

UNFCCC, Kyoto Protocol, Paris Agreement and COP28 Key Issues

Mirza Shawkat Ali

United Nations Framework Convention on Climate Change (UNFCCC)

UNFCCC was adopted at the fifth session of the Intergovernmental Negotiating Committee (INC) in New York and opened for signature at the “Earth Summit” in Brazil, along with two other fundamental Conventions, the UN Convention to Combat Desertification (UNCCD) and Convention on Biological Diversity (CBD). These three conventions are called the Rio Conventions.

On 21 March 1994, the UNFCCC entered into force after ratification by 58 Parties. The ultimate objective of the framework convention is, “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. Such a level should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed sustainably.”

In 1995 at the first Conference of the Parties (COP 1) to the UNFCCC, the Parties agreed to negotiate a more stringent legally binding Protocol. In 1997, at COP 3, the Kyoto Protocol was adopted, the Protocol was named after the city where the Conference was held. However, it entered into force on 16 February 2005, after fulfillment of the conditions of entry into force of the Protocol by Article 25[1] of the Kyoto Protocol.

Kyoto Protocol

The Kyoto Protocol established legally binding emission reduction targets for developed nations only. The protocol was divided into two commitment periods, the first commitment period ranged from 2008-2012 with Emission reduction targets of at least 5% below 1990 level, while the second commitment period ranged from 2013-2020 with Emission reduction targets of at least 18 % below 1990 level.

European Union (EU) countries (together with Iceland) have agreed to meet – jointly – a 20% reduction target compared to the 1990 level. This is in line with the EU’s target of 20% by 2020. Nevertheless, the 2nd Commitment Period started with the non-participation by the USA, Canada, Japan, Russia, and New Zealand.

Paris Agreement

Background of the Paris Agreement: The United Nations Climate Change Conference, Durban 2011, delivered a breakthrough on the international community’s response to climate change. The outcomes included a decision by Parties to adopt a universal legal agreement on climate change as soon as possible, and no later than 2015.

The parties adopted a universal agreement with the participation of both developed and developing countries with the responsibility of doing their part to reduce GHG emissions, at COP 21 in Paris on 12 December 2015.

Paris Agreement sets the target (Article 2 para 1a) of “Holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and to pursue 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.” The agreement in total contains 29 articles, the same conference has delivered another important decision text 1/CP.21, which is of equal importance.

The core of the Paris Agreement is the temperature goal and Nationally Determined Contribution (NDC), under which Parties commit their emission reduction targets and pursue domestic mitigation measures in line with the 2-degree Celsius goal by the end of the century. Among others, the most important articles are Article 7 on Adaptation, Article 8 on Loss and Damage, and Article 9 on Climate Finance.

To track the progress of the Paris Agreement, Parties agreed to evaluate the implementation of the agreement under mitigation, adaptation, and means of implementation every five years, starting with the first global stocktake in 2023 and every five years thereafter.

Conference of the Parties (COP)

Since the beginning of the first session of the Conference of the Parties (COP 1) in 1995, the climate change negotiation process has diversified to a great extent and is considered the largest and most diversified in the world.

Each Climate Change Conference usually hosts as many as five meetings. During 2023 UN Climate Change Conference in Dubai, United Arab Emirates, the following meetings will be held.

- Twenty-eighth session of the Conference of the Parties (COP 28);
- Eighteenth session of the Conference of the Parties to the Kyoto Protocol (CMP 18);
- Fifth session of the Conference of the Parties to the Paris Agreement (CMA 5);
- Fifty-ninth session of the Subsidiary Body for Scientific and Technological Advice (SBSTA 59); and
- Fifty-ninth session of the Subsidiary Body for Implementation (SBI 59).

COP, CMP, and CMA are the highest bodies of UNFCCC, Kyoto Protocol, and the Paris Agreement respectively, while SBSTA and SBI support the above supreme bodies for the preparation and implementation of various agenda items.

As the host of COP28, Sultan Ahmed Al Jaber, Minister of Industry and Advanced Technology and UAE Special Envoy for Climate Change is the President-designate of COP 28; he will take over the charge from COP 27 Presidency at the opening ceremony of COP 28. The COP 27 Egyptian Presidency and the incoming COP 28 Presidency are organizing various Ministerial, Head of Delegation, and technical level meetings including a Pre-COP meeting on 30-31 October 2023 was organized in Abu Dhabi to deliver a successful COP 28.

In a letter to Parties dated July 2023, the incoming Presidency announced that COP 28 will focus on four paradigm shifts:

- Fast-tracking the energy transition and slashing emissions before 2030;
- Transforming climate finance, by delivering on old promises and setting the framework for a new deal on finance;
- Putting nature, people, lives, and livelihoods at the heart of climate action; and
- Mobilizing for the most inclusive COP ever.

Now Let's focus on some of the major agenda items of COP 28.

1. Glasgow-Sharm el-Sheikh Work Programme on the Global Goal of Adaptation (GGA)

As mentioned earlier, Article 7 of the Paris Agreement is about Adaptation. Under paragraph 7.1, it is mentioned, "Parties hereby establish the global goal on adaptation on enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change." However, what the Global Goal means was never elaborated. At COP26 in Glasgow, after five years of adoption of the Paris Agreement, Parties decided to elaborate on the meaning of GGA. In total eight workshops were organized under the WP, in 2022 and 2023 along with the Parties' submission to come up with the Global Goal on Adaptation. In Dubai, Parties will engage in an informal consultation to recommend a draft decision for consideration at CMA 5.

Developing countries including Bangladesh are expecting to establish a comprehensive Global Goal on Adaptation with specific targets, which place people, ecosystems, and economy at the center. COP 27 has decided that GGA should also be linked to Global Stocktaking. Accordingly, it is expected that the GGA will be reviewed before the second GST. It is expected that once agreed at COP 28 GGA will contribute to reducing the risk of climate change impacts in the context of long-term temperature goal set out in the Paris Agreement.

2. National Adaptation Plan (NAP)

This agenda item was included in the agenda item of SBI 58 upon request by G77 and China. The agenda item relates to the formulation and implementation of NAP. As of 2nd November 2023, 48 countries have submitted their NAPs, now their priority is NAP implementation. We consider accessing funds for the implementation of the National Adaptation Plan remains a key barrier to enhancing climate resilience. Adequate and sustained climate adaptation financing is essential for NAP Implementation. Bangladesh along with other developing countries is expected to em-

phasize the urgency of financial support for NAP implementation.

3. Funding Arrangements for Loss and Damage

Loss and Damage is one of the most important issues for COP28. COP27 and CMA4 decided to establish a funding arrangement for Loss and Damage. To operationalize the new funding arrangements, CMA4 and COP 27 constituted a transitional committee (TC). As mandated the transitional committee held four scheduled and later one additional meeting and came up with a co-chair's proposal which contains a governing instrument, objectives, scope, governance and institutional arrangements, legal status, the Board (a 26-member board has been proposed to govern the fund), proposed their functions and rules and procedure, secretariat, trustee, eligibility, country ownership and access the financial instruments, etc.

According to the proposal, the fund will be serviced by a new dedicated and independent secretariat. World Bank will serve as the interim trustee of the fund, a World Bank-hosted Financial Intermediary fund (FIF) for an interim period of four years.

Parties are still skeptical about whether the funding arrangement for Loss and Damage will be new or additional or whether it will take away a chunk of financial resources from Adaptation.

4. New collective Quantified Goal (NCQG)

This agenda item is very crucial for developing countries, as developed countries failed to mobilize US\$ 100 billion per year as agreed in 2009 (COP 15). While, according to Paris Agreement Article 9, paragraph 3, developed countries intend to continue their existing collective mobilization goal through 2025. Before 2025 the CMA shall set a New Collective Quantified Goal (NCQG) from a floor of USD 100 billion per year, taking into account the needs and priorities of developing countries.

So far 7 Technical Expert Dialogue (TED) have been held and the eighth TED will be held in conjunction with CMA5 in Dubai. CMA 5 is expected to

guide work in 2024. We consider that the NCQG on climate finance must be significantly higher than the last goal of US\$100 billion per year. The post-2025 climate finance should prioritize grants over concessional loans/loans and refer to the real needs of developing countries to implement their NDCs and NAPs to mitigate climate change and build resilience.

5. Global Stocktake (GST)

GST as referred to under Article 14 of the Paris Agreement, is the crucial process to assess the collective progress under the Paris Agreement towards achieving its purpose and its long-term goals, considering mitigation, adaptation, loss and damage, and means of implementation.

The technical assessment component of the first global stocktake concluded at SB 58 (Bonn, June 2023) with the convening of the third and last meeting of the technical dialogue. The Chairs of the Subsidiary bodies convened an in-person workshop held in Abu Dhabi from 12 to

14 October 2023, to develop the elements for consideration of outputs component, to inform the work of the joint contact group to be convened at SB 59. CMA 5 is expected to adopt a decision on the first global stocktake in Dubai.

We consider that the GST must provide a clear assessment of how the ambition mechanism of the Paris Agreement is contributing to limiting the temperature goal to 1.5°C. The GST decision by the CMA5 should also include a technical annex. The proposed technical annex should outline gaps, lessons learned, and best practices in various thematic areas (mitigation, adaptation, means of implementation, loss and damage, etc.) along with potential measures to enhance climate action and support.

Concluding Remarks

We want to see COP28 as a successful event, with the adoption of a decision to operationalize the funding arrangement on Loss and Damage within the shortest possible time; a progressive decision on the first GST; the adoption of

a comprehensive framework on GGA to enhance adaptation and climate resilience globally; and progress in NCQG, paving the way for its adoption at CMA6 in 2024.

[1] Article 25 of the Kyoto Protocol: This Protocol shall enter into force on the ninetieth day after the date on which not less than 55 Parties to the Convention, incorporating Parties included in Annex I which accounted in total for at least 55 percent of the total carbon dioxide emissions for 1990 of the Parties included in Annex I, have deposited their instruments of ratification, acceptance, approval or accession. 2. For this article, "the total carbon dioxide emissions for 1990 of the Parties included in Annex I" means the amount communicated on or before the date of adoption.

1 Means of Implementation refers to Climate finance, Technology Transfer and Capacity Building.

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বিজ্ঞাপন হার	টাকা
শেষ প্রচ্ছদ (রঙিন)	৫০,০০০.০০
দ্বিতীয় প্রচ্ছদ (রঙিন)	৪০,০০০.০০
তৃতীয় প্রচ্ছদ (রঙিন)	৪০,০০০.০০
ভেতরে পুরো পাতা (রঙিন)	৩০,০০০.০০
ভেতরে অর্ধেক পাতা (রঙিন)	২০,০০০.০০
ভেতরে ১ কলাম (রঙিন)	১০,০০০.০০
ওয়েব সাইট প্যানেল প্রতিমাসে	২০,০০০.০০
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