



South Africa's 1st Annual Climate Change Report

Key Outcomes of COP 21

Theme I



environmental affairs

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The seven Themes of this Report are:

- ▷ **Theme A:** A Synopsis of South Africa's 2015 Annual Report on Monitoring Climate Change Responses
- ▷ **Theme B:** South Africa's Climate Change Monitoring and Evaluation System
- ▷ **Theme C:** Climate Change Trends, Risks, Impacts and Vulnerabilities
- ▷ **Theme D:** Tracking South Africa's Transition to a Lower Carbon Economy
- ▷ **Theme E:** Monitoring the Adaptation Landscape in South Africa:
Desired Adaptation Outcomes, Adaptation Projects and the Intended Nationally Determined Contribution
- ▷ **Theme F:** Climate Finance
- ▷ **Theme G:** Climate Change Adaptation Governance and Management
- ▷ **Theme H:** Near-Term Priority Climate Change Flagship Programmes
- ▷ **Theme I:** Key Outcomes of COP 21

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FOREWORD BY MS. EDNA MOLEWA

MINISTER OF THE DEPARTMENT OF ENVIRONMENTAL AFFAIRS

Climate change is one of the greatest challenges of our time. As part of the global community, we know we shoulder an immense responsibility to deal with climate change and its impacts. The more we disrupt our climate, the more we risk severe, pervasive and irreversible impacts. That said - we do indeed have the means to limit climate change and build a more prosperous, sustainable future for our country and world, and all who live in it.


South Africa has endorsed the National Climate Change Response Policy as a vision and a framework for an effective climate change response, and the long-term, just transition to a climate-resilient economy and society. The policy is the product of an extensive consultation process. It sets two high-level objectives:

- **Firstly**, to effectively manage the inevitable climate change impacts through interventions that build and sustain South Africa's social, economic and environmental resilience and emergency response capacity; and
- **Secondly**, to make a fair contribution to the global effort to stabilise greenhouse gas (GHG) concentrations within a timeframe that enables economic, social and environmental development to proceed in a sustainable manner.

South Africa's approach towards an effective climate change response is both developmental and transformational. It is developmental in that we are prioritising climate change responses that have significant mitigation or adaptation benefits, AND have significant economic growth, job creation, public health, risk management and poverty alleviation benefits. It is transformational in that we are seeking to address climate change at a scale of economy that supports the required innovation and finance flows needed for a transition to a lower carbon, efficient, job creating, equitable and competitive economy. In essence, it is about sustainable development.

Work is well advanced in implementing this National Climate Change Response Policy. One of the key elements of the climate change response is a country-wide monitoring and evaluation system that tracks South Africa's transition to a lower carbon and climate resilient economy and society.

The main output of the climate change monitoring and evaluation system is South Africa's annual climate change report. This year, the Department will publish its first annual climate change report. This report focusses on (i) quantifying and profiling the impact of ongoing or recently completed mitigation actions (ii) updating the information on climate finance that was reported in South Africa's



first Biennial Update Report (iii) providing latest available information on climate change risks together with describing ongoing adaptation projects (iv) presenting progress in establishing a credible tracking system for key climate change actions in the country (v) updating the roadmap on climate change flagship programmes (vi) recognising and profiling climate change actions that have been taken by the local government sphere of government and (vii) setting out key outcomes of the 21st Conference of Parties (COP 21) which took place in Paris in December 2015.

Internationally, South Africa submitted its own Intended Nationally Determined Contribution (INDC) to the United Nations Framework Convention on Climate Change (UNFCCC) Secretariat in September 2015. Our INDC encompasses three distinct components namely mitigation, adaptation and the means of implementation. The main aim of the next annual report (2016/17) is to initiate an in-depth annual process of reporting progress against South Africa's INDC.

Lastly, there is vast potential for co-operation in producing these annual reports. We recognise and thank all those that have assisted us to produce the first report. For this report, we received contributions from all three spheres of government, the private sector, civil society, foreign

embassies, and academia. In addition, I would like to thank the German government for the extensive support that we have received through GIZ. We invite many others to continue the collaboration with us as we contribute towards the identification of opportunities for further climate change actions and management of current and future climate risks with the view to consolidating the gains that this country has attained so far by improving peoples' livelihoods, conserving biodiversity, and improving human well-being. We believe that by working together; we can save our tomorrow today.

Thank you



MS. EDNA MOLEWA

Minister of the Department of Environmental Affairs

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LIST OF ABBREVIATIONS

APA	Ad-hoc Working Group on Paris Agreement
CBIT	Capacity -Building Initiative for Transparency
COP	Conference of the Parties
GEF	Global Environmental Facility
HFCs	hydrofluorocarbons
ICAO	International Civil Aviation Organization
IMO	International Maritime Organization
INDCs	Intended nationally determined contributions
IPCC	Intergovernmental Panel on Climate Change
LPPA	Lima Paris Action Agenda
MRV	measurement, reporting and verification
NDCs	Nationally determined contributions
TEM	Technical expert meetings
TEP	Technical examination process
TEP-A	Technical Examination Process on Adaptation
UNFCCC	United Nations Framework on Climate Change

I. INTRODUCTION

The twenty-first session of the Conference of the Parties (COP) of the United Nations Framework Convention on Climate Change (UNFCCC), known as COP21, marked a historic turning point in global action on climate change. One hundred and ninety-six Parties countries joined together in the Paris Agreement, which became the first legally binding universal pact, setting the world on a course to a zero-carbon, more resilient and prosperous future.

The Paris Agreement and the 187 submitted intended nationally determined contributions (INDCs) that preceded it, reflect the unprecedented momentum from cities, companies, civil society organisations, including faith based communities, and others that has grown over the years since the UN Framework Convention on Climate Change was signed by 154 states and the EU at the Rio Conference on Environment and Development, the Earth Summit, in 1992.

The outcome of Paris is also a testament to international diplomacy that restored confidence in multilateralism. The French Presidency's diplomatic arsenal and the strong bilateral interventions from key global leaders

played a critical role in delivering the landmark result. South African leadership of the G77-China coalition of developing nations also helped in ensuring a constructive and more unified voice from developing countries to reach an ambitious and fair outcome.

Yet the road to an effective outcome does not end in Paris. While the INDCs submitted by countries make significant strides in reducing emissions and enhancing adaptation efforts, countries still have a long way to go to achieve the reductions in emissions that are needed, and to build resilience to the impacts of changes already underway. As a result, much work remains to be done both within and outside the UNFCCC.

2. PURPOSE OF WRITING THIS THEME

This Theme examines the key provisions that make the Paris Agreement a landmark deal. In doing so, the Theme does not comment on each article of the Paris Agreement. It also does not seek to interpret the provisions that have been agreed on. Rather, it presents a factual reflection of key outcomes of the Paris Agreement as they serve as an initial road map for the upcoming negotiations. Implications of the Paris Agreement for South Africa will be reported in the next climate change annual report.

3. WHAT MAKES THE PARIS AGREEMENT A PIVOTAL MOMENT?

The Paris Agreement fulfils the mandate agreed at COP17 in Durban: the text agreed in Paris is legally binding, applicable to all and strengthens the multilateral, rules-based regime under the Convention to raise ambition. This Theme will take a deeper look at the features of the Paris Agreement and demonstrate how this binding universal Agreement will advance and inspire greater international cooperation to implement ambitious and fair programmes of action that can speed the transition to a low-carbon, climate-resilient economy.

3.1 An Agreement applicable to all under the Convention

The Paris Agreement includes action by every country: major economies, emerging economies, less developed countries and vulnerable low-lying island nations. To secure such broad participation, the Agreement acknowledges, and accommodates different development stages and national circumstances. This is conveyed in many different ways throughout the Agreement:

- a. **Striking a delicate balance between obligations that are legally binding and those that are framed in a more discretionary way.** In mitigation, for example, all countries have binding legal obligations of conduct. Each Party is required to prepare, communicate and maintain their nationally determined contributions (NDCs) and pursue domestic measures to achieve them. However, there is no obligation of result. That is, there is no obligation to implement or achieve the mitigation NDCs. However, it is important to note that the transparency article requires each Party to report on progress in implementation and achievement of mitigation NDCs.
- b. **Moving away from a mitigation centric approach.** The Paris Agreement places adaptation

at its core and recognises the importance of averting, minimising and addressing loss and damage associated with the adverse effects of climate change. The Paris agreement makes it clear that responding to the serious impacts of climate change and ensuring that vulnerable communities have the capacity to build resilience, manage and adapt, are all vital parts of climate action. The Agreement also applies universally to adaptation action, requiring all countries to engage in adaptation planning processes.

- c. **Embracing efforts by a wide range of stakeholders.** To address climate change on the ground, business, investors, civil society and other stakeholders in countries, cities and regions have embraced the Paris Agreement and declared



3. What Makes the Paris Agreement a Pivotal Moment?

themselves ready and willing to implement strong and effective climate action.¹

- d. **Enshrining the principles of the Convention while connecting the Agreement to real people and the real economy.** The preamble of the Paris Agreement emphasises the “intrinsic relationship that climate change actions, responses and impacts have with equitable access to sustainable development and eradication of poverty” as well as on food security. It also acknowledges the challenges and “imperatives of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities”.²
- e. **Acknowledging and taking into account the special circumstances of least developed countries and small island states.**

3.2 Legally binding

The Paris Agreement indicates countries’ intent to be legally bound at the international level. The Agreement has binding and non-binding provisions, requiring global agreement on certain actions and solutions while clearly maintaining strong roots in national decision making. By doing so, the Paris Agreement provides a balance between a wholly nationally driven approach and multilaterally agreed rules and norms.

Furthermore, the Agreement has strong legally binding provisions on measurement, reporting and verification (MRV) of emissions reductions, adaptation efforts and commitments to support developing countries to fulfil their obligations.

The Agreement also ensures that countries shall periodically convene to take stock of the implementation of this Agreement and to assess the collective progress towards achieving the purpose of this Agreement and its long-term goals.

Framing the obligations in this way was necessary to secure broad participation and is expected to increase the likelihood of implementation, since the targets are nationally-determined and, for many countries, are already anchored in nationally binding laws and regulations. Each country will then need to follow its own domestic authorisation process based on its unique legal system.

Moreover, the Paris Agreement establishes a compliance mechanism applicable to all Parties in the form of an expert committee designed “to facilitate implementation of and promote compliance with the provisions of this Agreement”.³ Such a process underscores not only the seriousness with which all countries have entered into the Agreement but also the facilitative nature of the Paris Agreement.

3.3 Long-term signals

One way to provide balance between a wholly nationally driven approach and multilateral rules and norms is through the inclusion of specific long-term goals for global temperature, mitigation, adaptation and support. These goals are focused on motivating, and providing overarching guidance to the specific national actions that will be undertaken by Parties individually and collectively. They send a clear signal to policymakers, businesses, investors, and the public that the low-carbon, climate-resilient economy is inevitable.

1 The Paris Pledge for Action or L'Appel de Paris has already been signed by over 400 businesses, 120 investors, 150 cities and regions representing 150 million people and \$11 trillion. These pledges are available at; <http://www.parispledgeforaction.org/read/>

2 <http://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>

3 UNFCCC, 2015. Paris Agreement, FCCC/CP/2015/L.9, Decision -/CP.21, Article 15. Available <http://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>

The Agreement's long-term mitigation goal to be achieved in the second half of the century, a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gas emissions, is linked to the Agreement's objective of holding temperature change well below 2 °C and pursuing efforts to limit it to 1.5 °C. Countries are also invited to submit by 2020 long-term low emissions development strategies aimed at 2050.

The Agreement also elevates climate resilience as a central global objective and core element of the international climate regime. The Agreement's objectives include "increasing the ability to adapt to the adverse impacts of climate change". The Agreement also articulates a global goal on adaptation "of enhancing adaptive capacity, strengthening resilience, and reducing vulnerability to climate change " It explicitly places this goal in the context of the Agreement's temperature targets (namely 2 °C and 1.5 °C), suggesting that adaptation and resilience need to be undertaken based on the extent to which temperature change exceeds those objectives.

Finally, the Agreement establishes an objective for aligning finance and investments with climate objectives.⁴ This finance signal is essential to mobilise broader financial flows, shift trillions of dollars in global investment, and enable the world to achieve its long-term goals on both mitigation and adaptation. In addition, the Paris Agreement includes provisions to enhance support for action so that universal participation and the ambition of the Agreement can be fully realised.

Together, these goals send strong signals about the direction in which the global economy is headed and the transformational climate action required to get there.



4 UNFCCC, 2015. Decision -/CP21, Article 2, I (c), calling for "making finance flows consistent" with low-carbon and climate resilient development

3.4 Dynamism

To counterbalance the insufficient level of actions reflected in the bottom-up and nationally-driven approach of NDCs,⁵ The Paris Agreement includes provisions designed to close the emissions gap by:

- a. Establishing a “global stocktake” at five-year intervals to assess the impacts of climate change the world is facing and the level of action being taken – with a view to ramp-up action and rectify the temperature trajectory in order to put us on a pathway towards 1.5 °C or 2 °C. Inputs to this exercise will come from the Intergovernmental Panel on Climate Change (IPCC) along with other information, to ensure global action is responsive to the scientific, social, technological and political context.
- b. Requiring Parties to put forward strengthened NDCs at regular short-term (five-year) intervals and commit to not rolling back their previous commitments.

Cognisant that global emissions must peak as soon as possible and then decline even faster, Parties in Paris agreed that rather than wait for the first global stocktake, due in 2023, it would be better for them to reconvene in 2018 to “take stock of the collective efforts of Parties in relation to progress towards the long-term goal referred to in Article 4, paragraph 1” (referred to as a “facilitative dialogue”).⁶ This facilitative dialogue is expected to have a narrower scope than the future global stock-takes as it will be limited to reviewing collective progress made towards achieving the long-term goal of a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half

of this century – rather than evaluating implementation of the entire Agreement. The outcome of the facilitative dialogue will be used to inform Parties’ review of their current NDCs ahead of 2020 before they either submit new mitigation contributions (for example, those whose current contributions contain a time frame up to 2025) or update their existing contributions (for example, those whose current contributions contain a time frame up to 2030). When the first official global stocktake occurs in 2023, it will trigger another round of review for NDCs and a progression of ambition. This review and revision process will continue every five years (2023, 2028, and so on) as a mechanism for strengthening ambition.

⁵ Indeed, assessments suggested that the INDCs submitted by countries collectively put us on a path to keep average global temperature rise to 2.7–3.7°C. Although this is better than the catastrophic 4–6°C pathway we were on a few years ago, the INDCs only deliver about a third of the cuts we need to keep temperature rise below 2 °C, let alone 1.5 °C.

⁶ UNFCCC, 2015. Decision -/CP.21, para 20, p4.



4. TRANSPARENCY AND ACCOUNTABILITY

As in many multilateral agreements, an enhanced transparency framework for action and support serves as the backbone of the Paris Agreement and is vital for ensuring the credibility of the Agreement, building international trust and confidence that action is taking place and assessing ways to facilitate further action. Transparency also provides clarity on the direction countries are pursuing on mitigation, adaptation and support provided and received by Parties.

Under the Paris Agreement, all Parties committed to enhance their data over time and to report regularly on their greenhouse gas trends and on progress made toward achieving their NDCs. Parties also committed to have the information they provide subject to scrutiny through a technical expert review followed by a multilateral, facilitative process. Significantly, Parties agreed to develop and adopt common modalities procedures and guidelines for action and support (Art 13.13), accounting principles,⁷ guidelines for the preparation of reports, estimation of emission reductions, and verification of the information provided by all Parties. The universal nature of the provisions on transparency is a departure from the binary approach (Annex I vs non-Annex I) used in the Convention, the Kyoto Protocol and the guidelines adopted in Durban.⁸ Parties have agreed to be subject to a framework that is more robust than the existing regime, however as the Agreement acknowledges different stages of development and capabilities among countries, the transparency and accountability guidelines will need to ensure that there is initial flexibility for developing countries that are unable to meet the enhanced reporting requirements.

The Agreement sets a benchmark for enhanced transparency by requiring that the standards will not be any less rigorous than existing requirements and will build on lessons learned from applying the requirements under the Kyoto Protocol and the Convention. All Parties will submit reports at least every two years that showcase their progress made on emissions reductions, adaptation efforts and support provided or received. These reports will be reviewed biennially by technical experts. Parties also committed themselves to producing better data and to improving national reports over time. Finally, all countries agreed to be subject to a facilitative compliance system. Although no penalties or enforcement measures were agreed in Paris, all Parties will now be required to respond to the committee established under the agreement to address implementation questions and promote compliance.

The Paris Agreement also places particular emphasis on capacity building to ensure countries are able to firmly establish domestic transparency measures. This reflects increased acknowledgment that many developing countries, based on their national circumstances and stages of development, will require assistance to meet the new and enhanced transparency requirements. To help address the capacity gap between countries, the Paris Agreement established the Capacity Building Initiative for Transparency (CBIT), supported by the Global Environmental Facility (GEF), to strengthen the institutional and technical capacity of developing countries to meet the transparency requirements under the Agreement.⁹

7 UNFCCC, 2015. Decision -/CP.21, Article 13, 13

8 Decision 1/CP.17. Establishment of an Ad Hoc Working Group on the Durban Platform for Enhanced Action

9 Global Environmental Facility, 2016. Capacity Building Initiative for Transparency (CBIT). Available: <https://www.thegef.org/gef/CC/capacity-building-initiative-for-transparency>

5. ACTION AGENDA AND AMBITION PRE-2020

Parties agreed at COP17 in Durban to raise collective ambition before the Paris Agreement enters into force and launched a work plan to enhance mitigation action by identifying and exploring options for Parties to increase ambition and close the emissions gap. This programme was set up with a view to ensuring the highest possible mitigation efforts by all Parties with developed countries taking the lead and demonstrating early action.


At COP21, Parties agreed to intensify the Technical Examination Process (TEP) to assess actions with the highest potential, implementation of policies, technologies

and cooperation through Technical Expert Meetings (TEM). Parties also agreed to convene further high-level events at each COP through 2020 with a view to strengthening engagement, demonstrating progress and recognising implementation of successful policies, practices and actions.

The flagship activity on pre-2020 ambition that emerged from Paris was the decision to expand efforts to include adaptation and to provide a strengthened process for engaging with and building up global climate action by non-state and subnational stakeholders. The newly created



10 Africa Adaptation Initiative: AAI is a Committee of African Heads of State and Government on Climate Change (CAHOSCC)-led initiative mandated by African Heads of State at the AU summit in June 2015 (AU Summit “Decision on Africa’s Engagement in the Global Climate Negotiations” paragraph 12 (Doc. Assembly/AU/16(XXV)))



Technical Examination Process on Adaptation (TEP-A) aims at strengthening resilience, reducing vulnerabilities and increasing the understanding and implementation of adaptation actions. The details of TEP-A will be developed in close coordination with the Adaptation Committee, the Least Developed Expert Group and other existing efforts under the Nairobi Work Programme. The Agreement requests the Financial Mechanism, Technology Mechanism and Adaptation Committee to engage directly in the TEP-A. Lessons from this process will inform the treatment of adaptation under the global stocktake and help track progress against the long-term adaptation goal. The Africa Adaptation Initiative (AAI)¹⁰ could play a critical role in international collaboration on adaptation, and provide an excellent opportunity to learn and share experience through TEP-A.

In order to facilitate enhanced engagement and implementation, each COP Presidency will appoint a high-level climate champion for two years. These high-level champions, with support from the UNFCCC Secretariat, will play a role in organising the meetings on mitigation and adaptation held under the TEPs and prepare a summary document for policymakers highlighting scalable, replicable and ambitious policies and actions to support the advancement of implementation. These champions will have an opportunity to create synergies with the high-level events and make the TEPs facilitative and catalytic platforms for incubating ambitious actions.

Considered one of the key outcomes of COP 21, the Lima Paris Action Agenda (LPPA) featured over 70 cooperative initiatives involving almost 10 000 players from 180 countries.¹¹ This includes pledges that support landmark continental and regional initiatives such as the

one addressing the disappearing Lake Chad, the Great Green Wall Initiative to prevent further desertification in the Sahara and Sahel, the AAI, and the Africa Renewable Energy Initiative. Non-state actors have responded to l'Appel de Paris,¹² the Paris Pledge for Action, that brings together a multitude of voices in support of the Paris Agreement in a call for action with enormous support for the Paris Agreement. Nearly 11 000 commitments were accounted for by the Non-State Actor Zone for Climate Action (NAZCA) web platform, established to track such efforts.¹³ Cities, regions, businesses, investors and other non-Party stakeholders have embraced the Agreement and declared themselves ready and willing to stand alongside governments to implement the provisions of the Agreement and limit global temperature rise. However, determining how much of what comes from these initiatives is truly additional, and not merely green washing, is still to be established.

¹¹ COP21, 2016 Lima Paris Action Agenda is now online. <http://www.cop21.gouv.fr/en/lima-paris-action-agenda-is-now-on-line/>

¹² See website: L' Appel de Paris at <http://www.parispledgeforaction.org/read/>

¹³ NAZCA Accelerating Climate Action, 2016. Available: <http://climateaction.unfccc.int/>

6. THE MANY HILLS TO CLIMB

As Nelson Mandela said on his long walk to freedom: “I have discovered the secret that after climbing a great hill, one only finds that there are many more hills to climb. I have taken a moment here to rest, to steal a view of the glorious vista that surrounds me, to look back on the distance I have come. But I can only rest for a moment, for with freedom come responsibilities, and I dare not linger, for my long walk is not ended.”¹⁴

Similarly, the road to an effective outcome does not end in Paris. Instead, the Paris Agreement and the momentum generated at COP21 are pivotal points in progress towards transformational climate action. In the immediate aftermath of the Paris COP, it is crucial to recognise the achievement of the international process and to realise the ambition and long-term, transformational goals of the Agreement. Even when NDCs are faithfully implemented, global temperatures will continue to rise. Limiting temperature increase well below 2 °C and ideally 1.5 °C by 2050 will require comprehensive changes to economic activities, human behaviour and effective processes to trigger more ambitious collective and individual actions.

6.1 A workable architecture – getting the rules right.

It remains to be seen whether or not the Paris Agreement can close the gap between the path created by current NDCs that are projected to keep average temperature rise to 2.7–3.7 °C¹⁵ and the goal of holding the increase in the global temperature to well below 2 °C and ideally 1.5 °C. Similarly, questions remain on whether enough effort is being made to build a climate-resilient society and whether enough investment and support is being


mobilised and reaching developing countries. The answers to these questions will depend in large part on the robustness of the global stocktake and the effectiveness of the transparency framework.

There is much work to be done to nail down a robust international regime that drives action forward. The design of effective rules, guidelines, modalities, processes and institutions will be vital to:

- Ensure the credibility and environmental integrity of the Agreement and guarantee effective implementation, tracking, and reporting on countries’ commitments. Adequate support (finance, technology transfer and capacity building) to facilitate the implementation of these rules will also be critical to strengthen trust and enhance cooperation between countries on their journey to improve data quality and to establish a more effective evidence-based decision-making process.
- Establish a process to effectively catalyse increased ambition over time. The Paris Agreement created a process, and set out the broad parameters and timing of the facilitative dialogue and global stocktake, but did not determine the details of how they would function and, more importantly, how they would be used to increase climate action from all Parties every five years. How effective these moments will be in driving greater momentum, both within the UNFCCC and outside it, will be determined by the detailed rules and modalities to be developed by the Ad-hoc Working Group on Paris Agreement (APA) or through additional COP decisions in the coming years.

¹⁴ Nelson Mandela, *Long Walk to Freedom: the autobiography of Nelson Mandela*, Randburg, South Africa: MacDonald Purnell, 1994.

¹⁵ For a review of 12 of the leading assessments of the INDCs see: Kelly Levin and Taryn Fransen, November 09, 2015. “INSIDER: Why Are INDC Studies Reaching Different Temperature Estimates?” World Resources Institute (WRI). Available: <http://www.wri.org/blog/2015/11/insider-why-are-indc-studies-reaching-different-temperature-estimates>



The Paris Agreement does not explicitly mention market-based approaches. However, the agreement recognises that countries may use “internationally transferred mitigation outcomes” to implement their INDCs. The Agreement states that countries engaging in such transfers shall ensure the “avoidance of double counting,” consistent with accounting guidelines for NDCs to be developed. The agreement also establishes a new mechanism to succeed the Kyoto Protocol’s Clean Development Mechanism, which generates tradable emission offsets. Rules for the new mechanism are to be adopted at the first meeting of Parties after the agreement takes force.

On transparency, the main challenge for the upcoming negotiations will be to improve the system’s overall robustness and effectiveness, while reflecting the principles of the Convention. Parties will have to strike the right balance between:

- preserving environmental integrity and preventing double counting
- avoiding placing undue burden on countries with fewer capabilities
- allowing for a learning and sharing experience
- promoting progress from different standards of data collection, monitoring, reporting and implementation

Defining what is meant by “built-in flexibility” is likely to drive the debate and design of the common guidelines. In addition, ensuring parallel and comparable progress on MRV of support and adaptation, which prior to Paris had been left behind, will be important to consolidate trust among countries. Ensuring that the new finance

and adaptation reporting regime is sufficiently detailed and workable is key to enhancing predictability and effectiveness of financial flows and providing adequate support for adaptation efforts. Guidance will be required from finance and adaptation experts, as well as the Standing Committee on Finance and the Adaptation Committee on how accounting, tracking and evaluation can be further advanced and how more robust guidelines can be reflected in the reporting requirements.

On the ambition mechanism, Parties may need to make additional decisions at COP22 in Marrakesh, Morocco in 2016 to determine the inputs, and clarify the scope and outcome of what should set a precedent for a future global stocktake. The fact that the scope of the facilitative dialogue in 2018 is, according to the Agreement, limited to mitigation is highly likely to make the negotiating process more challenging. How meaningful can it be if it discards adaptation and the means of implementation? What lessons can be taken from the Technical Expert Meetings and Technical Examination Processes set up to accelerate ambition pre-2020? These are questions that will need to be answered. Furthermore, it is very important that the IPCC accept the invitation of the Parties to provide a special report in 2018 on the impacts of global warming of 1.5 °C above pre-industrial levels and on related global greenhouse gas emission pathways to inform Parties reviews of their NDCs ahead of 2020.¹⁶ There was limited data available for AR5 for the IPCC to examine 1.5 °C scenarios, and it is not clear whether more research has been published that looks at the implications for developing countries. Finally, in developing the modalities for the global stocktake, Parties will need to consider how to incorporate both science and equity, based on inputs

¹⁶ UNFCCC, 2015. Decision -/CP.21, para 21.

from the IPCC and on key criteria and metrics relevant to considerations of fair and equitable climate contributions building on those already voluntarily communicated by Parties in their INDCs.

6.2 Adequacy, shifting and mobilisation of support

With more than 75% of the INDCs submitted being conditional on additional international support,¹⁷ tangible progress on finance, technology transfer and capacity building is essential.

Over the coming months, the international community should aim to achieve greater clarity on key remaining finance issues, including the path to \$100 billion in climate finance for developing countries by 2020 and the implications for adaptation finance. This is imperative


to build trust among countries. Given the increasingly frequent and devastating impacts of climate change, efforts and support for building resilience and tackling loss and damage must be consolidated. Adopting a quantitative target for adaptation finance would be challenging but would be a concrete step towards reaching equilibrium between adaptation and mitigation support.

There is also a critical opportunity to acknowledge capacity building and education as a prerequisite for all countries to be able to take action and to put in place the enabling domestic conditions to spur effective implementation of INDCs. The Paris Agreement has elevated this issue, but it needs to be supported by concrete commitments to increase support for capacity building in developing countries and help them to build domestic conditions for action.



Wind power plant

¹⁷ <http://cait.wri.org/INDC/>.



In Paris, Parties committed to maintain the levels of mobilisation for adaptation and mitigation in developing countries to \$100 billion a year until 2025. Yet the Global Commission on the Economy and Climate¹⁸ estimates that the funding required to facilitate developing countries' transition to low-carbon and climate-resilient economies is in the order of trillions, not billions of dollars. Hence smarter, innovative and more ambitious policies and financing tools must be developed to improve efficiency, encourage new technology and provide predictability to investors.

6.3 Keeping momentum

Mainstreaming the unprecedented momentum from Paris will require sustained political and diplomatic mobilisation. Both before and during COP21, the French Presidency, the United Nations Secretary General, the UNFCCC Secretariat, together with all Parties, managed to establish global climate policy as a strategic issue in international politics. As we enter an implementation phase, efforts should be pursued to draw attention to:

- success stories and links with economic and sustainable development to unlock higher levels of ambition by all nations
- the need to build capacity and raise investment
- the risks from resource scarcity, such as water shortages, food security, energy price spikes, economic and political destabilisation
- social science research to demonstrate climate action is achievable

6.3.1 The road to the next COP, in Africa

In the months leading up to COP 22 in Marrakesh, and at the negotiations themselves, there is an opportunity for progress if the global community identifies clear options, a roadmap and a sequence for consolidating the rules-based regime. There is an expectation that the international community should make tangible progress in creating the right enabling environment, with concrete deliverables on finance and capacity building. Over the coming months, the international community should aim to achieve greater clarity on key remaining finance issues, including the pathway to mobilising \$100 billion annually and on adaptation finance. Given the increasingly frequent and devastating impacts of climate change, efforts and support for building resilience and tackling loss and damage must be enhanced. There is also a critical opportunity to acknowledge and increase support for capacity building and education as a prerequisite for all countries to be able to take action and to put in place the enabling domestic conditions to spur effective implementation of INDCs.

6.3.2 Bringing climate into other fora

Climate change should continue to be advocated as a strategic priority in all diplomatic dialogues and filter through external policy instruments, particularly in high-level bilateral or bi-regional dialogues, such as the G7, G20, at the UN (including the UN Security Council), the Clean Energy Ministerial, the World Humanitarian Summit, and in other international fora. Although the Paris Agreement remains silent on international transport and hydrofluorocarbons (HFCs), diplomatic outreach and broader advocacy efforts should focus on negotiations scheduled this year under the International Civil Aviation

¹⁸ Global Commission on the Economy and Climate, 2014. Better Growth, Better Climate: The New Climate Economy Report. https://www.unilever.com/Images/better-growth-better-climate-new-climate-economy-global-report-september-2014_tcm244-425167_en.pdf

Organization (ICAO), the International Maritime Organization (IMO), as well as the Montreal Protocol.

However, these fora are not always inclusive and the interests of Africa are not systematically represented. Africa can instead leverage coalitions, which have played a critical role in the international climate process, to secure breakthrough outcomes at many COPs (including in Durban in 2011). UNFCCC coalitions are particularly important for smaller and vulnerable countries in the international regime to counterweigh the positions of influencing countries and give greater voice to their concerns and interests.

6.4 Ratification Process

According to Article 21 of the Paris Agreement, the Agreement enters into force “on the thirtieth day after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55 per cent of the total global greenhouse gas emissions have deposited their instruments of ratification, acceptance, approval, or accession.”¹⁹ This means that technically speaking, the entry into force could happen before 2020 (earlier than what was originally envisioned back in Durban). It is therefore impossible to accurately predict when the Agreement will enter into force, as it depends both on how quickly countries are able to complete their domestic approval processes as well as their political will to do so.

In Paris, at the conclusion of COP 21, 196 Parties to the UNFCCC “adopted” the text of the Paris Agreement.

However, this adoption does not mean that countries are bound to it. Parties must now formally join the Paris Agreement and become a Party to it by:

- First, signing the Paris Agreement, either on the 22 April 2016 when it is first open for signature, or at any time in the following year until it closes for signature on the 21 April 2017 at the UN headquarters in New York.²⁰
- Second, depositing an instrument of ratification, acceptance, approval or accession. In accordance with standard UN practice, most countries will make their signature to the Paris Agreement conditional on domestic “ratification, acceptance and approval”, and also potentially the enactment of necessary legislation to implement the Agreement.²¹ The domestic approval process depends on each country’s unique domestic legal system, national law or constitution which determines whether a given international agreement can be ratified by the executive or by parliament and which procedure must be followed. However, it is important to note that some countries, such as Fiji, received the necessary domestic approval prior to signing and will likely ratify upon signature of the Agreement.²²

19 UNFCCC, 2015. Decision -/CP.21 Art 21.

20 UNFCCC, 2015. Decision -/CP.21, paras 2 and 3.

21 United Nations glossary of terms relating to Treaty actions, accessible at https://treaties.un.org/Pages/Overview.aspx?path=overview/glossary/page1_en.xml

22 The Guardian, 15 February 2016. Fiji becomes first country in the world to ratify Paris agreement. Online at <http://www.theguardian.com/environment/2016/feb/15/fiji-becomes-first-country-in-the-world-to-ratify-paris-agreement>



7. CONCLUSION

The Paris Agreement is not expected to solve the climate change crisis per se, yet while it is fragile and despite its shortcomings, it does serve as an important milestone in the long journey towards a more just, resilient and low-carbon future. The African heads of states, ministers, negotiators, and civil society enabled the realisation of some of their key demands in the Paris Agreement, including the global goal on adaptation, a standalone goal on loss and damage, and the ambition of keeping temperature rise below 1.5 °C. Smaller victories were achieved with regard to finance, with a commitment to provide developing countries with \$100 billion a year through 2025 to address climate change and its impacts; although the Agreement is elusive as to who will provide such support. Another pressing subset of climate challenges for Africa is related to gender. The Paris agreement recognises that women are disproportionately vulnerable to the effects of climate change, and must be empowered to protect their livelihoods and communities, particularly in Africa, where they play an essential role in caring for the environment.

The Paris Agreement and the momentum of non-state actors have changed the landscape of climate action and given us some of the tools for the great transition that is underway, which could happen faster and more fairly as a result. For this to happen, governments, the private sector, civil society and citizens must act with urgency and intention. As countries enter into a new type of international cooperation and recognise the tremendous opportunities and benefits of climate action, efforts will need to shift towards getting all

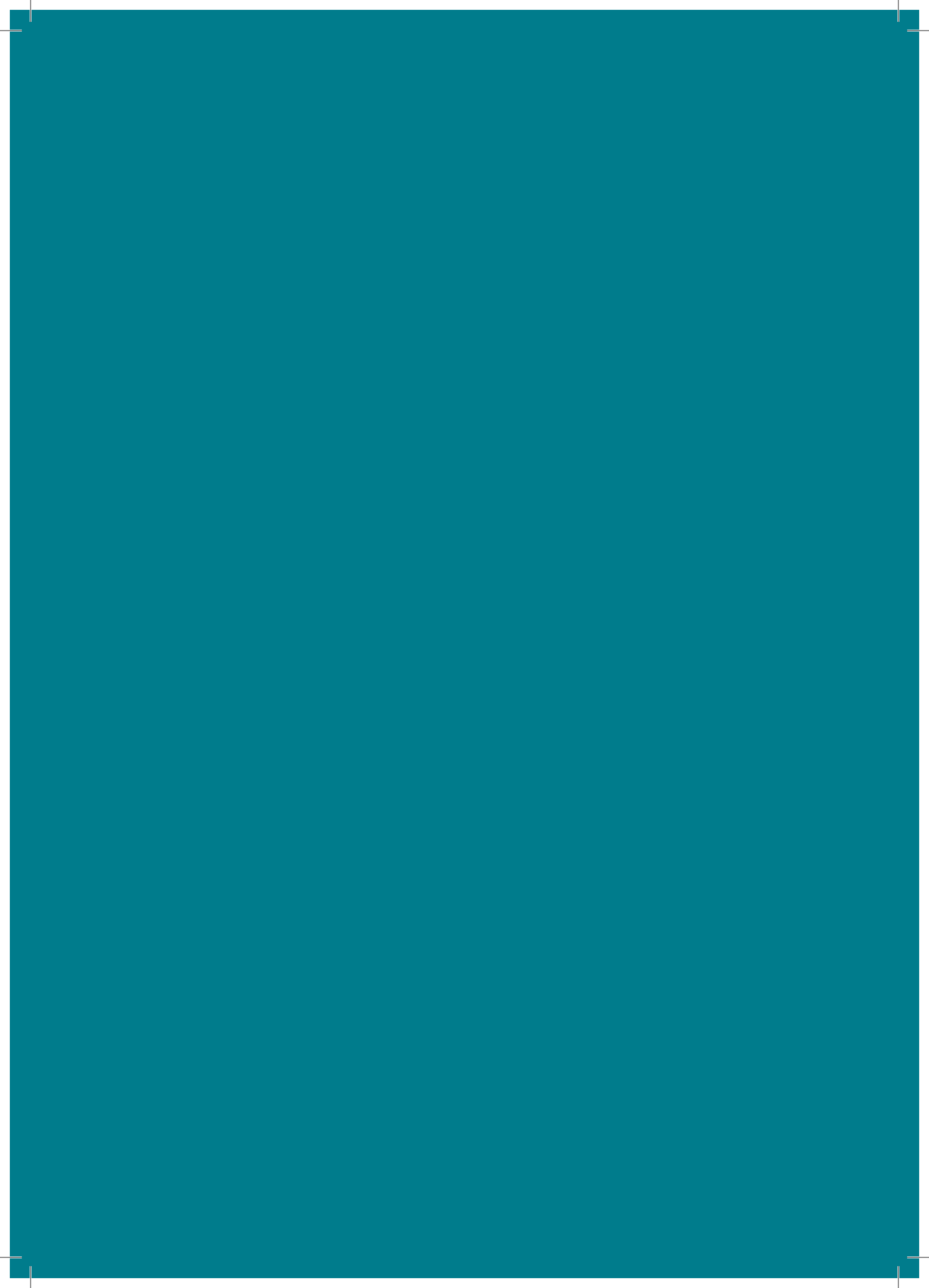
countries to translate the Paris Agreement into the “real economy” and connecting it to “real people”.

Many steps will need to be taken in the UNFCCC to implement and realise the ambition of the provisions in the Agreement. The detailed rules and processes of the Paris Agreement are not yet finalised and will be negotiated and developed over the coming several years. A clearer roadmap of adaptation financing, together with a strong transparency and review mechanism to increase the amount of support and enhance climate actions over time, will be vital top-down foundations of the Paris Agreement’s architecture. These signals from above will be essential to foster bolder actions from the more cautious, conservative and nationally driven bottom-up approach.

The road from Paris will raise many important questions as the global climate community figures out how to transition to a zero-carbon and climate-resilient economy in a sustainable and equitable way. Through mitigation and adaptation commitments outlined in more than 47 INDCs, Africa has shown its political willingness to be a solutions provider, and not just a victim in need of salvation from climate change. Since the region is not yet locked in ‘carbon intensive growth models’, the Paris Agreement could be a win-win, providing an opportunity for sustainable industrial and social development with minimal or zero transition costs. But for this to happen, the onus is on governments, the private sector, development partners, academia, and all of good will to actualise this win-win by prioritising investments that leverage the Paris Agreement Framework. The dynamic

7. Conclusion

nature of the Paris agreement allows for a review of the effectiveness of the regime and the fairness of the outcome on a regular basis. These high stakes offer a unique opportunity to demonstrate what the global community can achieve, when working together, to protect our planet.





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