Civil Society Review of INDCs

The Paris Agreement does not include any reference to a global carbon budget as a basis for targets and effort sharing. However, more than 110 governments put forward voluntary pledges in 2015 in the form of Intended Nationally Determined Contributions (INDCs). A report titled ***Fair Shares: A Civil Society Equity Review of INDCs*** *was released in October 2015 that focused on the mitigation pledges of governments and how these measure up to their respective fair shares. It was endorsed by an unprecedented diversity of organizations and networks. What follows is the edited summary of this report.*

Climate science paints a frightening picture – one that shows that urgent and dramatic action is needed to have any chance at stopping irreversible global warming. This urgency is not just about the planet and the environment; it is also about people, and humanity's capacity to secure safe and dignified lives for all. The science is unambiguous: the next 10–15 years are critical if the most dangerous effects of climate change are to be avoided.

Today, the world is 0.85°C warmer than pre-industrial levels, and many people and ecosystems are already experiencing devastating impacts. Exceeding 1.5°C will entail unacceptable impacts for billions of people and risk crossing irreversible tipping points. We can only emit a finite amount of greenhouse gases – an amount known as the 'global carbon budget' – if we wish to keep overall increases beneath 1.5°C or even 2°C. The science indicates we are reaching this limit very quickly, and may even have exceeded it. Accepting the Intergovernmental Panel on Climate Change (IPCC) scenarios provide us with a global carbon budget that will be consumed in 10–20 years at current emissions levels. A commitment to keep at least within this limited budget, and to share the effort of doing so equitably and fairly, is at the heart of the international debate around climate change.

As social movements, environmental and development NGOs, trade unions, faith and other civil society groups, we jointly assessed the commitments that have been put on the table, seeking to identify which countries are offering to do their fair share, which need to do more, and present recommendations on how to close the emission reductions gap.

We concluded that addressing this gap in ambition can only be done through significantly scaled up cooperation among countries, especially between developed and developing countries. Equity and fairness matter to people's lives and are vital to unlocking cooperation. Only by embracing equity can governments define a pathway towards scaled-up global cooperation and action to secure dignified lives for all in a climate-safe world.

We assert that equity is not something that every country can decide for itself. It can be defined and quantified in a robust, rigorous, transparent and scientific manner that is anchored in the core principles of the UN Framework Convention on Climate Change, taking into account a range of interpretations of these principles.

Equity and Fair Shares

All countries must accept responsibility for meeting at least their fair share of the global effort to tackle climate change. Some countries have much higher capacity to act than others, due to their higher income and wealth, level of development and access to technologies. Some countries have already emitted a great deal for a long time, and thrive from the infrastructure and institutions they have been able to set up because of this. The operationalization of equity and fair share must focus on historical responsibility and capacity, which directly correspond to the core principles in the UN climate convention of 'common but differentiated responsibilities – with respective capabilities' and the 'right to sustainable development'.

We have assessed countries' INDCs by judging their commitments against their 'fair share' of the global mitigation effort (carbon budget) needed to maintain a minimal chance of keeping warming below 1.5°C, and a 66 percent chance of keeping it below 2°C. Our assessment of fair shares uses an 'equity range', which takes into account:

- Historical responsibility, i.e., contribution to climate change in terms of cumulative emissions since an agreed date; and
- Capacity to take climate action, using national income over what is needed to provide basic living standards as the principal indicator.

Historical responsibility and capacity have been weighted equally (50/50), which means that each country has a unique fair share that will change over time as they increase their incomes and relative proportion of accumulated emissions.

Our 'equity range' uses historical responsibility start dates of 1850 and 1950, and capacity settings that are no lower than a development threshold of US$ 7,500 per person per year, in order to exclude the incomes of the poor from the calculation of national capacity. Our 'equity range' does not include a 1990 benchmark. The large volume of historical emissions from which many countries benefited during the decades of unrestricted high-carbon development cannot be ignored from both a moral and legal standpoint. Nevertheless, we have included comparisons to a 1990 benchmark in order to show that our key findings apply even to such a benchmark.

Key Findings

Our fair share assessments of the submitted INDCs lead to the following key findings:

- Together, the commitments captured in INDCs will not keep temperatures below 2°C, much less 1.5°C, above pre-industrial levels. Even if all countries meet their INDC commitments, the world is likely to warm by a devastating 3°C or more, with a significant likelihood of tipping the global climate system into catastrophic runaway warming.
- The current INDCs represent substantially less than half of the reduction in emissions required by 2030. It must be noted that this itself relates to a very risky carbon budget. For a budget with a strong likelihood of keeping warming below 1.5°C or 2°C, the current INDCs would only meet a tiny fraction of what is needed. This means the fair shares presented here must be met. If anything, countries need to exceed these targets.
- The ambition of all major developed countries falls well short of their fair shares, which include not only domestic action but also international finance. Those with the starkest gap between their climate ambition and their fair shares include:
  - Russia: INDC represents zero contribution towards its fair share
  - Japan: INDC represents about one tenth of its fair share
  - United States: INDC represents about a fifth of its fair share
  - European Union: INDC represents just over a fifth of its fair share
- The majority of developing countries have made mitigation pledges that exceed or broadly meet their fair share, but they also have mitigation potential that exceeds their pledges and fair share – this includes Kenya, the Marshall Islands, China, Indonesia and India. Brazil's INDC represents slightly more than two thirds of its fair share.
- The fair shares of most developed countries are already exceeded within their borders, even with extremely ambitious domestic actions. Thus in addition to very deep domestic reductions, the remainder of their fair shares must therefore be implemented by enabling an equivalent amount of emissions reduction in developing countries through financing and other support. This accounts for almost half of the reductions that need to take place globally, which indicates

the need for a vast expansion of international finance, technology and capacity-building support. This underscores the importance of a cooperative approach between developed and developing countries to enable scaled-up ambition.

- Although climate finance is critical for developed countries to deliver their fair shares, there is a striking lack of clear commitments. Massively scaled-up international public finance is required to support developing countries' efforts, including finance to deliver the conditional offers from developing countries. In addition, significantly increased public climate finance is needed to meet the cost of adaptation, and to cover loss and damage in developing countries, particularly for the most vulnerable.

Article 2.1 enhances implementation of the Convention, strengthening the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty. Parties agreed that this would include:

"(a) Holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 °C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;

(b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and

(c) Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development."

A key issue throughout the negotiations was whether and how the principle of CBDR-RC will be operationalized. While developed countries challenged the principle itself, insisting that the Agreement reflect the "evolving economic and emission trends" of countries in the post-2020 timeframe, developing countries consistently argued that given the historical emissions of developed countries, they should continue to take the lead in emission reductions and in helping developing countries with the provision of finance, technology transfer and capacity-building as agreed under the UNFCCC.

At the 2014 COP meeting in Lima, where CBDR-RC was also hotly contested, Parties committed to reaching an ambitious agreement in Paris that reflects the principle of CBDR-RC, **in light of different national circumstances**. This was the 'landing-zone' arrived at with regard to the CBDR principle, following the China-United States joint statement on emissions that accordingly found its way into the Paris Agreement.

This gain for developing countries is captured in Article 2.2 that states, "This Agreement will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC), in the light of different national circumstances."[3] It also means that developed countries can invoke their own national circumstances.

Throughout the four years of work leading to the Paris Agreement, the purpose itself remained contentious. Developing countries were adamant that it must not "rewrite, replace or reinterpret the Convention." The G77 and China, including its sub-groups especially the Like-minded Developing Countries and the African Group, consistently stressed that the purpose of the Agreement is to enhance implementation of the Convention on mitigation, adaptation, finance, technology transfer, capacity building, and transparency of action and support.

Developed countries, on the other hand, appeared to focus more on the 'objective' of the Agreement, which was perceived by developing countries as a mitigation-centric approach linked only to the temperature goal, with an attempt to weaken the link to the provisions and obligations of developed countries under the Convention, especially on the means of implementation (finance, technology transfer and capacity building). Thus the reference to "enhancing the implementation of the Convention" is seen as another gain for developing countries.

Although limiting temperature rise to well below 2°C above pre-industrial levels was clear, reference to efforts to limit the increase to 1.5°C is also seen as a victory for developing countries, especially Small Island Developing States (SIDS), Least Developed Countries (LDCs), Africa and the countries of the Bolivarian Alliance for the Peoples of Our America (ALBA).

3 The first UNFCCC Principle (Article 3) states: "The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof."

Developing countries also wanted the focus to be on adaptation and finance and to ensure that the global response is in "the context of sustainable development and efforts to eradicate poverty."

Nationally Determined Contributions: "Bottom-up" climate actions

The Agreement obligates all Parties "to undertake and communicate ambitious efforts" through intended nationally determined contributions (INDCs). These efforts "will represent a progression over time, while recognizing the need to support developing country Parties for the effective implementation of this Agreement" (Article 3). This is fundamentally different from a science-based "top-down" approach where an aggregate of GHG emissions reduction is multilaterally determined, to be shared among developed countries.

Developed countries had sought to make the Paris Agreement mitigation-centric and to expand legally binding mitigation commitments to developing countries, especially emerging economies. Beginning at the 2009 COP in Copenhagen, the USA led the shift from a top-down approach to bottom-up nationally determined actions. The Paris Agreement locks that in through Article 3 on INDCs. However, developing countries succeeded in making the scope of INDCs comprehensive; thus Article 3 explicitly includes mitigation, adaptation, finance, technology development and transfer, capacity building, and a transparency framework for action and support.

Mitigation

For the first time, developing countries have an international obligation to take mitigation action, albeit in a nationally determined way, and with means of implementation provided by developed countries. By contrast, the mitigation commitment of developed countries is diluted compared to the UNFCCC and the Kyoto Protocol. This came from a last minute replacement of 'shall' with 'should' regarding mitigation by developed countries. At the 'back room' insistence of the USA, the COP21 Presidency allowed this under the guise of a technical correction during the final plenary.