

LINKING NON-STATE ACTION WITH THE U.N. FRAMEWORK CONVENTION ON CLIMATE CHANGE



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The 2015 Paris Climate Conference (COP 21) catalyzed an unprecedented showing of climate action and commitment by a wide range of non-state actors, including businesses and investors, subnational governments, and civil society organizations. Governments took a number of steps in Paris to engage non-state actors more directly through the U.N. Framework Convention on Climate Change (UNFCCC). Many stakeholder groups are working to further strengthen the contributions of non-state actors to the global climate effort, and at COP 22 in Marrakech, Morocco, two high-level “champions” will report on implementation of a new Action Agenda. This brief outlines recent steps to strengthen the visibility of non-state action in the UNFCCC and options for more closely linking the two.

INTRODUCTION

Meeting the challenge of global climate change requires action at all levels of society, from the local to the global, in the public, private, and non-profit sectors. Historically, the U.N. Framework Convention on Climate Change (UNFCCC) has served almost exclusively as a forum for negotiation among national governments. The Paris Climate Conference (COP 21) marked a turn in the evolution of the UNFCCC, one that opens new opportunities for engagement by other actors whose action will be critical to delivering on the goals set in the Paris Agreement.

The Paris Agreement introduces a more bottom-up approach to multilateral climate governance. Parties commit to undertake and periodically update “nationally determined contributions” (NDCs) of their own design. As this new framework is put into place and the technical rules for the Paris Agreement are completed, the focus within the UNFCCC is shifting from negotiation toward implementation. In this context, non-state actors play an increasingly important role in shaping and implementing parties’ NDCs, and in building collective understanding of ways to strengthen ambition. Over time, the UNFCCC COP may increasingly evolve from a place where parties negotiate multilateral climate rules to a place where

parties and non-state actors collaborate to reduce emissions and build climate resilience.

This brief examines:

- The current status of UNFCCC engagement with non-state climate action, including the Action Agenda, NAZCA portal, technical examination processes, high-level champions and annual high-level event;
- The potential benefits of closer linkage between non-state actions and the UNFCCC; and
- Options for strengthening those links to catalyze further non-state action, better track these actions, inform UNFCCC processes, and build political momentum to strengthen ambition.

STATUS OF UNFCCC ENGAGEMENT WITH NON-STATE CLIMATE ACTION

Over the last few years, UNFCCC engagement with non-state climate actions has evolved into a constellation of moving parts. Some of these elements have been formally mandated by the Conference of the Parties (COP). Others were launched outside of the formal UNFCCC process, and were later acknowledged by the COP. Some

of these venues also involve collaborative initiatives involving both parties and non-party stakeholders; the primary focus here is the interaction between non-state actors and the UNFCCC.

Here are the major elements of non-state engagement with the UNFCCC:

LIMA-PARIS ACTION AGENDA

The Lima-Paris Action Agenda (LPAA) was launched at COP 20 in 2014 as a joint undertaking of the Peruvian and French COP Presidencies, the U.N. Secretary-General's Executive Office, and the UNFCCC Secretariat.¹ It aimed to catalyze climate action, contribute to the UNFCCC objective, increase pre-2020 ambition, and build support for the Paris Agreement. This included showcasing initiatives, communicating their benefits, encouraging stronger ambition, and encouraging measurement and reporting arrangements.

To be showcased within the LPAA, initiatives were required to demonstrate operational short-term goals as well as credible, long-term commitments; the relevance and credibility of the initiative; and the capacity of those advancing it to implement their commitments. Initiatives which built capacity in developing countries were given special attention.² At COP 21, 75 initiatives were highlighted in the LPAA through a series of high-level events.³ The COP formally acknowledged the results of the LPAA.⁴

Since Paris, existing initiatives have continued to scale up and new ones have been launched to fill gaps. For example:

- The Global Covenant of Mayors for Climate & Energy was launched on June 22. Merging the EU Covenant of Mayors and the Compact of Mayors (with together over 7,100 cities from 119 countries), it becomes the world's largest coalition of mayors supporting voluntary climate action.⁵
- On April 21, The Climate Group launched EP100, a group of companies committing to double their energy productivity within 25 years.⁶ EP100 joins RE100, a group of companies committing to procure 100 percent renewable energy by a specified date.
- 186 companies have now joined the Science-Based Targets initiative, agreeing to formulate emissions reduction targets in line with holding warming below 2 degrees Celsius.

NAZCA PLATFORM

Also at COP 20 in Lima, the Peruvian Presidency unilaterally launched the NAZCA platform alongside the LPAA. (NAZCA stands for Non-State Actor Zone for Climate Action and is a reference to the Nazca Lines, ancient geoglyphs in southern Peru.) Currently housed on the UNFCCC website, NAZCA is the broadest international compilation of non-state commitments to climate action. By COP 21, it included more than 10,000 individual commitments and collaborative initiatives from cities, regions, companies, investors and civil society organizations. COP 21 encouraged the continued registration of non-state actions in the NAZCA platform.⁷

NAZCA is a bottom-up platform which lists commitments channeled through a set of data providers selected for their "track record of data management and assessment, and the ability to track commitments over time to ensure progress."⁸ The seven current data partners are CDP, Carbons, The Climate Group, Investors on Climate Change, the UN Global Compact, Covenant of Mayors, and Climate Bonds Initiative. These data providers have been asked to help bring forward commitments which are forward-looking, quantifiable, and trackable.

ANNUAL HIGH-LEVEL EVENT

Building on the LPAA, the COP decided in Paris to convene an annual high-level event at each COP from 2016 through 2020.⁹ Its aims are to strengthen implementation of policy options and actions arising from the technical examination processes; showcase new or strengthened voluntary climate initiatives; take stock of related progress; and provide "meaningful and regular opportunities" for high-level engagement between parties, international organizations, and non-state actors.

HIGH-LEVEL CHAMPIONS

COP 21 also appointed two high-level champions—French Ambassador for Climate Change Negotiations Laurence Tubiana and Moroccan Delegate Minister for Environment Hakima El Haite—who represent the incoming and outgoing COP Presidencies. Their mandate includes coordinating the annual high-level event, engaging with interested parties and non-state actors, and guiding the organization of the UNFCCC technical expert meetings.¹⁰ The champions also will guide the secretariat's preparation of an annual summary for

policymakers of an updated technical paper on enhancing pre-2020 mitigation ambition.¹¹ Each champion will serve a two-year term, with their terms overlapping a full year to ensure continuity of their activities.¹²

The first two champions have published a roadmap for the fulfillment of this mandate and the continuation of the Global Climate Action Agenda (GCAA), the successor to the LPAA.¹³ The champions have called for submissions on the roadmap and will present a joint report on its implementation to COP 22. The roadmap includes connecting initiatives with nationally determined contributions, consolidating tracking of voluntary initiatives, building an integrated UNFCCC process for engaging with these initiatives, and improving the technical examination meetings. Some parties,¹⁴ and many non-state actors,¹⁵ have made submissions on the Global Climate Action Agenda.

TECHNICAL EXAMINATION PROCESS

In parallel with the negotiations leading to the Paris Agreement, which is to be implemented from 2020, parties undertook a technical examination process (TEP) focused on raising pre-2020 mitigation ambition.¹⁶ This process included dialogues among parties, international organizations, and partnerships exploring best policy practice, and produced an annually-updated technical paper presenting this best practice to policymakers. In Paris, the COP resolved to strengthen the mitigation TEP for the period through 2020, including by improving participation by developing countries and non-state experts.¹⁷ The mitigation TEP will be assessed in 2017 “so as to improve its effectiveness.”¹⁸

COP 21 also launched a parallel TEP on adaptation to “identify concrete opportunities for strengthening resilience, reducing vulnerabilities and increasing...adaptation actions,” which will similarly run for the period through 2020.¹⁹ The COP encouraged non-party stakeholders to increase their engagement in both the mitigation and adaptation TEPs.²⁰

BENEFITS OF CLOSER LINKAGE BETWEEN NON-STATE ACTION AND THE UNFCCC

Although only national governments are parties to the Paris Agreement, the signals from Paris are resonating strongly with many real-world decision makers whose

actions will be critical to achieving its goals. As the agreement spurs stronger efforts at all levels of society, many organizations are working to improve the rigor and credibility of non-state contributions, for example through improved tracking of progress and aggregation of impacts. Non-state actors are also exploring how they can best help to strengthen political momentum at the UNFCCC. Many, for example, are planning a Climate Action Summit showcasing non-state actor initiatives ahead of the “facilitative dialogue” parties will hold at COP24 to take stock of global progress and set the stage for a new round of NDCs.

Regardless of any formal links to the UNFCCC, continued efforts by non-state actors to strengthen, showcase and better track or coordinate their actions will contribute to the overall global effort in many ways. They will contribute directly to the implementation of parties’ NDCs and deliver additional emission reductions in sectors or gases not covered by NDCs. They will spread best practices and improve reporting and verification of non-state action. And they will build an evidence base which demonstrates the potential for increased ambition in the next round of NDCs.

Closer links between these efforts and the UNFCCC could produce benefits for both. Closer linkage could, for example, incentivize additional non-state action by lending greater legitimacy and recognition; ensure the continuity and the value of the Action Agenda and the NAZCA portal; and provide an international platform for coordination and tracking of non-state actions. At the same time, closer linkage could help build political momentum at the UNFCCC, highlight effective mitigation and adaptation policies and practices, and provide direct input to UNFCCC processes including the TEPs and global stocktake.

OPTIONS FOR CLOSER LINKAGE

As parties gain greater experience reflecting and incorporating non-state action in the UNFCCC, they can consider other ways to strengthen synergies between the two. One overarching issue is whether certain functions are most productively situated within or outside of the UNFCCC. For instance, should the ongoing compilation and reporting/verification of actions take place outside the UNFCCC, with the UNFCCC serving primarily as a platform to showcase and take stock? A closer

examination of specific functions and design options can inform parties' consideration of the best ways to strengthen ties between non-state action and the UNFCCC.

CATALYZING NON-STATE ACTION

The annual high-level event to take place at each COP through 2020 is an opportunity to catalyze additional climate action by recognizing new initiatives that fill gaps, and by taking stock of progress made by existing initiatives. Parties can shape the high-level event in a way that provides both for continuity and for the flexibility each COP Presidency needs to maximize impact.

Should the high-level events draw from a constant set of **themes** to encourage continuity? If so, how should these be structured? Options include:

- Economic sectors;
- Actors (e.g. businesses, investors, subnational governments, civil society, collaborations with parties);
- Themes from the Lima-Paris Action Agenda (8 sectoral themes and 4 transversal cross-cutting themes);
- Themes from the technical examination processes (for mitigation, these are renewable energy, energy efficiency, CCS, land, cities, and short-lived climate pollutants); and
- Themes from the landscape of non-state actor initiatives.

Should **criteria** be established for a collaborative initiative to be featured or launched at the high-level events? Options include:

- No set criteria;
- Criteria carried over from the Lima-Paris Action Agenda (short-term goals as well as long-term commitments; implementation capacity of stakeholders; relevance and credibility); and
- Additional criteria (e.g. initiative provides for regular reporting on progress or third-party verification).

Should the high-level events **highlight** certain types of initiatives? Options include:

- Existing initiatives which have made progress on implementation, including new initiatives only where they fill a clear gap;

- Initiatives on adaptation or climate resilience; and
- Initiatives which achieve impact or build capacity in developing countries.

How should the annual high-level event **take stock** of global climate action? Options include:

- Annual report from the champions to the COP
- Expanded recognition by COP decision of the results of the high-level event and of the NAZCA platform
- Annual press conference or other media engagement

COMPILING AND TRACKING NON-STATE ACTION

NAZCA is the largest international compilation of non-state climate action, and COP21 encouraged the continued registration of actions on the platform. A formalization of the NAZCA portal could provide a permanent platform for registering non-state actions and could facilitate more rigorous reporting/verification.

Should the NAZCA platform receive a formal **mandate** from the UNFCCC?

Who should **administer** the NAZCA platform? Options include:

- UNFCCC Secretariat
- Collective of data providers
- External organization

Should **criteria** be established for listing actions on the NAZCA platform? Options include:

- No criteria
- Minimal criteria (e.g. inclusiveness, relevance and credibility)
- NAZCA portal is organized in self-selected tiers requiring that listed actions include:
 - quantified goal
 - quantified goal + commitment to report on progress
 - quantified goal + commitment to report on progress + commitment to obtain third-party verification

Should the NAZCA platform provide for periodic **reporting**? Options include:

- Require qualitative or quantitative progress updates.
- Require annual reporting against quantified goals.

- Require information enabling third-party verification of goals.
- Provide a platform for sharing third-party verification.

SHARING BEST POLICIES AND PRACTICES

The technical examination processes on mitigation and adaptation are mandated to continue through 2020. Both are slated to be assessed in 2017 in order to improve their effectiveness.²¹ Non-state actors could play a key role in the TEPs by articulating the enabling policies they need for stronger action, and by sharing best policies and practices with parties and stakeholders.

What should be the **role of non-state actors** in the technical examination processes?

- Make submissions about initiatives.
- Individual experts participate in technical expert meetings.
- Co-convene technical expert meetings with parties.
- Independently convene technical expert meetings (TEMs).

How should the **topic** for each TEM be chosen?

- Rotation through currently established TEM topics
- Each TEM to focus on a set number of Action Agenda initiatives
- Each TEM to focus on policies found across NDCs

What **format** for the technical expert meetings would best facilitate productive engagement with non-state actors?

- TEMs done in each U.N. region instead of in Bonn;
- Small roundtable format instead of panel format;
- Participation by technical experts from sectoral ministries (as opposed to foreign affairs or environment);
- Facilitation or administration by entity other than the UNFCCC Secretariat; or
- Online streaming and other web-based formats.

STRENGTHENING AMBITION

Non-state actor initiatives can help build an evidence base on what is technically and economically feasible, and political momentum for increased ambition in the next round of NDCs. An express link with the NDC cycle would help to accomplish this. For example, the UNFCCC outputs on non-state action, including the Summary for Policymakers on pre-2020 ambition, the champions' report to the COP on the Roadmap for Global Climate Action, and the stocktake from the annual high-level event could be inputs informing the next cycle of NDCs.

How could these outputs be **inputs** into the cycle of NDCs?

- Input to the 2018 facilitative dialogue on collective progress on Article 4.1 of the Paris Agreement
- Input to the global stocktake starting in 2023
- Input to inform the preparation of parties' successive NDCs

CONCLUSION

The significant growth of non-state climate action catalyzed by COP 21 supports the implementation and improvement of parties' NDCs. Strengthening links between the UNFCCC and non-state action can benefit both: Parties can reap faster implementation of their NDCs and increased political momentum, and non-state actors can win increased recognition and a platform to track their progress. In past years, the COP has focused primarily on the multilateral negotiation of a global climate framework. With the completion of the technical rules of the Paris Agreement on the horizon, the time is ripe to consider how the UNFCCC can strengthen its engagement with non-state actors to support implementation and to facilitate rising climate ambition.

ENDNOTES

- 1 Lima-Paris Action Agenda Declaration (December 13, 2014). <http://www.cop20.pe/en/18732/comunicado-sobre-la-agenda-de-accion-lima-paris/>.
- 2 Submission of the LPAA French managing team on the Road Map for Global Climate Action (July 27, 2016). http://unfccc.int/files/parties_observers/submissions_from_observers/application/pdf/619.pdf.
- 3 Lima-Paris Action Agenda Briefing Paper, <http://newsroom.unfccc.int/lpaa/about/>.
- 4 Decision 1/CP.21, para. 116.
- 5 Global Covenant of Mayors for Climate & Energy. <https://www.compactofmayors.org/globalcovenantofmayors/>.
- 6 The Climate Group: EP100. <https://www.theclimategroup.org/project/ep100>.
- 7 Decision 1/CP.21, para. 117.
- 8 See <http://climateaction.unfccc.int/about>.
- 9 Decision 1/CP.21, para. 120, pursuant to Decision 1/CP.20, para. 21.
- 10 Decision 1/CP.21, paras 121-122.
- 11 Decision 1/CP.21, para. 111(c).
- 12 Decision 1/CP.21, para. 122.
- 13 Global Climate Action Agenda: The Roadmap. <http://newsroom.unfccc.int/climate-action/global-climate-action-agenda/#Menu>.
- 14 Party submissions on the Global Climate Action Agenda are available at <http://www4.unfccc.int/submissions/SitePages/sessions.aspx?search=Roadmap&showRefinementPanel=0>.
- 15 Non-party submissions on the Global Climate Action Agenda are available at <http://unfccc.int/documentation/items/9636.php>.
- 16 See Decision 1/CP.18, para. 5; Decision 1/CP.19, para. 5.
- 17 Decision 1/CP.21, para. 109(b).
- 18 Decision 1/CP.21, para. 113.
- 19 Decision 1/CP.21, para. 124.
- 20 Decision 1/CP.21, para. 119.
- 21 Decision 1/CP.21, paras. 113 and 131.



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