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**ENVIRONMENT AND SUSTAINABLE DEVELOPMENT**

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# ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

## I. INTRODUCTION

### A. Background

1. The law relating to “Environment and Sustainable Development” constitutes an important item on the work programme of AALCO. The Organization has been following the developments on this topic for nearly four decades now. The present report is on the implementation of the international regime established by the three Rio Conventions namely, the United Nations Framework Convention on Climate Change, 1992 (UNFCCC); Convention on Biological Diversity, 1992 (CBD); and United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 1994 (UNCCD), which is supplemented by the Follow-Up on the progress in the Implementation of the outcome of World Summit on Sustainable Development, 2002 (WSSD).

2. The present Secretariat Report would provide an overview of the Nineteenth Session of the Conference of Parties to the UNFCCC (COP 19) and Ninth Meeting of Parties to the Kyoto Protocol, (CMP 9) held from 11 – 22 November 2013 at Warsaw, Poland; and briefly refers to the subsequent negotiations on climate change held in Bonn, Germany in March and June 2014. The International Regime on Combating Desertification shall have a brief report of the Eleventh Session of the Conference of Parties to the UN Convention to Combat Desertification (COP 11) held from 16 – 27 September 2013 at Windhoek, Namibia. The last section of the Report deals with the Final Session of UN Commission on Sustainable Development and Inaugural Session of High-Level Political Forum on Sustainable Development held on 20 September 2013 at UN Headquarters. Finally, this Secretariat report offers some comments and observations on the agenda item under consideration for the Fifty-Third Annual Session of the Organization.

### B. Deliberations at the Fifty-Second Annual Session of AALCO (9–12 September 2013, Headquarters, New Delhi)

3. **Dr. Yasukata Fukahori (DSG)** introduced the agenda item “Environment and Sustainable Development” as contained in AALCO/52/HEADQUARTERS (NEW DELHI)/2013/SD/ S 10. Signifying the relevance of this topic, which has been dealt by the Organization for the last 40 years, the DSG said that the contemporary focus was on three topics, namely Climate Change, Biological Diversity and Sustainable Development.

4. The year 2012 was very significant for the negotiations on climate change since many rounds of negotiations were held. The Eighteenth Session of the Conference of Parties to the UNFCCC (COP18) and the Eighth Meeting of Parties to the Kyoto Protocol (CMP 8), were held at Doha, Qatar. The international community also met at Bangkok in August 2012 and at Bonn in April and June 2013 for further negotiations.

5. The DSG stated that COP 18 took place at the background of several reports from international expert bodies highlighting the growth in emissions and the catastrophic

consequences it could bring forth. The Conference intended to turn its attention to ensure transparency in measurement of emissions, reporting by countries and mitigating actions. Negotiation of a work plan to meet the 2015 deadline set by the Durban platform and the adoption of a second commitment period under the Kyoto Protocol were the other important matters on the agenda. It could be said that considerable progress was achieved at Doha by agreeing to the Doha Climate Gateway which amends the Kyoto Protocol and established a second 8-year commitment period, starting from January 2013 along with implications on non compliance. At the *Ad Hoc* working group on the Durban Platform for enhanced Action, held at Bonn between April and May, efforts were directed at achieving a draft negotiating text by 2015 at COP 20.

6. On the topic Protection of Biological Diversity, the Eleventh Meeting of the Conference of Parties to the Convention on Biological Diversity (CBD), which was held at Hyderabad, India, achieved certain goals. The developed countries have agreed to double the funding to support the conservation efforts in the developing countries along with several measures for conservation. The DSG noted that more efforts were required to streamline and implement the initiatives in order to document the wealth of traditional knowledge among the indigenous and local communities. It was also essential to take a precautionary approach while adopting biotechnological innovations.

7. Pursuing “Sustainable Development” without focusing on legal dimension was no longer a viable option for the international community. At the recent sessions of the UNEP Governing Council/Global Ministerial Environmental Forum, held at Nairobi, Kenya, the international community expressed its concerns and exchanged views. The need to articulate an environmental agenda that addressed issues such as energy, employment and poverty were deliberated. Upon a recap of the RIO+20, the DSG stated that ministers recognized the need to advance towards a participatory and effective UNEP which focused on implementation. Green Economy which involved the governmental agencies, capacity building, addressing technological and financial barriers and reforming perverse subsidies that distort price signals and efficient resource allocation were all pointed out as barriers to be crossed to achieve a transformation.

8. **The Delegate of Nepal** recalled the meeting of Heads of State and Government and high-level representatives at Rio de Janeiro, Brazil, in June 2012, with the full participation of civil society, wherein Nepal renewed their commitment to sustainable development and ensured the promotion of an economically, socially and environmentally sustainable future for the planet, for present and future generations. They recognized that poverty eradication was the greatest global challenge facing the world today and an indispensable requirement for sustainable development.

9. The delegate also reaffirmed the need to achieve sustainable development by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion, and promoting the integrated and sustainable management of natural resources and ecosystems. Such measures should be able to support economic, social and human development while facilitating ecosystem conservation, regeneration and restoration and resilience in the event of new and emerging challenges. The delegate emphasized on green economy for sustainable development and poverty eradication.

10. The delegate also reaffirmed their commitment to the full implementation of the Programme of Action for the Least Developed Countries for the Decade 2011–2020 (Istanbul Programme of Action), the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries, Advancing integration, implementation and coherence: assessing the progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development and addressing new and emerging challenges.

11. Climate change being a sustainable development issue, the development of climate resilient infrastructure could provide an opportunity for mitigating the impacts of climate change, and also for promoting environmentally sound and sustainable development through the use of clean technologies. The Delegate said that Nepal has been taking various measures to meet these challenges at national level and their efforts were driven towards poverty reduction in line with Millennium Development Goals (MDGs).

12. **The Delegate of India** mentioned that one of the great achievements of Durban Conference was that the industrialized countries agreed to second “commitment period” of the Kyoto Protocol, which required them to reduce the emissions in a legally binding manner, potentially up to 2020. India was committed to pursue its social and economic development objectives in a manner that does not exceed the average per capita GHG emissions of the developed countries. It would effectively put a cap on India’s emissions, which would be lower if developed country partners chose to be more ambitious in reducing their own emissions. On the role of India at the UN Climate Change talks in Doha, the delegate reiterated its the active role in urging developed countries to commit to ambitious Carbon dioxide emission cuts and pledge money to combat the global challenge. India called on developed countries to raise their low level of ambitions under the second commitment period to a level required by science. The delegate mentioned that India shared the view of other developing countries that the Climate Change negotiations must be based on the principles of “equity” and “common but differentiated responsibility” enshrined in the UNFCCC. In terms of financing, referring to the Green Climate Fund set up after 2010 talks in Cancun, the delegate said that it was an empty shell and had no real meaningful capitalisation for fulfilling its functions of financing the needs of developing countries in order to reduce their Carbon emissions. Further, India shared the common responsibility of doing things in a fair and equitable manner but the massive inequitable consumption of resources by some has created a deficit when there was hardly enough for those whose needs were yet to be met. Imperative for equity has to be respected.

13. On the role of UNEP Governing Council, the delegate referred to the active participation of UN Members in order to ensure investment in environment and a green economy as a sound insurance policy for the future. India’s country position was to form a dialogue and discussion to concrete and tangible actions to accelerate the transition to more sustainable, inclusive and enduring economies.

14. Among main priorities of developing countries, poverty eradication was the most prominent, which stressed on the inability of those living at the subsistence level to bear the costs of adjustment and their livelihood consideration was important in determining the scarcity of

natural resources such as land, water and forest. The severe deterioration of land and water resources had already started affecting the well-being of people living on the edges of subsistence and hence, India would not take emission reduction targets because poverty eradication and social and economic development were the first and over-riding priorities.

15. **The Delegate of State of Qatar** thanked the Almighty God for having gifted continents of Asia and Africa with outstanding and huge environmental resources and components, which comprised of world's large portion of resources. The delegate stressed that State of Qatar believed that ensuring sustainable economic and social growth would not be possible in the absence of a comprehensive environmental vision which puts preservation of the environment for future generations at the topmost priorities. The delegate mentioned about the Qatar National Vision 2030 that aimed to guide Qatar towards striking a balance between development needs and the protection of natural resources. The Qatar National Vision focused on forming legal framework and effective environmental institutions to safeguard the environmental heritage of Qatar, as well as it stressed the importance of educating citizens of their role in protecting the environment of the country, in the interest of the health and safety of their children and for the future generations of Qatar. Those aspirations relating to the economy of Qatar and its society, people and environment were dealt within the Qatar National Vision 2030.

16. **The Delegate of Kenya** stated that they continued to engage in international dialogue which aimed at addressing environmental sustainability issues through participating in meetings of the Conference of Parties for the conventions to which they were a party. These conventions included the Convention on Biodiversity (CBD), UN Convention to Combat Desertification (UNCCD) and the UN Framework Convention on Climate Change (UNFCCC). The delegate mentioned that they were pleased to host the 27<sup>th</sup> session of the Governing Council /Global Ministerial Environment Forum held at UNEP Headquarters in Nairobi in February 2013.

17. The delegate mentioned about active participation of the Kenyan delegation at the Rio+20 Summit Conference on sustainable development which was held in 2012, wherein key decisions were adopted on environment and sustainable development. It was said that Kenya was in the process of implementation of Rio+20 outcomes.

18. The delegate highlighted the activities undertaken by the Government of Kenya in the field of international environmental laws (MEAs), like first, finalizing the Multilateral Environmental Agreements (MEAs) strategy which would assist Kenya to implement MEAs in a coordinated manner and to maximize impacts. Second, initiative to update and review National Biodiversity Strategy Action Plan (NBSAP) for the period 2010-2020. Third, the process of finalizing the assessment and documentation of the Natural capital.

19. **The Delegate of the People's Republic of China** mentioned the close relationship between the interests of all countries and sustainable development and acknowledged the past conferences and summits' guidance. The delegate noted that climate change was one of the most prominent issues faced by the international community and that sustainable development was both the aim and the right path to an effective solution. The delegate stressed the importance of insisting the principles of equity and common but differentiated responsibilities, and also welcomed the outcomes of the Doha Conference, particularly those on the second commitment

period of the Kyoto Protocol. With regard to the negotiation for a 2015 agreement for the post-2020 arrangement, the delegate suggested that all parties work together while respecting core concerns and taking into account responsibilities of developed countries and needs of developing countries.

20. The Delegate also welcomed the outcomes of the UN Conference on Sustainable Development in 2012, which builds consensus to promote global sustainable development. The delegate also urged that the Rio spirit and principles be adhered to.

21. The Delegate of China touched on measures and policies taken by China to address the issues, such as the Twelfth Five-Year Plan which will establish the concept of green and low-carbon development and accelerate establishment of resource-saving and environment-friendly patterns on both production and consumption.

22. The **Delegate of Thailand** began by stating that for decades, His Majesty King Bhumibol Adulyadej's philosophy of "sufficiency economy" has been ingrained in Thailand's national development Agenda and that the country's vision has always included sustainability. The delegate mentioned that Thailand believed it essential to build on Rio+20's results. Thailand has submitted the outcome of the Summit to its Cabinet and as a result the Committee on Sustainable Development has been established; chaired by the Prime Minister of Thailand and comprised of agencies such as the Ministry of Finance, Foreign Affairs and so on. Thailand was also drafting a strategy on green growth for 2014-2015 which promotes inter alia green growth; the use of legal instruments in environmental management; readiness of sectors in adapting to climate change and natural disasters. The Royal Thai Government also co-hosted the Asia-Pacific Ministerial Dialogue: from Millennium development Goals to the UN Development Agenda beyond 2015, in Bangkok.

23. The delegate stated that as a disaster-prone country, Thailand was ready to work with the international community to protect development achievements and hoped to see developed countries raise their ambition level by the year 2014 with regards to the Kyoto Protocol. The delegate also addressed water security and water-related disasters and that Thailand and the Asia-Pacific Water Forum hosted the Second Asia-Pacific Water Summit which led to the Chiang Mai Declaration.

24. The delegate also stated that the Royal Thai Government plans to co-host the Sixth Asian Ministerial Conference on Disaster Risk Reduction in June 2014 with the UNISDR, and that this would address regional and global issues as well as sharing knowledge on how to use Science, Technology and Innovation (STI) to develop early warning systems. On biological diversity the delegate stated that Thailand was drafting a nine-year strategic plan to manage biological diversity in line with its international commitments.

25. The **Delegate of the Republic of Korea** asserted that climate change was the most serious threat to the survival of the eco-system and humanity. The delegate also asserted that the principle of common but differentiated responsibility on which the UNFCCC was framed asks for greater efforts from developing countries. The system that replaces it must be flexible for every country to participate.

26. The delegate thanked all the Member States for the support to Republic of Korea in hosting the Secretariat of the Green Climate Fund in 2012. The Fund's purpose was to support developing nations' adaptation and mitigation efforts and the delegate stated that all Member States would continue to support the Fund so it can be an effective system to tackle climate change.

27. The **Delegate of Japan** stated that all possible efforts must be expended in reaching agreement on the post-2020 framework and achieve the 2015 agreement. To that end, the upcoming COP 19 meeting in Warsaw, Poland would be crucial to determine the work schedule for the next 2 years and reaching a future agreement that reflected the world's real situation of greenhouse gas emissions.

28. With regard to biodiversity, the delegate stated what the COP 11 held in Hyderabad, India was successful and included agreement on the principle on the goal of Resource Mobilization of doubling international financial flows to developing countries. He also stated that mid-term review of Aichi Targets was to be conducted by 2015 and that international coordinated cooperation had to be strengthened.

29. The delegate also stated that the Rio+20 Conference highlighted the importance of green economy and integrating sustainable development goals into 2014 development goals. He also stressed the importance of developing countries transitioning to green economy and mentioned Japan's announcement of its Green Future Initiatives on the occasion of the Rio+20 Conference. Japan also wished to share its innovative concepts such as "Environmental Future City Vision" and its expertise in areas such as disaster-resilience.

30. The **Delegate of Malaysia** took note of the decision of COP 18 on the UN Convention on Climate change for the Ad Hoc Working Group on the Durban Platform (ADP) to streamline and complete negotiating text of a new legal instrument that would enter into force by May 2015. He underscored that the ADP was not a forum to renegotiate, rewrite or reinterpret the Convention and that the legal instrument should be entrenched in the principles of Article 3 and 4 of the Convention. He also reiterated the importance of the principles of common but differentiated responsibility and the 'four pillars' of sustainable development.

31. The delegate also said Malaysia welcomed the decision to establish a second commitment period of the Kyoto Protocol as it would give the opportunity to developed countries who have not adopted emissions reduction targets or ratified the Protocol to undertake to reduce emissions and not to shift the burden to developing countries. The delegate then proposed that AALCO streamline the Member States' views on the matter to bring it forth for future UNFCCC negotiations.

32. On access and benefit sharing, the Delegate of Malaysia acknowledged the need for an effective implementation of the Nagoya Protocol and Malaysia's enacting of national legislation to facilitate the ratification of the Protocol.

33. The delegate also mentioned the UNGA document entitled ‘The future we want’ as containing clear and practical implementation measures for sustainable development. The Delegate of Malaysia also recalled Malaysia’s belief that initiatives at the domestic level were the key to future regional and global cooperation to achieved sustained equitable economic growth and sustainable development.

34. The **Delegate of the Democratic People’s Republic of Korea** noted that the issue of climate change was a vital issue not only for the contemporary generation but also for the future of the human race as it was seriously detrimental to socio-economic development and human activities.

35. The delegate stated that under the supreme leader Kim Jong Un, the DPRK government strives to complete domestic laws for the protection and development of the natural environment. These include the Law on Environment Protection, the Forest Law, Law on Water Resources, Law on Protection of Useful Animals, Law on the Program of Land Development, Law on the Environment Impact Assessment, Law on Weather, and so on. He also stated that DPRK was fulfilling its obligation under relevant international treaties such as the UNFCCC, Kyoto Protocol, CBD, Vienna Convention for the Protection of the Ozone Layer and so on. The delegate also mentioned the DPRK Governments focus on enhancing combustion efficiency of coal combustion facilities, purifying exhaust gas and the introduction of efficient technology and renewable energy. The delegate also noted that DPRK would continue to strengthen cooperation with all countries to build a new peaceful and prosperous world.

## II. INTERNATIONAL REGIME ON CLIMATE CHANGE

### A. Background

36. The United Nations Framework Convention on Climate Change (UNFCCC), 1992 and its Kyoto Protocol of 1997 contain the response of the international community to meet the challenges posed by the threat of climate change. The UNFCCC was concluded on 9 May 1992 and opened for signature at the United Nations Conference on Environment and Development (UNCED) in June 1992. It entered into force on 21 March 1994 and having attained ratification by 195 State Parties Convention, it has reached universality. The Kyoto Protocol (KP) entered into force on 16 February 2005 and currently there were 191 States and 1 regional economic integration organization (the EEC) that have deposited instruments of ratification, accession, approval or acceptance. The total percentage of Annex I Parties emissions is 63.7 %. However, the largest contributor to the global greenhouse gas emissions, the United States of America, remains outside the Kyoto Protocol.<sup>1</sup>

37. The Conference of Parties (COP) to the UNFCCC and the Meeting of Conference of Parties serving as Meeting of Parties to the Kyoto Protocol (CMP), the supreme decision-making bodies of the Climate Change Convention and the Kyoto Protocol, since the entry into force of these legal instruments have been meeting on an annual basis. As such, until July 2014, nineteen COP meetings and nine CMP meetings have taken place.

38. The international community is presently engaged in negotiations for elaborating on a framework of action for a period from 2012-2020, which charts out the second-commitment period post-Kyoto Protocol. It may be recalled that in December 2007, negotiators meeting at the United Nations Climate Change Conference in Bali had approved the Bali Action Plan (BAP) and Roadmap setting the Fifteenth meeting of Conference of Parties (COP 15) in December 2009 at Copenhagen as the deadline for agreeing on a framework for action after 2012. The plan laid out the four-fold action roadmap for climate change action – mitigation, adaptation, technology and finance. It was essentially a mandate to finalize two things: first, the emission reduction commitments of industrialized countries for the second phase of the Kyoto Protocol, and second, the global goals for long-term cooperative action until 2050. There was a series of progress in this direction. In 2009, the Copenhagen summit produced a comprehensive political agreement among leaders, which was later on translated into formal COP decisions in Cancún (2010). A pivotal package deal was negotiated in the following year at COP 17 in Durban whose efforts were to keep the Kyoto Protocol alive well over 2020 through Durban Platform round to negotiate a successor agreement. COP 18 in Doha delivered the formal amendment needed to legally establish the Kyoto Protocol's second commitment period. This section shall cover COP 19 held at Warsaw, Poland in November 2013; and the two Bonn Climate Change Conferences held in March and June 2014.

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<sup>1</sup> The status of ratification of these instruments is drawn from the website: [http://unfccc.int/essential\\_background/convention/status\\_of\\_ratification/items/2631.php](http://unfccc.int/essential_background/convention/status_of_ratification/items/2631.php) (last accessed on 30 June 2014).

**B. Nineteenth Conference of Parties to the UN Framework Convention on Climate Change and Ninth Meeting of Parties to the Kyoto Protocol (11-22 November 2013, Warsaw, Poland)**

39. The Nineteenth Conference of Parties to the United Nations Framework Convention on Climate Change (COP 19) took place from 11 to 22 November 2013 in Warsaw, Poland. It coincided with the 9<sup>th</sup> Meeting of the Parties to the Kyoto Protocol (CMP 9). Since the entry into force of the UNFCCC in 1994, the COP to the UNFCCC has been meeting annually to assess the progress in dealing with climate change, and the CMP reviews the implementation of the Kyoto Protocol, which was adopted in 1997, and takes decisions to promote its effective implementation.

40. The conference also included meetings by three subsidiary bodies: the thirty-ninth sessions of the Subsidiary Body for Scientific and Technological Advice (SBSTA 39), the Subsidiary Body for Implementation (SBI 39), and the third part of the second session of the *Ad hoc* Working Group on the Durban Platform for Enhanced Action (ADP 2).<sup>2</sup>

***Importance of the COP 19***

41. The COP 19 reiterated the need for finalizing on the climate change agreement by 2015 for the period till 2020, which was set as a target during the Durban Conference (COP 17) in 2011. The main focus was to define a clearer path for the final two years of the Durban Platform negotiations leading to future climate agreement. The major discussions were on “intended nationally determined contributions” to the 2015 agreement, by the first quarter of 2015 for those countries which were “ready to do so.” There were few demands from developing countries, including the need for increased climate finance, and for a new mechanism to help especially vulnerable nations cope with unavoidable “loss and damage” resulting from climate change. On the other hand, the developed countries, which had previously promised to mobilize a total of \$100 billion a year by 2020, refused to set a quantified interim goal for ramping up climate finance. Further, the new “Warsaw international mechanism for loss and damage associated with climate change impacts” fell well short of what vulnerable countries wanted. It establishes a new forum to provide information and expertise, and to consider further steps, but makes no promise in terms of additional funding. The main outcomes from COP 19 included:

- An agreement to table post-2020 emissions reduction contributions by First Quarter of 2015
- Agreement on the Warsaw Framework for REDD+ finance<sup>3</sup>

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<sup>2</sup> “Summary of the Warsaw Climate Change Conference: 11-23 November 2013, *Earth Negotiations Bulletin*, vol. 12, no. 594, dated 26 November 2013, available online at <http://www.iisd.ca/climate/cop19/enb/> and also see also Report of the Conference of the Parties on its nineteenth session, held in Warsaw from 11 to 23 November 2013, Addendum, Part two: Action taken by the Conference of the Parties at its nineteenth session, in FCCC/CP/2013/10/Add.1 , available at <http://unfccc.int/resource/docs/2013/cop19/eng/10a01.pdf> for details on the Warsaw Climate Conference (accessed on 30 June 2014).

<sup>3</sup> REDD+ means Reducing emissions from deforestation and degradation in developing countries, including conservation.

- Establishment of the Warsaw International Mechanism for ‘Loss and Damage’
- Finalising the institutional arrangements between the Green Climate Fund and the COP

### *Ad Hoc Working Group on the Durban Platform for Enhanced Action*

42. In Durban Conference (2011), the parties had set a 2015 deadline for an agreement covering the post-2020 period, in the form of a “protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties.” In the COP 19 (2013), there was a compromise on the framework for a 2015 agreement, resulting in a new text for the Durban Platform for Enhanced Action (ADP) that will form the basis of negotiations in the way forward. The key portion of text reads that: All nations should “initiate or intensify domestic preparations for their intended nationally determined contributions.” The word “contributions” is intentionally categorised vaguely from the much stronger word as “commitments,” which otherwise implies mandatory actions as opposed to weaker voluntary actions. Additionally, it was agreed that these “contributions” should be ready by the end of the *first quarter of 2015*.<sup>4</sup> It was underlined that there was significant gap between the aggregate effect of Parties’ mitigation pledges in terms of global annual emissions of greenhouse gases by 2020 and aggregate emission pathways consistent with having a likely chance of holding the increase in global average temperature below 2 °C or 1.5 °C above pre-industrial levels.<sup>5</sup>

43. The proposed text reflects a compromise made by the United States, who prefers an agreement that applicable to all countries by 2020, including large developing countries led by China and India who advocate for a clear division between countries based on common but differentiated responsibilities (or CBDR, one of the founding principles of the UNFCCC). The term ‘contributions’ does not address the debates and concerns in relation to emission reduction commitments and their legal nature, which would be key challenges in the forthcoming COP 20 (in Lima in 2014) and COP 21 (in Paris in 2015). Further, this new text also deleted the suggested language calling for a “legally binding treaty under international law”.

### *Loss and Damage*

44. Many small-island states and other particularly vulnerable developing countries have raised concern over “loss and damage” due to extreme events and slow-onset impacts such as sea-level rise, which will be unavoidable even with strong mitigation and adaptation efforts.<sup>6</sup> On this note, Parties had agreed at COP 18 (2012) to reach a decision in Warsaw on “institutional arrangements” addressing loss and damage. Parties agreed to establish the “Warsaw international mechanism for loss and damage associated with climate change impacts” and to share information and best practices, explore strategies to address loss and damage, and provide

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<sup>4</sup> 1/CP.19.,

<sup>5</sup> Ibid, See Preambular Paragraph 8 “Mindful of its decision that the Ad Hoc Working Group on the Durban Platform for Enhanced Action will consider elements for a draft negotiating text no later than at its session to be held in conjunction with the twentieth session of the Conference of the Parties (December 2014) with a view to making available a negotiating text before May 2015”.

<sup>6</sup> Decision 2/CP.19.

technical support to the vulnerable countries. Countries also promised \$100 million to top up the existing Adaptation Fund, which was set up in 2008 to provide money for poorer countries to adapt to the impacts of climate change. The Adaptation Fund was given new pledges of assistance by mainly European countries. The mechanism places the issue under an adaptation framework for at least three years, and agreeing to revisit this mechanism and its structure at COP 22 in 2016.

### ***Finance***

45. As part of the Copenhagen and Cancún agreements, developed countries had pledged \$30 billion in climate finance from 2010 through 2012 (the “fast start” period) and to mobilize \$100 billion a year in public and private finance for developing countries by 2020. However, developing countries, concerned by a lack of progress in ramping up finance, argued for an interim goal of \$70 billion by 2016, but were refused by the developed countries. In order to give high-level attention to the issue, the COP has decided to convene a biennial ministerial dialogue on climate finance from 2014 to 2020.

### ***Measurement, Reporting and Verification***

46. During COP 19, Parties agreed on the composition, modalities, and procedures of the teams of technical experts (TTEs) that will analyze developing countries’ biennial reports under International Consultations and Analysis (ICA). The TTEs will have a majority of experts from developing countries; each will be led by one developing country expert and one developed country expert, serving in their individual capacities.

### ***REDD+***

47. At the Warsaw Conference, the REDD+ program was a major outcome, as it covers guidelines and provisions for reducing greenhouse gas emissions from deforestation. Negotiators reached several goals that were set at the 2010 conference in Cancun, agreeing on key text regarding scientific and technical rules, financing and a national coordination system. Parties made further progress on REDD+, a set of issues relating to deforestation and other emissions-generating forest practices. Of particular note was the adoption of guidelines for forest countries to develop “reference levels” against which their efforts to reduce deforestation will be measured, a key step toward qualifying for increased funding. Norway, the UK, and the United States pledged a total of \$280 million for REDD+ efforts. Additions to the text on technical issues included decisions to enforce environmental and human rights safeguards in REDD+ projects; lay the groundwork for a system to monitor, report and verify carbon emissions reductions from standing forests; establish national forest monitoring systems; institute reference levels, or base lines, upon which a country measures efforts in reducing deforestation; and create definitions for the drivers of deforestation. The negotiators also agreed to text on REDD+ finance, including a clause saying that countries must show recent proof that safeguards are respected in order to receive compensation.

48. The COP 19 saw the end of the first stage in a roughly three-year arc to develop a new climate agreement. The roadmap for the coming two years was made, and, if followed, they would be an improvement in providing a more orderly discussion of contributions (and not ‘commitments’) than has been the case in previous high-profile negotiations (such as Kyoto and Copenhagen). The loss and damage mechanism was created. Provisions on REDD+ were agreed upon and should provide scope for the incorporation of forest carbon activities into national pledges.<sup>7</sup>

49. With the increasingly grim realities surrounding ongoing climate change issues, the implementation of the UNFCCC and Kyoto Protocol continues to gain importance. The Warsaw Conference has gone further in small step towards a text by first quarter of 2015 but just focussed on contributions and not commitments.

50. The COP 20/CMP 10 will take place in Lima, Peru from 1-12 December 2014.

### **C. Bonn Climate Change Conference (10-14 March 2014, Bonn, Germany)**

51. The United Nations Climate Change Conference was held in Bonn, Germany from 10 to 14 March 2014<sup>8</sup>. The fourth meeting of the second session of the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP 2-4) under the UN Framework Convention on Climate Change (UNFCCC) was convened during this Conference.<sup>9</sup> The three main objectives of this meeting were to:

- (a) advance the elaboration of the content of the 2015 agreement, with a view to arriving at the elements for a coherent draft negotiating text by COP 20;
- (b) initiate discussions that facilitate domestic preparations for Parties’ intended nationally determined contributions;
- (c) unlock practical and realizable opportunities for raising pre-2020 ambition.

52. At this Bonn Conference, in continuance with its mandate to further elaborate elements for a draft negotiating text, beginning at its first session in 2014, the ADP continued its work on open-ended consultations, encompassing work on the elements identified in paragraph 5 of decision 1/CP.17, including, inter alia, mitigation, adaptation, finance, technology development and transfer, capacity-building and transparency of action and support. The ADP also agreed to establish a contact group, which included two workstreams:

- (a) Workstream 1 on matters related to paragraphs 2 to 6 of decision 1/CP.17;
- (b) Workstream 2 on matters related to paragraphs 7 and 8 of decision 1/CP.17.

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<sup>7</sup> This decision forms part of the Warsaw Framework for REDD-plus. For more information, see document FCCC/CP/2013/10, paragraph 44.

<sup>8</sup> For Report of the Ad Hoc Working Group on the Durban Platform for Enhanced Action on the fourth part of its second session, held in Bonn from 10 to 14 March 2014, See FCCC/ADP/2014/1 available at <http://unfccc.int/resource/docs/2014/adp2/eng/01.pdf> accessed on 30 June 2014.

<sup>9</sup> “Bonn Climate Change Conference: 10-14 March 2014, *Earth Negotiations Bulletin*, vol. 12, no. 595, dated 17 March 2014, available online at <http://www.iisd.ca/climate/adp/adp2-4/>.

53. The ADP further agreed that the contact group will operate in accordance with established UNFCCC practice and hold its first meeting immediately after the resumption of the second session of the ADP in June 2014, in order to continue substantive negotiations. Under workstream 1 (2015 agreement), the meeting convened throughout the week in open-ended consultations on agenda item 3, which addressed: adaptation; nationally determined contributions; finance, technology and capacity-building (means of implementation); ambition and equity; mitigation; transparency of action and support; and other issues related to elements. An in-session workshop addressed domestic preparations for intended nationally determined contributions. Under workstream 2 (pre-2020 ambition), technical expert meetings on renewable energy (RE) and energy efficiency (EE) was convened. Each technical expert meeting included sessions on: policies, practices and technology, global state of play; implementing actions on finance, technology and capacity building.

54. The ADP also saw the launch of technical expert meetings, a process in which countries outlined projects, policies and initiatives that supported their efforts to cut greenhouse gas emissions in the period up to 2020. The technical meetings focused on renewable energy and energy efficiency as two areas where the technical process could assist countries in achieving their sustainable development objectives faster. This process would continue at the next meetings in June with a focus on the potential of cities and the urban environment alongside land-use change, including forests and agriculture, to further assist in reducing emissions.<sup>10</sup> Several nations and groups of nations known as Parties also outlined ideas, proposals and pathways towards raising domestic ambition and transitioning towards more low carbon economies.

### **C. Bonn Climate Change Conference (4 – 15 June 2014, Bonn, Germany)**

55. The Bonn Climate Change Conference was held in Bonn, Germany from 4 to 15 June 2014.<sup>11</sup> The Conference included: (i) the 40<sup>th</sup> sessions of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA); and (ii) the fifth meeting of the second session of the *Ad Hoc* Working Group on the Durban Platform for Enhanced Action (ADP 2-5).

56. At this meeting, high-level ministerial events were convened which were outside of the Conference of the Parties (COP) and the COP serving as the Meeting of the Parties to the Kyoto Protocol (CMP). Ministerials convened during the first two days of the session, including the High-Level Ministerial Roundtable under the Kyoto Protocol, aimed to assess implementation of the Protocol and provide ministers with an opportunity to increase their quantified emission limitation and reduction commitments (QELRCs). The High-Level Ministerial Dialogue on the Durban Platform for Enhanced Action had aimed to raise pre-2020 ambition and provide momentum for negotiations on the 2015 agreement. SBI 40 made progress on issues including Convention Article 6 (education, training and public awareness). ADP 2-5 convened in a contact group at this session, structured around workstream 1 (2015 agreement) and workstream 2 (pre-

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<sup>10</sup> [http://unfccc.int/files/press/press\\_releases\\_advisories/application/pdf/20141403\\_adpclose.pdf](http://unfccc.int/files/press/press_releases_advisories/application/pdf/20141403_adpclose.pdf).

<sup>11</sup> “Summary of the Bonn Climate Change Conference: 4-15 June 2014, *Earth Negotiations Bulletin*, vol. 12, no. 598, dated 18 June 2014, available online at <http://www.iisd.ca/climate/sb40>.

2020 ambition). The ADP discussed on mitigation; adaptation; finance; technology and capacity building (means of implementation); transparency; intended nationally determined contributions (INDCs); at workstream 1. Whereas at workstream 2, Thematic Expert Meetings (TEMs) on the urban environment and land use were organized, and a forum on the role of cities and subnational authorities in mitigation and adaptation were also convened.

57. The ability of cities and the way smarter use of land can unlock greater action on climate change now and into the future came to the fore in Bonn as governments work towards a new agreement in Paris in 2015. There was positive atmosphere when governments asked that the elements of a draft treaty be made available by July in advance of the next meetings in Bonn in October. The Co-Chairs of the Working Group who were tasked to construct the 2015 agreement said in a joint statement that: “The cooperative and positive atmosphere so self-evident here in Bonn has now translated into a significant step forward towards the elements of a draft treaty that needs to be a key outcome by the end of the year in Lima, Peru.”<sup>12</sup> This Conference’s focus was on urbanization and land use as pathways to raise that pre-2020 ambition.

58. The Bonn meeting was also the annual forum for the two technical advisory bodies (SBSTA and SBI) which work on substantive issues that underpin implementation of the Climate Change Convention. These meetings delivered progress across a wide part of the core implementation issues that can assist in supporting the Paris agreement.

59. There were continued support for adaptation and progress on ‘loss and damage’. On the newly created Warsaw International Mechanism for Loss and Damage, countries gained more clarity on the membership of the mechanism’s governing body and discussed how to create a structure that enables delivery. Under the process launched in Cancun on adaptation, developing countries will receive support to lay the groundwork for their national adaptation (NAP) processes through global support programmes funded through various channels. This Conference witnessed the need for continued strengthening of technology cooperation, which aims to facilitate enhanced action on technology development and transfer, is now fully operational and is ready to receive requests and to provide responses to support concrete adaptation and mitigation action by developing countries. This has the potential to significantly boost technology cooperation.

60. On verification, there were stringent approach to conduct revision of the guidelines for the review of greenhouse gas data reported by developed countries advanced considerably, creating a foundation for completing the guidelines in Lima. This work, which also takes on board the latest scientific guidance from the IPCC, will result in more accuracy and greater transparency with respect to mitigation actions of all developed countries under the Convention. It will enable an effective start, in 2015, of the review processes for the Kyoto Protocol Parties in the second commitment period under the Protocol.

61. The final date of the completion of the review process for the first commitment period under the Kyoto Protocol was agreed. This means that the timing for the final accounting of emissions and assigned amounts in that commitment period is agreed. Also Parties agreed on accompanying the accounting process with additional information, to make that process fully

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<sup>12</sup> [http://unfccc.int/files/press/press\\_releases\\_advisories/application/pdf/pr20141506\\_sb40\\_close.pdf](http://unfccc.int/files/press/press_releases_advisories/application/pdf/pr20141506_sb40_close.pdf).

transparent, also in view of the need to have information of the accounting for the first commitment period prior to the UNFCCC conference in Paris in 2015. There were greater clarity on developed country targets and developing country actions. Developed countries clarified what role emissions trading and actions in land use in achieving their emission reduction targets for 2020. Developing countries may undertake nationally appropriate mitigation actions (NAMAs) that are in line with their sustainable development goals. At the June meeting, countries took stock of the diversity of NAMAs and identified lessons learned, which will be important going forward.

### III. INTERNATIONAL REGIME ON DESERTIFICATION

#### A. Background

62. The international regime on combating desertification consists of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and Desertification, Particularly in Africa (UNCCD or CCD) which was adopted on 17 June 1994 and opened for signature at Paris in October 1994. The Convention entered into force on 26 December 1996 and as at 30 June 2014, there were 195 State Parties to the UNCCD.<sup>13</sup>

63. The Convention provides for an integrated approach to combat desertification and mitigate the effects of drought in the countries, especially in Africa, by advocating effective action at all levels supported by regional and international cooperation. The Convention also contains “Regional Implementation Annexes” for Africa, Asia, Latin America and the Caribbean, and the Northern Mediterranean. A fifth annex for Central and Eastern Europe was adopted at COP 4 in December 2000.

64. The Conference of Parties (COP) is the supreme body of the Convention. A Committee on Science and Technology (CST), established under the Convention as a subsidiary body of the COP is entrusted with the task of providing information and advice on scientific and technological matters relating to combating desertification and mitigating the effects of drought, while another subsidiary body is the Committee for the Review of the Implementation of the Convention. Till date eleven Conference of Parties have been convened under the auspices of the UNCCD.

65. The UNCCD recognizes twofold approach to pursue environmental and socio-economic development objectives. The Convention gives equal importance to both aspects like: (i) improved “productivity of land, and the rehabilitation, conservation and sustainable management of land and water resources” and (ii) improved “living conditions, in particular at the community level”. The core of the UNCCD is the development of national, sub-regional and regional action programmes by national governments, in cooperation with UN agencies, donors, local communities and NGOs. The 10-Year Strategic Plan and Framework to Enhance Implementation of the Convention (2008-2018) was adopted at COP 8. The objectives of the plan are: (i) improve the living conditions of affected populations; (ii) improve the condition of affected ecosystems; (iii) to generate global benefits through the effective implementation of UNCCD; and (iv) mobilize resources to support implementation of UNCCD.

#### B. Eleventh Session of the Conference of Parties to the UNCCD (16 - 27 September 2013, Windhoek, Namibia)

66. The eleventh session of the Conference of Parties (COP 11) to the United Nations Convention to Combat Desertification (UNCCD) was held in Windhoek, Namibia from 16 - 27 September 2013<sup>14</sup>. Alongside this COP, the eleventh meeting of the Committee on Science and

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<sup>13</sup> <http://www.unccd.int/Lists/SiteDocumentLibrary/convention/ratification-eng.pdf>.

<sup>14</sup> See “Summary of the Eleventh Meeting of the Conference of the Parties to the UN Convention to Combat Desertification: 16-27 September 2013” *Earth Negotiations Bulletin*, vol. 4, no. 254, dated 30 September

Technology (CST 11) and the twelfth meeting of the Committee for the Review of the Implementation of the Convention (CRIC12) were also convened parallel to the COP. 40 decisions were adopted at this COP. The Conference held a special high-level segment with four interactive dialogue sessions. The sessions were on:

- Round Table 1: Role of the UNCCD in achieving a land-degradation neutral world in the context of sustainable development
- Round Table 2: Overcoming the hurdles of scaling up and disseminating good practices in the context of the UNCCD implementation process
- Round Table 3: Economics of desertification/land degradation and restoration: considering cost-benefit analyses for scaling up investments in avoiding land degradation and restoring/regenerating degraded land
- Ministerial Discussion: The way forward: capitalizing on achievements and enhancing the implementation of the UNCCD and The Strategy at country and regional levels.

### ***High-Level Segment at the Eleventh Conference of Parties (COP)***

67. The high-level segment of the COP 11 was held during the meeting on 23 and 24 September 2013. The main focus was on the best options for the implementation of the Convention and its Strategic Plan 2008-2018. These round table discussions focused on an integrated landscape approach that addressed the biophysical, socio-economic and cultural aspects of drylands and sustainable land management practices. The vision of the Parties towards realization of the implementation of this Strategy was stated as follows:

“The aim for the future is to forge a global partnership to reverse and prevent desertification/land degradation and to mitigate the effects of drought in affected areas in order to support poverty reduction and environmental sustainability.”<sup>15</sup>

### ***Round-Table I: Role of the UNCCD in achieving a land-degradation neutral world in the context of sustainable development***

68. In this Round Table discussion, the following questions were raised:

- (1) the meaning of ‘going land-degradation neutral’ and its implications for the drylands?
- (2) the possible goals and targets at national level
- (3) guidance on a land-degradation neutral world (LGNW), including a target-setting approach, and the translation of the DLDD commitments made at Rio+20 into concrete activities within the Convention framework

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<sup>15</sup> 2013, available online at <http://www.iisd.ca/desert/cop11/>. See also UNCCD website [http://www.unccd.int/en/about-the-convention/official-documents/Pages/SessionDisplay.aspx?k=COP\(10\)](http://www.unccd.int/en/about-the-convention/official-documents/Pages/SessionDisplay.aspx?k=COP(10)). See ICCD/COP(11)/23 for Report of the Conference of the Parties on its eleventh session, held in Windhoek from 16 to 27 September 2013, dated 1 November 2013 at p. 18.

69. The keynote speaker explained that land degradation is both a state and a process resulting from a loss of biological productivity. In practical terms, a land degradation neutral world means investing in restoring already degraded land and preventing further degradation. However, it should not be seen as an offset or compensation scheme. Land degradation results not only in a decline of agricultural productivity but leads to an additional loss in all ecosystem services that sustain the global life support system. The vicious cycle of biophysical processes driven by land users through persistent productivity losses lead to poverty and causing social, economic and political problems.

***Round-Table Discussion II: Overcoming the hurdles of scaling up and disseminating good practices in the context of the UNCCD implementation process***

70. It was highlighted that best practices have played a significant role in the regeneration of degraded lands, and examples were cited from Niger, Burkina Faso, and other countries. Emphasis was also made on many government activities that facilitate the scaling up of best practices, touching upon the importance of national legislative reforms, policies, and communication strategies. The invaluable role of reforestation in the global fight against land degradation and food scarcity, was also highlighted. The use of trees on farmlands has proven to be the keystone to future sustainability in the drylands. Therefore, there is a strong need to embed agroforestry into national policies as well as legislations that target food security and poverty eradication. The tangible benefits of regional knowledge-sharing partnerships for betterment towards disseminating best practices beyond the local level, particularly highlighting the role of databases and knowledge portals that document best practices for other countries to consider, were underlined.

***Round-Table Discussion III: Economics of desertification/land degradation and restoration: considering cost-benefit analyses for scaling up investments in avoiding land degradation and restoring/regenerating degraded land***

71. At this discussion, it was stressed that many ecosystems were rapidly approaching their tipping points, after which restoration will no longer be feasible. Taking note of the megatrends in population, consumption and urbanization, business as usual is no longer an option. Land degradation could be transformed into the catalyst to take coordinated and concerted action. The problem of food security and poverty eradication were the most pressing current challenges, and that effort to overcome these require institutional arrangements to combat land degradation including, among others, land tenure and rights to resources, and the need to empower women and local communities. It was stated that demonstrating the full value of land and its benefits to people can help land managers, communities and businesses to assess the trade-offs in ecosystem services. Further, cost-benefit analysis can serve as the basis for informed decision-making to avoid land degradation and invest in restoration.

72. The COP 12 (next meeting of the UNCCD Conference of the Parties) is tentatively scheduled for late 2015. The dates and venue are yet to be confirmed.

#### **IV. FOLLOW-UP ON THE PROGRESS IN THE IMPLEMENTATION OF THE OUTCOME OF THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT (WSSD)**

##### **A. Background**

73. The debate on the linkages between the environment protection and development, paved the way for recognition of the concept of ‘sustainable development’. The 1972 Stockholm Conference on Human Environment recognized the need of protecting environment and adopted an Action Plan for Human Environment and Stockholm Declaration consisting of 26 principles as a guide for the development of environmental law. United Nations Environment Programme (UNEP) was established as a follow-up to coordinate the environment activities of the UN agencies. In 1992, United Nations Conference on Environment and Development was held in Rio de Janeiro. It adopted Rio Declaration and Agenda 21, a comprehensive programme of action. The Conference also established the Commission on Sustainable Development (CSD). An evaluation of the implementation of the Agenda 21 was carried out at the Special Session of the General Assembly in 1997.

74. The 2002 World Summit on Sustainable Development, held at Johannesburg provided another opportunity to make an appraisal of the implementation of the Agenda 21. *Johannesburg Declaration on Sustainable Development* and the *Johannesburg Plan of Implementation (JPOI)* were the substantive outcome of the Summit. The Plan of Implementation had dealt with poverty eradication; changing unsustainable patterns of consumption and production; protecting and managing the natural resource base for economic and social development; sustainable development in a globalising world; health and sustainable development; sustainable development of small island developing states; sustainable development for Africa; means of implementation; and institutional framework for sustainable development.

##### **B. Final Session of UN Commission on Sustainable Development (20 September 2013) and Inaugural Session of High-Level Political Forum on Sustainable Development (24 September 2013, UN Headquarters, New York)**

###### *Final Session of the UN Commission on Sustainable Development*

75. The 20<sup>th</sup> session of the United Nations Commission on Sustainable Development (CSD)<sup>16</sup> was held on 20 September 2013. The chair of this Meeting observed the need to reflect upon the past 20 years of work of the CSD and to recall its mandate, which was to implement Agenda 21 and sustainable development through analysis of regular reports and inclusion of stakeholders and Major Groups in its meetings. The Chair recognized the creation of the High-level Political Forum on Sustainable Development (HLPF) to replace the CSD, and looked forward to this Forum to engage heads of state and government, enhance integration of the three dimensions of sustainable development, and “stir changes in the realities of people’s lives.”

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<sup>16</sup> “CSD-20 Highlights: Friday, 20 September 2013” *Earth Negotiations Bulletin*, vol. 5, no. 310 is available online at <http://www.iisd.ca/hlpf/hlpf1/>.

## ***High-Level Political Forum on Sustainable Development***

76. The inaugural meeting of the High-level Political Forum on Sustainable Development (HLPF) was held under the auspices of the UN General Assembly (UNGA) on Tuesday, 24 September 2013 at UN Headquarters in New York. The theme of the session was “Building the future we want: From Rio+20 to the post-2015 development agenda.” The establishment of HLPF was called for by the UN Conference on Sustainable Development (UNCSD or Rio+20) in June 2012 in its outcome document, *The Future We Want*.<sup>17</sup> At the Sixty-seventh UN General Assembly, resolution 67/290 was adopted which decided the mandate of the HLPF, stating that it shall be consistent with its intergovernmental universal character, and will:

- provide political leadership, guidance and recommendations for sustainable development;
- follow-up and review progress in the implementation of sustainable development commitments;
- enhance the integration of the three dimensions of sustainable development; and
- have a focused, dynamic and action-oriented agenda, ensuring the appropriate consideration of new and emerging sustainable development challenges.

77. It was also decided that the meetings of the HLPF will be convened every four years under the auspices of the General Assembly at the level of Heads of State and Government, for two days at the beginning of the General Assembly session; and every year under the auspices of ECOSOC, for eight days, including a three-day ministerial segment. This inaugural meeting of the HLPF, it was mentioned that presented an opportunity to open a new chapter in ‘sustainable development governance’. Leaders articulated a number of concrete proposals on the role of the HLPF which stated that it should:

- include stakeholders;
- emphasize accountability;
- review the post-2015 development agenda and the implementation of the SDGs; and
- examine issues from scientific and local perspectives.

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Paragraph 84 states: “We decide to establish a universal intergovernmental high-level political forum, building on the strengths, experiences, resources and inclusive participation modalities of the Commission on Sustainable Development, and subsequently replacing the Commission. The high-level political forum shall follow up on the implementation of sustainable development and should avoid overlap with existing structures, bodies and entities in a cost-effective manner.”

## V. COMMENTS AND OBSERVATIONS OF THE AALCO SECRETARIAT

78. Climate Change negotiations have recently centred on adopting a second commitment period for the States. Studies reveal steady increase in temperature as a result of increasing emissions of greenhouse gases which has serious impacts on economic well-being and on the ecosystems. With the expected increase in the intensity and frequency of extreme weather events such as floods and droughts, and their devastating effects, climate change needs continued urgent attention. Governments worldwide are engaged in constructive dialogue aimed at finding and implementing practical and efficient solutions to address the global problem of climate change. Addressing Climate change issues at global level with specific commitments within the framework of the established climate change regime namely; UNFCCC, Kyoto Protocol and Bali Road Map remains significant. The previous negotiations saw developing countries base their contentions on the principle of “equity” and “common but differentiated responsibilities” for adopting second commitment period post 2012. The Durban Outcome had emphasized on the need for an effective legal instrument for second-term commitment post-2012 by 2015. The Doha Conference which led to the drafting of Doha Climate Gateway speaks of amendment to the Kyoto Protocol. The Amendment suggests for an 8-year commitment plan since January 2013 for countries that has serious implications if not complied. The Warsaw Conference saw an affirmation towards having a draft text on “**nationally determined contributions**” to be finalised by first Quarter of 2015. The questions on “loss and “damage” and reinstating such damages were at the centre of this Conference, wherein few developed countries have been positive towards contributing to the Warsaw Institutional Arrangements on finance.

79. Combating desertification has been continued concerns of the international community. At the recent COP 11, focus was on guidance on a land-degradation neutral world (LGNW), including a target-setting approach, and the translation of the Desertification, land degradation and drought (DLDD) commitments made at Rio+20 into concrete activities within the framework of the UNCCD. The vicious cycle of biophysical processes driven by land users through persistent productivity losses lead to poverty and causing social, economic and political problems. The High Level Political Forum on Sustainable development, which replaced the UN Commission on Sustainable Development (CSD) at its inaugural session confirmed towards sustainable development governance. It is highly appreciable to acknowledge the active participation of AALCO Member States in all the major multilateral environmental negotiations as well as in the Climate Change Conferences. AALCO Member States could consider transforming its economy towards green economy that would provide new investment and business opportunities as discussed at the HLPF on Sustainable development. The major focus should also be towards ensuring food security, poverty alleviation and use of renewable energy for the betterment of the planet earth.

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT  
(*Deliberated*)

*The Asian-African Legal Consultative Organization at its Fifty-Third Annual Session,*

**Having Considered** the Secretariat Document No. AALCO/53/TEHRAN/2014/SD/S 10;

**Noting with** appreciation the introductory statement of the Secretary-General;

**Having followed** with great interest the deliberations on the item reflecting the views of the Member States on the agenda item “Environment and Sustainable Development”;

**Deeply concerned** with the deteriorating state of the global environment through various human activities, and unforeseen natural disasters;

**Reaffirming** that environmental protection constitutes an integral part of sustainable development;

**Recalling** the Nairobi Resolution on Environmental Law and Sustainable Development adopted by the Forty-Fourth Session of AALCO in 2005;

**Underlying** that climate change is one of the greatest challenges of our time;

**Emphasizing** that strong political will to combat climate change in accordance with the principles of the United Nations Framework Convention on Climate Change, especially the principle of common but differentiated responsibilities and respective capabilities is essential;

**Recognizing** the importance of the on-going Bali Road-Map negotiations for stronger international cooperation on climate change for the period beyond 2012;

**Considering** the Doha Climate Gateway adopted at the United Nations Climate Change Conference held at Doha, Qatar in December 2012 that amended the Kyoto Protocol agreeing for 8-year commitment period since January 2013;

**Also considering** the need to have a draft text of the climate change agreement on ‘contributions’ by the first quarter of 2015;

**Affirming** the importance of the United Nations Convention to Combat Desertification:

1. **Urges** Member States to actively participate in the on-going Bali Road-Map negotiations and consider ratifying the Doha Amendment to the Kyoto Protocol agreeing for 8-year commitment period since January 2013.

2. **Also Urges** Member States to actively participate in the forthcoming Climate Change Conferences working towards a draft text to be finalised by first quarter of 2015;
3. **Directs** the Secretariat to follow the Climate Change negotiations and Durban Platform for Action processes for stronger international legal instrument on climate change for the period beyond 2012.
4. **Further directs** the Secretariat to continue to follow up the progress in the implementation of the outcome of the Johannesburg Summit as well as follow up the progress in the implementation of the United Nations Framework Convention on Climate Change, Convention on Biological Diversity, and the United Nations Convention to Combat Desertification, and
5. **Decides** to place this item on the provisional agenda of the Fifty-Fourth Annual Session.