Module 2

Introduction to the International Legal and Policy Framework to Address Climate Change
Learning Objectives

1. Describe the main aims and provisions of the UNFCCC and its Kyoto Protocol
2. Identify the main organizations and bodies that operate under the UNFCCC and its Kyoto Protocol
3. Explain why the UNFCCC and its Kyoto Protocol are important to developed and developing countries
4. Discuss key points relevant for a post-2020 climate change regime

By the end of the module participants will be able to:
Overview

Section 1: The Climate Change Policy Framework
Section 2: Provisions of the UNFCCC
Section 3: The Kyoto Protocol
Section 4: Main Issues and Negotiation Streams
Section 5: Towards a Post-2020 Regime
Section 1

The International Climate Change Policy Framework
The Need for a Global Approach to Climate Change

Climate change is a global problem and a “common concern to mankind”

GHG emissions contribute to climate change irrespective of their origin

All countries will be affected if no action is taken

A global agreement is needed to regulate emissions and help countries to adapt
What is the **UNFCCC**?

**A framework convention setting out basic obligations of all ‘Parties’ to combat climate change**

Currently has 195 Parties, including 194 states and 1 regional organization

*United Nations Framework Convention on Climate Change*

Signed in 1992 in Rio and entered into force in 1994

Article 3.1 stresses the principle of equity and ‘common but differentiated responsibilities’

List of members: [UNFCCC Website](https://unfccc.int)
Why is the UNFCCC important?

Source: www.cop18.qa

Source: UN CC:LEARN

Source: Flickr/Kris kKug

Source: Jan Golinski/UNFCCC
NGO Campaign in the Run Up to Copenhagen Climate Conference

Video: Song “Beds Are Burning - Tcktcktck - Time 4 Climate Justice Campaign”

Further info: Time for Climate Justice Website

URL: http://www.youtube.com/watch?feature=player_embedded&v=aBTZQ6l6cA#t=84
## Important Events

<table>
<thead>
<tr>
<th>Year</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>1979</td>
<td>First World Climate Conference (WCC)</td>
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<tr>
<td>1988</td>
<td>Intergovernmental Panel on Climate Change (IPCC) established</td>
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<tr>
<td>1990</td>
<td>IPCC and 2nd WCC call for global treaty on climate change</td>
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<tr>
<td>1992</td>
<td>Convention adopted at the UN headquarters, NY</td>
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<tr>
<td>1994</td>
<td>Convention enters into force</td>
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<tr>
<td>1997</td>
<td>Adoption of the Kyoto Protocol</td>
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<td>2005</td>
<td>Kyoto Protocol enters into force</td>
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<td>2009</td>
<td>COP 15/CMP 5 in Copenhagen, Denmark</td>
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<td>2010</td>
<td>COP 16/CMP 6 in Cancun, Mexico</td>
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<tr>
<td>2011</td>
<td>COP 17/CMP 7 in Durban, South Africa</td>
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<td>2012</td>
<td>COP 18/CMP 8 in Doha, Qatar</td>
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<tr>
<td>2013</td>
<td>COP 19/CMP 9 in Warsaw, Poland</td>
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Further info: [UNFCCC website](https://unfccc.int)

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Section 1: The International Climate Change Policy Framework

One UN Training Service Platform on Climate Change: UN CC:Learn
Section 2

Key Provisions of the UNFCCC
Ultimate Objective of the Convention (Article 2)

“To achieve stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system…..”

“…within a time frame sufficient to:

- Allow ecosystems to adapt naturally to climate change,
- Ensure that food production is not threatened, and
- Enable economic development to proceed in a sustainable manner.”
Interactive Map of CO₂ Emissions per Country

Two Broad Responses Adopted by the Convention

**Mitigation**

Actions taken to cut net emissions of greenhouse gases to reduce climate change and to preserve and enhance GHG sinks and reservoirs

**Adaptation**

Actions taken to help cope with changing climate conditions and impacts

Source: UNEP

Source: UNITAR
Principles Guiding the Convention (Article 3)

- Equity & Common but Differentiated Responsibilities and Respective Capabilities
- Full Consideration for Developing Country Needs & Circumstances
- Precautionary Principle
- Right to Sustainable Development
- Cooperate to Promote Supportive and Open Economic System
Groups of Parties to the Convention

**UNFCCC Parties**

**Annex I Parties**
Group of 43 developed countries, that were part of the OECD in 1992, and countries with economies in transition (EIT)

**Annex II Parties**
Group of 23 developed countries but not countries with EIT (subset of Annex I countries)

**Non-Annex I Parties**
Mostly developing countries
UNFCCC. Party Groupings.

Groupings:

- Group of 77 and China
- Alliance of Small Islands States (AOSIS)
- Least Developed Countries
- European Union
- Umbrella Group
- Environment Integrity Group (EIG)
- and others.

G77 and China - 50th anniversary, held in Bolivia (4-15 June 2014)
Commitments of all Parties (Article 4)

All parties

- Develop national GHG inventories
- Formulate mitigation & adaptation measures
- Cooperate in transfer of technologies
- Cooperate in information exchange
- Promote sustainable development
- Promote and cooperate in research
- Take cc considerations into account in development planning
- Communicate to the COP info related to implementation
- Promote education, training and public awareness
- Promote and cooperate in research
- Communicate to the COP info related to implementation
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- Cooperate in information exchange
- Promote sustainable development
- Take cc considerations into account in development planning
Different Responsibilities for Different Party Groups

Annex I Parties
- Take the lead in reducing GHG emissions
- Submit regular national communications and biennial reports
- Submit annual inventory of GHG emissions

Annex II Parties
- Provide financial & other resources to developing countries for mitigation and adaptation
- Facilitate the transfer of climate-friendly technologies

Non-Annex I Parties
- Report on mitigation and adaptation actions
- Submit national communications and biennial update reports (BURs)
Important Bodies Under the Convention

Source: UNFCCC
Subsidiary Body for Scientific and Technological Advice (SBTSA)

- Provides advice on scientific and technological matters
- Comprised of government representatives competent in the relevant field of expertise
- Develops guidelines for national communications and emission inventories
- Meets at least twice a year with last sessions of the year held in conjunction with COP

Source: IISD. Further info: UNFCCC website
Subsidiary Body for Implementation (SBI)

- Assists in assessing and reviewing implementation of the UNFCCC
- Deals with financial and administrative matters
- Holds sessions at the same time as SBSTA sessions
Partner Entities of the UNFCCC

IPCC

Intergovernmental Panel on Climate Change

GEF

Green Climate Fund
National Communications & Biennial Reports

- National communications and biennial (update) reports document implementation status in Annex I and non-Annex I countries
- Annex I Parties must submit national inventories of GHGs and report to COP periodically
- Non-Annex I countries have reporting flexibility
- Support for non-Annex I countries available to prepare national communications & biennial update reports

Further info: UNFCCC website
Explore the Database of National Communications

NCs by Annex I Parties
NCs by Non-Annex I Parties
National Focal Points under the UNFCCC

UNFCCC National Focal Points

• First point of contact within the government for communications regarding the UNFCCC

Focal Points for Article 6
(education, training, awareness raising)

• Identify areas for international cooperation
• Strengthen synergies with other conventions
• Coordinate reporting on Article 6 chapter in national communications
Section 3

The Kyoto Protocol
What is the **Kyoto Protocol**?

- International treaty linked to the UNFCCC
- Adopted at COP 3 in Kyoto, Japan, in 1997
- Entered into force in February 2005
- Currently **192 Parties**
- First commitment period 2008 – 2012
- Second commitment period 2013 – 2020

Source: Ubuntu Climate Justice
Relevance of the Kyoto Protocol

- Supplements and strengthens the Convention
- Identifies & regulates six gases as GHGs (Annex A)
- Provides opportunities for mitigation and adaptation in developing countries
- Sets out individual, legally binding emission targets for Annex I Parties (Annex B)
Regulated Greenhouse Gases

- Carbon dioxide (CO₂)
- Methane (CH₄)
- Nitrous oxide (N₂O)
- Hydro fluoro carbons (HFCs)
- Per fluoro carbons (PFCs)
- Sulphur hexa fluoride (SF₆)
- Nitrogen trifluoride (NF₃)
Key Areas of Emission Reduction

- Energy
- Industrial processes
- Solvent and other product use
- Waste
- Agriculture
Mitigation Commitments: 2008-2012

- 37 industrialized countries and the European Community committed to:
  - Reduce their emissions by at least 5% below 1990 levels in the 2008-2012 period
  - Ensure their amount of CO₂ equivalent emissions do not exceed assigned amounts
- Each Kyoto Protocol Annex B Party had assigned amount units (AAUs) for the 2008-2012 commitment period

(Source: UNFCCC)
Mitigation Commitments: 2013-2020

- "Doha Amendment to the Kyoto Protocol"

- Reduce GHG emissions by at least 18% below 1990 levels (Source: UNFCCC)

- 37 countries taking part in second commitment period account only for around 14% of world emissions (Source: European Commission)
Creating Flexibility for Emission Reduction: The Kyoto Mechanisms

Three Kyoto Mechanisms

Joint Implementation (JI) (Article 6)

Clean Development Mechanism (CDM) (Article 12)

Emission Trading (Article 17)
Kyoto Protocol Accounting and Compliance

Source: UNFCCC 2008 p21
Important **Bodies** under the Kyoto Protocol

### Conference of the Parties (COP) / Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP)

#### Bureau

**Permanent subsidiary bodies**

- Subsidiary Body for Scientific and Technological Advice (SBSTA)
- Subsidiary Body for Implementation (SBI)

#### Convention bodies

- The Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP)
- Adaptation Committee (AC)
- Standing Committee (SC)
- Technology Executive Committee (TEC)
- Climate Technology Center & Network (CTCN)

#### Expert Groups

- Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGNCC)
- Least Developed Countries Expert Group (LEG)

### Kyoto Protocol bodies

- Compliance Committee
- Executive Board of the Clean Development Mechanism (CDM-EB)
- Joint Implementation Supervisory Committee (JISC)
- Adaptation Fund Board (AFB)

#### Financial mechanism

- Global Environment Facility (GEF)
- Green Climate Fund (GCF)
- Special Climate Change Fund (SCCF)
- Least Developed Countries Fund (LDCF)
- Adaptation Fund (AF)

Other financial arrangements

Source: UNFCCC

United Nations Framework Convention on Climate Change (UNFCCC) secretariat
Section 4

Main Issues and Negotiation Streams
Adaptation

Nairobi Work Programme (NWP)

Cancun Adaptation Framework (CAF)

Work Programme on Loss And Damages

National Adaptation Programmes of Action (NAPAs)

National Adaptation Plans (NAPs)
In Focus: National Adaptation Plan (NAP) Process
Mitigation

Reducing Emissions from Deforestation and Forest Degradation (REDD+)

Land Use, Land-use Change and Forestry (LULUCF)

Nationally Appropriate Mitigation Action (NAMA)

Reporting on National Implementation and Monitoring Reporting and Verification (MRV)
In Focus: REDD Information Sharing Web Platform

REDD Web Platform

Welcome to the REDD information sharing web platform.

The COP has invited Parties, relevant organizations and stakeholders to support ongoing efforts, capacity building, demonstration activities and mobilization of resources relating to reducing emissions from deforestation and forest degradation in developing countries and to share the outcomes of these efforts with the SBSTA by providing corresponding information to the secretariat. In Decision 2/CP.13 the COP also requested the secretariat to develop a web platform where this information will be made available.

The information shared on this web platform can be accessed through three entry points:

- By submitting country
- By submitting organization
- By topic

Parties, relevant organizations and stakeholders are encouraged to submit information relating to reducing emissions from deforestation and forest degradation in developing countries (REDD) to this web platform. Information can be submitted in the form of plain text, PDF documents, and hyperlinks. Whenever sending PDF documents or hyperlinks I would be appreciated if you also added a short textual description (1-3 sentences).

Please submit information and/or any queries/feedback on this web platform to the following e-mail address:
<redd_webplatform@unfccc.int>

Please also read the terms and conditions on use of and access to information on this web platform.

REDD Discussion Forum

The REDD interactive discussion forum was developed following a request from SBSTA 32 to enhance sharing of information, experiences and lessons learned on the use of the IPCC guidance and guidelines. All experts interested to participate in such discussions are welcome to register through the following link:
REDD Discussion Forum
Finance

Fast Start Finance

Long-Term Finance
In Focus: **Finance Portal** for Climate Change

![Diagram of Finance Portal for Climate Change]

**Finance Portal**

- **Fast Start Finance Module**
  - General Information
  - Contributing Parties
  - Developed Country Websites
  - Institutions
  - Funds
  - Regions
  - Recipient Parties
  - Additional
  - Interactive Map

- **National Communications Module**
  - Recipient Region
  - Party Contributions
  - Sub-Regional
  - Recipient Country
  - Country Receipts by Party contributions
  - Total Contributions by Sector
  - Party Contribution by Recipient Country

- **Bilateral and Regional**
  - Institution Channels
  - Institution Receipts by Party
  - Party Contributions to Institution

- **Multilateral**
  - Contributions to GEF
  - Fund Receipts Reported by Parties
  - Party Contributions to GEF Funds

- **Additional Information**
  - Adaptation Fund

- **Funds Managed by the GEF**
  - SCCF
  - LDCF
  - Resource Allocation Framework 4
  - STAR
  - Legend

- **General Information**
  - Submissions
  - Updates
  - Documents
  - Contacts

- **Adaptation Fund**

- **National Communications**

- **Climate Change Focal Area**

- **Multi-focal area projects with climate change component**

- **Adaptation**

- **Mitigation**

- **GEF Trust Fund**

- **World**

- **Global**

- **AOSIS**

- **ASEAN**

- **EU**

- **EUC**

- **SiDS**

- **LDCs**

- **Developing Countries**

- **Developing Country**

- **World**

- **Global**

- **Link**
Technology

**Technology Mechanism**

Climate Technology Center and Network (**CTCN**)

Technology Information Clearing House (**TT:CLEAR**)

**Poznan Strategic Programme on Technology Transfer**
In Focus: Climate Technology Center and Network (CTCN)

Second CTCN Advisory Board Meeting
9-11 September 2013 - Bonn, Germany

Welcome to the CTCN UNEP webpage. The Climate Technology Centre and Network works to increase access to new and existing technologies for both adaptation and mitigation to climate change. Take a virtual tour to learn more about the CTCN.

The CTCN is the operational arm of the UNFCCC’s Technology Mechanism. The CTCN is located in Copenhagen, Denmark.
Capacity Building

Capacity Building Frameworks

Durban Forum on Capacity-building

Doha Work Programme on Article 6
Climate Change Education

Video: “Learning to Address Climate Change” produced by the United Nations Educational, Scientific and Cultural Organization (UNESCO)

URL: https://www.youtube.com/watch?v=KJbRnv7rMkk
Section 5

Towards a Post – 2020 Climate Change Regime
Negotiations until 2012: Two Track Approach

**UNFCCC**

**Long Term Cooperative Action (LCA)**
- Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA)
- Established in 2007 at COP13 in Bali
- Negotiations terminated in 2012 at COP18 in Doha

**Kyoto Protocol**

**Further Commitments Under Kyoto Protocol (KP)**
- Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP)
- Established in 2005 at CMP1 in Montreal
- Concluded its work in 2012 at CMP8 in Doha
Progress Made under the Two Tracks

**Copenhagen Accord**
- Global commitment to keep temperature increase below 2°C
- Principle financial commitments from developed countries:
  - USD 30 billion for period of 2010-2012
  - USD 100 billion a year by 2020

**Cancun Agreements**
- Formalization of Annex I Parties’ pledges made in Copenhagen Accord
- Green Climate Fund
- Cancun Adaptation Framework and Adaptation Committee
- Technology Mechanism
From 2013: Single Track Negotiations

Source: UNDP 2012 p7
Established to develop the post-2020 climate change regime

The ADP to develop under the Convention and applicable to all Parties, either:

- A protocol
- Another legal instrument
- An agreed outcome with legal force

The ADP is to complete its work no later than 2015

The instruments developed will come into effect and be implemented from 2020
Two Workstreams of the ADP

ADP tasked with two streams of work

Workstream 1: To take steps to negotiate a global climate change agreement to be adopted by 2015 and enter into force 2020

Workstream 2: To agree how to raise global ambition before 2020 to speed up response to climate change
Adoption of a second commitment period of the Kyoto Protocol

“Doha Gateway”, a package of decisions which includes:
- Decision on loss and damages
- Agreement on means to deliver scaled-up climate finance and technology to developing countries
- Doha Work Programme on Article 6

Conclusion of the work of AWG-LCA and AWG-KP

Further info: UNFCCC website
Agreement on a detailed roadmap towards a post 2015 agreement

Agreement to develop the “Warsaw international mechanism for loss and damage”

Agreement on the “Warsaw Framework for REDD+”

Work on Climate Technology Centre and Network (CTCN) is completed and the Centre is now fully operative

Announcement of a Climate Summit in 2014 by UN Secretary General
Video: Naderev (Yeb) Saño, announces his decision to go on hunger strike on the first day of the COP19 Climate Change Summit in Poland, 11 November 2013.

URL: [http://www.youtube.com/watch?v=I65DYyFlhAA](http://www.youtube.com/watch?v=I65DYyFlhAA)
Key Issues to Resolve

- Closing mitigation gap
- Form of legal framework for 2020 and beyond
- Finance for mitigation and adaptation
- Effective implementation of technology transfer mechanism
- Up-scaling of capacity development for implementation
- ...
Annex I

Additional Resources
Module Summary

- Since climate change is a global issue, international solutions must be found.
- The main platform where international negotiations on climate change happen is the UN Framework Convention on Climate Change (UNFCCC).
- The main negotiation issues are climate change adaptation, mitigation, finance, technology and capacity building.
- Under the Kyoto Protocol, developed countries committed to reduce their greenhouse gas emissions between 2008-2012. The Protocol has been renewed for the period 2012-2020.
- The current negotiations are about reaching an agreement that will go beyond 2020.
Useful Links

- UNFCCC Full Text
- Kyoto Protocol Text
- CC:iNet
- UNFCCC Negotiator App
- UNFCCC National Focal Points
- UNFCCC Article 6 Focal Points
- NAPA Project Base
- NAMA Registry
- The Guardian: Global Climate Talks
- Climate Change Policy & Practice - Daily News
- IISD Reporting Service – Climate Change Meetings
- IPCC
Recommended Readings

- FIELD (2011). *Help for MEA Negotiators Who Encounter Problems*
- UN General Assembly (1988). *Protection of Global Climate for Present and Future Generations*
- UNFCCC. *Brief Overview of UNFCCC Decisions*
- UNFCCC & UNEP (2001). *Climate Change Information Kit*
- UNFCCC (2002). *A Guide to the Climate Change Convention Process*
- UNFCCC (2006). *UNFCCC Handbook*
Main References

- UNITAR (2013). Climate Change Diplomacy: Negotiating Effectively under the UNFCCC, Module I – VIII.
- UNFCCC (2004). The First Ten Years
- UNFCCC & UNEP (2002). Climate Change Information Kit
- UNFCCC. Official Website