



## Parties express divergent views on 'features' of NDCs

Penang, 16 May (Meena Raman) – Parties at the recent UNFCCC climate talks held in Bonn, Germany, continued to hold divergent views over the guidance to be provided on 'features' of nationally determined contributions (NDCs) under the Paris Agreement (PA).

The issue is being addressed under what is called agenda item 3 of the Ad Hoc Working Group on the PA (APA), which was co-facilitated by **Sin Liang Cheah (Singapore)** and **Gertraud Wollansky (Austria)**.

On May 5, during the first week of the talks, an informal consultation took place on the further guidance that needs to be developed as regards NDCs.

(The issue of what are NDCs have been the crux of the major contention, with the **Like-minded developing countries [LMDC]**, the **African Group** and the **Arab Group** stressing that Article 3 of the PA has defined what NDCs are and this relates to the "full-scope" of NDCs, which include mitigation, adaptation, finance, technology-transfer and capacity-building, while developed countries view NDCs as being mitigation only. This difference of perspective is the main reason for divergent views between Parties on what guidance on the features must be developed.)

**China** for the **LMDC** said that identifying the existing features of NDCs should be sufficient in relation to the guidance to be provided. The features, it said, should include the principle of equity and common but differentiated responsibilities and respective capabilities (CBDR-RC), in the light of different national circumstances, and it also emphasised the full-scope of NDCs as reflected under Article 3 of the PA as an important feature. It also underscored the

importance of Article 4.5 of the PA which recognises that support shall be provided to developing countries for the implementation of NDCs. It added further that Article 4.7 was also important where mitigation co-benefits resulting from Parties adaptation actions and/or economic diversification plans can contribute to mitigation outcomes. China said that the LMDC could not support the elaboration of new and additional features, as this could lead to a re-negotiation of the PA. Hence, it wanted the guidance to reflect existing features as contained in the PA.

**Marshall Islands** for the **Alliance of Small Island States (AOSIS)** said that the mandate is for the elaboration of further guidance, adding that features describe the attributes of the NDCs. It said the guidance should respect the nationally determined nature of NDCs and must relate to what Parties expect to see in them. It said that the features of NDCs are forward looking and Parties are also required to provide information to provide clarity, transparency and understanding of NDCs, explaining the difference between the two. The guidance on the features it said, should include quantifiability of efforts in terms of emissions reductions in tonnes of carbon-dioxide equivalent and what Parties mean by highest possible ambition.

**Brazil**, speaking for **Argentina, Uruguay** and itself also said that it could not agree to the exploration of new features and agreed with the LMDC in this regard. On the call for additional features by the **AOSIS**, it said that the issues raised can be dealt with under the information needed for clarity, transparency and understanding of the NDCs. It was also concerned about the reinterpretation of Article 4 of the PA (which deals with NDCs, including mitigation). It stressed that

there was a challenge in relation to the history of the mandate for what Parties are tasked to do. It said that the mandate (for developing the guidance) is in the Paris decision (decision 1/CP.19, paragraph 26), adding that the features must be rooted in the PA and cannot be built on additional elements. It said the guidance has to be straightforward must ensure the national determination by Parties of the NDCs and must be in accordance with the PA.

**Zimbabwe** for the **African Group** also said that it did not want additional features or their elaboration, apart from the existing features. It said that features are about the attributes of NDCs which are in the PA, which are in accordance with the principle of CBDR-RC. It added further that the national determination of NDCs is a key feature and NDCs are of full scope, and not just mitigation alone but must also include adaptation and the means of implementation. It said further that features can include the demonstration of differentiation and ambition. It said that other features can also include the need to prepare communicate and implement NDCs. It added that the mitigation component of NDCs should be quantitative but for developing countries, they should include finance and technology support.

**Saudi Arabia** for the **Arab Group** also wanted the guidance to only focus on existing features and that no further elaboration or new features were needed. It added that the most important feature of NDCs was its national determination as it was up to Parties to decide on its content and magnitude. It also said that NDCs should be of full scope under Article 3 of the PA. It also stressed the importance of sustainable development and poverty eradication, progression and ambition on all elements, including mitigation co-benefits resulting from adaptation and economic diversification and response measures.

**India**, in supporting the LMDC view, said that it was “confounded” that there were Parties who do not want to list existing features but want new features. It also said that specific emphasis on the quantifiability of NDCs undermines national determination, stressing that the latter was an important feature. It said differentiation between developed and developing countries is an integral feature, with developed countries taking the lead and developing countries needing the means of implementation as well as needing to ensure sustainable development and poverty eradication.

**South Africa** supporting the African Group said that the features are in Article 4 of the PA, with minimum characteristics such as NDCs being progressively more ambitious, including reflecting the CBDR principle. It said that the only feature that deserves more consideration is that of common time frames (of NDCs).

**Peru** for the **Independent Alliance of the Latin America and the Caribbean (AILAC)** was also of the view that the features are in Article 4 and the Paris decision and said that additional features were necessary to facilitate common understanding, adding that mitigation goals should be quantifiable.

**Ethiopia** for the **Least Developed Countries (LDCs)** was also of the view that the features of NDCs are in the PA and there is need to list common features such as national determination, the CBDR-RC principle, progression and ambition, economy-wide absolute reductions for developed countries and support for developing countries and further flexibilities for LDCs and Small Island States. It did not see the need for additional features.

**Sri Lanka** and **Iran** supported the LMDC position saying that existing features of NDCs were sufficient and there was no need for further elaboration and that they should be based on CBDR-RC and be of full scope.

**Egypt** said that features mean what NDCs would look like in terms of the purpose and providing further guidance means what has been agreed to so as to assist Parties in the preparation of NDCs. On the issue of the mandate, it said it was clear that “further guidance” is “not further features.” It also stressed that on the existing features, the national determination is the overarching character and that it should be of full scope as reflected in Article 3 and in accordance with differentiation as well as with support to developing countries for actions. It cautioned that the further elaboration of existing features or having a “pick and choose” approach would only prolong negotiations.

**Saint Lucia** wanted guidance on features that are content related as well procedural related and said that some of the features should be mandatory.

The **European Union** said that guidance on features relates to mitigation NDCs. It saw merit in having guidance on new features, adding that there was no need for a listing of features from the PA, as “this could create confusion.” It referred to features that are not explicitly in the PA, such as

quantifiability of NDCs, which it said is not a new feature but is a clarification. It said the door should be open for new features after the first meeting of the Conference of Parties to the PA (CMA1) after the global stocktake (in 2023.)

**Canada** said that many features are in Article 4 operationalised in different ways, setting expectations for Parties, with higher ambition, and progression. It said all features of the PA are important and there is need for further guidance for clarification, adding that all NDCs should be quantifiable consistent with Article 4.4, with all moving towards economy-wide targets. They need to be capable of aggregation. The domestic mitigation measures should not have conditions and must be unconditional. Parties can say that they have no capacity or resources but they should communicate what they intend to contribute unconditionally.

**Norway** said that there were divergent views and the PA was “a good landing ground for features.” It agreed with Parties who said that Article 4 reflects the features and a short reference to the Article was sufficient, without wasting more time.

**South Korea** said that it was open to new features but they should not undermine national determination.

**Switzerland** said that the features are the characteristics of NDCs and are not rules on how NDCs look like nor should they prejudice the level of ambition. It was open to the two approaches of having existing features as well as new features. It also wanted the NDCs to be quantifiable, referring to the mitigation contributions, including in communicating the share of emission reductions without support.

Following the exchange, the co-facilitators said that they would prepare a “navigation tool” that would not “prejudge the structure” of the text and “the Parties’ positions.” The “navigation tool” is to supplement the informal notes of the co-facilitators, and captures the various options, reflecting the divergent positions.

Discussions will continue further at the additional session in Bangkok in Sept. this year.