manner.

### 4. The text creates creates differentiation among developing countries

- » The Co-Chairs' text singles out the particular vulnerabilities of LDCs and SIDS. This narrows the scope of developed countries' commitment to assist developing country Parties that are vulnerable to the adverse effects of climate change in meeting costs of adaptation to those adverse effects.
- » The Co-Chairs' text also prioritises the provision of grants and concessional loans to only the poorest and most vulnerable whereas under the Convention, all developing countries are entitled to them.

### 5. The text shifts the pre-2020 burden

- » The text on pre-2020 climate action should have as its aim closing the implementation gaps on mitigation, adaptation and means of implementation that exist as a result of developed countries' inaction in these areas in the pre-2020 period.
- » Rather than setting up an accelerated process to close the implementation gap, a key demand of developing countries, the Co-Chairs' text talks of facilitative and exploratory dialogues and other such talkshops.

#### Who is responsible and why?

ADP Co-chairs **Daniel Reifsnyder (USA)** and **Ahmad Djoghlaif (Algeria)** have collectively failed the developing countries. At the previous session in Bonn from 31 August to 4 September, developing countries gave clear guidance to the Co-Chairs on preparing a draft text, saying that it must be coherently struc-

tured, properly ordered and include all the elements that Parties need to see reflected in the agreement. It must also be clear, streamlined, consolidated, simplified and balanced, presenting clear and crystallized options on all elements. Clearly, the Co-Chairs have not adhered to this mandate and they should take the responsibility for the consequences of presenting an unbalanced text that does not include the views