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ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION



ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

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ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

I. Introduction

A. Background

1. “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.

2. Evidence shows that some of the most adverse effects of climate change will be in developing countries, where populations are most vulnerable and least likely to easily adapt to climate change, and that climate change will affect the potential for development in these countries. Some synergies already exist between climate change policies and the sustainable development agenda in developing countries, such as energy efficiency, renewable energy, transport and sustainable land-use policies.¹ Nevertheless there could be significant trade-offs associated with deeper levels of mitigation in some countries, for example where developing countries are dependent on indigenous coal and may be required to switch to cleaner yet more expensive fuels to limit emissions.

B. Deliberations at the Fifty-Third Annual Session of AALCO, 15th-18th September 2014, Tehran, Islamic Republic of Iran.

3. **Prof. Dr. Rahmat Mohamad**, Secretary General of AALCO provided an overview of the Nineteenth Session of the Conference of Parties to the UNFCCC (COP 19) and the Ninth Meeting of Parties to the Kyoto Protocol (CMP 9), held from 11-22 November 2013 at Warsaw, Poland. The Report also referred to the subsequent negotiations on climate change held in Bonn, Germany in March and June 2014.

4. He said that at the United Nations Conference on Sustainable Development, Heads of State and Government recognized the significant contributions to sustainable development made by the multilateral environmental agreements² and requested that the future sustainable development goals build upon commitments already made.³ There are many globally agreed goals contained in both binding and non-binding multilateral instruments, especially in the environmental sector.⁴

5. The future goals and targets should be at least as, and preferably more, ambitious than what already exists. The inclusion of selected existing targets would underscore the

¹ IPCC, 2001a. Climate Change 2001: Impacts, adaptation, and vulnerability. In: McCarthy, J.J., Canziani, O.F., Leary, N.A., Dokken, D.J., White K.S. (Eds.), A Report of the Working Group II of the Intergovernmental Panel on Climate Change. Cambridge University Press, Cambridge.

² General Assembly resolution 66/288, annex, para. 89.

³ Ibid., para. 246.

⁴ See United Nations Technical Support Team (TST) (2014), “Compendium of existing goals and targets under the 19 focus areas being considered by the OWG SDG”. Available at: www.unep.org/post2015.

urgency of existing commitments. Sustainable development goal targets on renewable energy, energy efficiency and low-carbon development trajectories would reinforce the objectives of the United Nations Framework Convention on Climate Change without duplicating its processes. Integrating biodiversity and ecosystem values into indices of poverty, prosperity and wealth, would support the Aichi Biodiversity Targets as they address the drivers of unsustainability. The new goals and targets could highlight emerging issues, and they could set a vision for renewing commitments to agreements whose terms will expire in the coming decades⁵.

6. **The Delegate of Nepal** stated that the Environment is vital not only for the present generation but also for the future of human race. Any adverse impact on it would be seriously detrimental to socio-economic development and human activities. Preservation of the environment not only for the present generations but also for the future generations should be the utmost priorities in the developmental activities for sustainable economic and social growth. The development of climate resilient infrastructure and promotion of environmentally sound and sustainable development through the use of clean technologies could provide an opportunity for mitigating the impacts of climate change.

7. **The Delegate of the Islamic Republic of Iran** said that Almighty God has gifted Asian and African continents with the outstanding and huge environmental resources and components, which are a large portion of the world's resources, and this, of course, remains an issue of concern for all countries to the various environmental issues, because they pose a serious impact on their societies and their people. Islamic Republic of Iran believes that ensuring sustainable economic and social growth is not possible without a comprehensive environmental vision that put, at the forefront of the priorities, preserving the environment for future generations of Iran Iran National Vision 2030 aims to guide Iran towards striking a balance between development needs and the protection of natural resources.

8. **The Delegate of the Republic of Indonesia** stated that the UN Conference on the Environment and Development 1992 was the first time the global community got together, took stock of development and environmental challenges, and charted a common path forward. Since then along with economic achievements, the environmental agenda has made significant advances. Environmental regimes itself have grown, for example on biodiversity, on climate change and on forestry. These days more nations are adopting green growth strategies. To secure our climate future, it also stressed the 'common but differentiated responsibility and respective capability'. Indonesia believes that developed countries must take lead, along with the increasing role of the developing countries.

9. **The Delegate of Japan** spoke with regard to the question of bio-diversity. At the COP 11 held in Hyderabad, last year, many important decisions were taken as a follow-up of the previous COP held in Nagoya, Japan, including agreement in principle on the goal of resource mobilization of doubling international financial flows to developing

⁵ Ibid.

countries. A mid-term review of implementation of Aichi Targets is to be conducted by 2015. In order to preserve bio-diversity, it is important to strengthen internationally coordinated cooperation among the countries concerned. Japan wishes to further promote cooperation in these endeavors with other Asian and African countries.

10. **The Delegate of Sultanate of Oman** stated that international conventions and protocols for environmental protection such as “United Nations Framework Convention on Climate Change” and “Kyoto Protocol”, and United Nations Millennium Development Goal were adopted and many countries are endeavouring and cooperating with each other for their implementation. Oman is also fulfilling our obligations under relevant international treaties including “United Nations Framework Convention on Climate Change”, “Kyoto Protocol”, “Convention on Biological Diversity”, and “Vienna Convention for the Protection of the Ozone Layer” which Sultanate of Oman is a party to.

11. **The Delegate of People’s Republic of China** said that climate change is one of the most prominent issues faced by the international community. It is a development issue in nature, and sustainable development is both its aim and the right path for effective solution. In order to address both development and climate change challenges and uphold right to development, the developing countries should, under the framework of sustainable development, take economic development, poverty eradication and climate protection in a coherent manner. China is ready to deepen its cooperation and communication with all concerned parties, in order to make new contributions to environment protection and sustainable development of mankind.

12. **The Delegate of Thailand** highlighted that the issue of environment and sustainable development has been on agenda of AALCO’s annual session for quite some time. Thailand is of the view that the development of laws relating to environment and sustainable development is a crucial factor that contributes greatly to the security and well-being of mankind. He stated that many of us will continue to be suffering from the adverse impacts of climate change if we do not promptly and effectively deal with this global challenge.

13. **The Delegate of Republic of the Sudan**⁶ said that Sudan recognizes that the environment and natural resources are valuable national assets that must be sustainably managed for present and future generations. Sudan continue to engage in international dialogue aimed at addressing environmental sustainability issues through participating in meetings of the Conference of Parties for the conventions which we are a party. These include the Convention on Biodiversity (CBD), UN Convention to Combat Desertification (UNCCD) and the UN Framework Convention on Climate Change (UNFCCC). Sudan actively participated in the Rio+20 Summit Conference on sustainable development, where key decisions were made on environment and sustainable development. Sudan is now in the process of implementation of Rio+20 outcomes.

⁶ This statement was delivered in Arabic. This is an unofficial translation made by the Secretariat.

14. **The Delegate of Pakistan** said that it cannot be denied that climate change is a topic that affects all of us. One would be hard pushed to find a place in the world where the pinch of climate change has not been felt. Many of us have been and will continue to be suffering from adverse impacts of climatic anomaly if we do not effectively address this global problem. Pakistan therefore attaches great importance to environmental issues and sustainable development and urges that in order to achieve a long-lasting economic development, members of global community must take this matter seriously and collectively.

15. **The Delegate of Malaysia** said that Malaysia takes note that the decision of the 18th Conference of Parties to the UNFCCC wished that among other things the Ad Hoc Working Group on the Durban Platform for Enhanced Action should continue and streamline its work and reaffirm its commitment towards negotiating the text of a new legal instrument. This would be applicable to and agreed upon by all parties to the UNFCCC and have legal force under the Convention. In the context of the existing AALCO mandate to continue to monitor the progress in the implementation of the climate negotiation, Malaysia would like to propose to AALCO to streamline the AALCO member State views and position on this matter, and for the respective AALCO member States to bring forth such views and position in future UNFCCC negotiations.

16. **The Delegate of Republic of South Africa** stated that the South Africa Government attaches great importance to the environment and its sustainable development. The focus being protection of the environment and human health from all types of pollutants, efforts have started by putting in place mechanisms to mitigate the impact to climate change, environmental degradation and related matters. This clearly shows AALCO confers great significance to issues of global relevance such as environment and sustainable development; climate change being an integral part of this discussions.

C. **Issues for Focused Consideration**

17. The present report is focused on climate change and sustainable development goals. It attempts to furnish the recent developments in multilateral fora on climate change and sustainable development with some comments and observations from the AALCO Secretariat on the agenda item 'Environment and Sustainable Development' for consideration of Member States.

II. **International Regime on Climate Change**

A. **Background**

18. 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 are 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.⁷

19. The Conference of Parties (COP) to the UNFCCC and the Meeting of Conference of Parties serving as Meeting of Parties (MOP) 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 January 2015, twenty COP meetings and ten MOP meetings have taken place.

B. Climate Change Conference - 20-25 October 2014, Bonn, Germany

20. The sixth part of the second session of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) UNFCCC took place in Bonn, Germany, from 20-25 October 2014. The ADP focused on preparing key documents for the 20th session of the Conference of the Parties (COP) Enhanced Action (ADP 2-6) under the UN Framework Convention on Climate Change (COP-20) to the UNFCCC, scheduled to take place in Lima, Peru, in December 2014.

21. Under the ADP's workstream 1 (the 2015 agreement), countries continued to elaborate the elements of a draft negotiating text, which will serve as the foundation for the final construction of the 2015 agreement, and considered a "non-paper" on parties' views and proposals on the elements for a draft negotiating text (ADP.2014.6.NonPaper). The ADP also worked on a draft decision that captures the type of information countries will provide when they communicate their intended nationally determined contributions (INDCs) and how these contributions will potentially be considered (ADP.2014.7.DraftText). During the meeting, the ADP Co-Chairs prepared a new iteration of this draft decision, which was submitted for consideration in Lima.

22. Despite limited progress overall, many appreciated that the meeting had provided much-needed space for more in-depth exchanges of views. Many felt the meeting helped clarify countries' and groups' understanding of the spectrum of views, possible areas of convergence and divergence, and what underlies their positions and how these concerns might be addressed in Lima in December.

⁷ The status of ratification of these instruments is drawn from the website: http://unfccc.int/essential_background/convention/status_of_ratification/items/2631.php (last accessed on 30 January 2015).

23. As mandated by the Warsaw decision on the ADP, parties arrived in Bonn to make progress on three key “pillars” on which outcomes are expected in Lima: a decision on intended INDCs, advancing on the elements of the 2015 agreement to ensure a draft negotiating text is available before May 2015; and a decision on accelerating the implementation of enhanced pre-2020 climate action. More specifically, parties were given the task to reach agreement, if possible, on draft decisions on both INDCs and pre-2020 ambition.

24. As parties reiterated and clarified their views on key aspects of INDCs, including differentiation, scope, types of information, and *ex ante* review or consideration, it became increasingly clear that positions remained far apart. This left many wondering if a decision on INDCs in Lima would be in jeopardy. Despite a generally cordial atmosphere, many were concerned that parties were clinging to long-held positions, or even walking back from understandings reached in Durban and Warsaw.

25. Some developing countries voiced concern over “locking in” the mitigation elements of the 2015 agreement, including weak Measurement, Reporting and Verification (MRV) modalities, in Lima, while leaving other issues as afterthoughts in Paris. This concern left many African countries calling for a single decision in Lima on INDCs and the elements of the 2015 agreement, rather than addressing these pillars in separate decisions. Some went as far as to suggest that the scope of INDCs be decided only in Paris, well after their submission deadline in the first quarter of 2015, to ensure all elements are addressed together. The developing countries’ continued hesitance to accept what they viewed as a “mitigation first” approach reinforced the probability that the Lima outcome will be another “package deal” with built-in indications on how all elements will move forward and provide assurance that no issues will be left behind in Paris.

C. Fortieth session of the Intergovernmental Panel on Climate Change (IPCC-40), 27-31 October 2014, Copenhagen, Denmark.

26. The 40th session of the Intergovernmental Panel on Climate Change (IPCC-40) met from 27 October - 1 November 2014 at in Copenhagen, Denmark, to consider and finalize the Synthesis Report (SYR), which integrates the findings from the three IPCC Working Group (WG) reports. Together, these comprise the IPCC’s Fifth Assessment Report (AR5). On 1 November, the Panel approved the SYR’s Summary for Policymakers (SPM) line by line, and adopted the longer SYR section by section. More than 800 authors and review editors from 85 countries participated in the preparation of AR5 over the past six years. Approximately 450 participants attended IPCC-40, including government representatives, authors, representatives of UN organizations, members of civil society, and academics.

27. The SPM consists of an introduction and four sections. The section on Observed Changes and their Causes includes subsections on observed changes

in the climate system; causes of climate change; impacts of climate change; and extreme events. The section on Future Climate Changes, Risks and Impacts includes subsections on key drivers of future climate; projected changes in climate systems; future risks and impacts caused by a changing climate; and climate change beyond 2100, irreversibility and abrupt changes. The section on Future Pathways for Adaptation, Mitigation and Sustainable Development includes subsections on foundations of decision-making about climate change; climate change risks reduced by mitigation and adaptation; characteristics of adaptation pathways; and characteristics of mitigation pathways. The section on Adaptation and Mitigation includes subsections on common enabling factors and constraints for adaptation and mitigation responses; response options for adaptation; response options for mitigation; policy approaches for adaptation and mitigation, technology and finance; and trade-offs, synergies and interactions with sustainable development. The longer report elaborates on these issues.

28. In addition to approving the SPM and adopting the SYR, IPCC-40 addressed, inter alia the IPCC programme and budget through 2017; future work of the IPCC; communication and outreach activities; a request for a technical report on climate change, food security and agriculture; implementation of the IPCC conflict of interest (COI) policy; and matters related to the UN Framework Convention on Climate Change (UNFCCC) and other international bodies. The Panel also heard a number of progress reports, including by the Task Force on Greenhouse Gas Inventories (TFI), on the IPCC's carbon footprint, and from the three WGs.

29. The third meeting of the Task Group on the Future Work of the IPCC (TGF) met immediately prior to IPCC-40 on 26 October to consider, among other things, the refined Options Paper prepared by the Task Group Co-Chairs, which draws on submissions from governments, scientists, observer organizations, Technical Support Units (TSUs) and the Secretariat.

30. AR5 has been under preparation for six years and consists of the SYR and contributions by the three WGs. The Panel adopted Working Group I's (WGI) contribution on the physical science basis of climate change in Stockholm, Sweden, in September 2013, and Working Group II's (WGII) contribution on climate change impacts, adaptation and vulnerability in March 2014 in Yokohama, Japan. WGIII's contribution on mitigation of climate change was adopted in April 2014 in Berlin, Germany.

D. Conference on Climate Change, 1-14 December 2014, Lima, Peru

31. The 20th session of the Conference of the Parties and the 10th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol took place from 1 to 14 December in Lima, Peru. The Lima Conference for 2014 Climate Summit raised political momentum for a meaningful universal climate agreement in Paris in 2015 and galvanized transformative action in all

countries to reduce emissions and build resilience to the adverse impacts of climate change. Lima conference witnessed global leaders, from all regions and all levels of economic development advocated for a peak in greenhouse gas emissions before 2020, dramatically reduced emissions thereafter, and climate neutrality in the second half of the century. Leaders committed to finalise a meaningful, universal new agreement under the UNFCCC at COP-21, in Paris in 2015, with a legal force, and to arrive at the first draft of such an agreement at COP-20 in Lima, in December 2014. Leaders concurred that the new agreement should be effective, durable and comprehensive, balancing the support for mitigation and adaptation. Many underlined the importance of addressing loss and damage. Many leaders also affirmed their commitment to submit their INDCs for the new agreement in the first quarter of 2015.

32. European Union countries and the United States committed to a target of reducing emissions to 40 % below 1990 levels by 2030. Countries like China (40-45%), Brazil (36%), Canada (17%), Russia (15-25%), Indonesia (26%), Israel (20%), Japan (25%) and India (17%) committed to reduce green house gas emission voluntarily in the Pre Action 2020, but would not have legal obligations for such effect. The African Group emphasized the central role that agriculture plays in the economic and social development of its people. It was mentioned that the priorities for Africa and its communities are to ensure food security; eradicate poverty and enhance socioeconomic development; and ensure environmental and livelihood sustainability by adapting to the effects of climate change and identifying the potential co-benefits of mitigation.

33. Leaders also approved the initial two-year work plan of the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts. At Adaptation Fund board, cumulative project and programme approvals reached USD 264.8 million which approved 16 projects/programmes, totaling USD 80.6 million, submitted by implementing entities from July 2013 to November 2014. This included 10 proposals submitted by national implementing entities totaling USD 43.2 million and established a new fundraising target of USD 80 million per calendar year in 2014 and 2015. It further pledged to surpass the initial fundraising target set by the Adaptation Fund Board of USD 100 million for the calendar years 2012 and 2013.

34. Leaders from more than 40 countries, 30 cities and dozens of corporations launched large-scale commitment towards Global Energy Efficiency by 2030 through vehicle fuel efficiency, lighting, appliances, buildings and district energy. Twenty-four leading global producers of palm oil as well as commodities traders committed to contribute to the goal of zero net deforestation by 2020 and to work with governments, private sector partners and indigenous peoples to ensure a sustainable supply chain. Leaders expressed strong support for the Green Climate Fund and many called for the Fund's initial capitalization at an amount no less than USD10 billion. There was a total of

USD 2.3 billion in pledges to the Fund's initial capitalization from six countries. Six others committed to allocate contributions by November 2014. The European Union committed USD18 billion for mitigation efforts in developing countries between 2014 and 2020.

35. South-South cooperation on climate change was evident as many countries putting a price on carbon will provide markets with the policy signals needed to invest in climate solutions. Seventy-three national governments, 11 regional governments and more than 1,000 businesses and investors signaled their support for pricing carbon. Together these leaders represented 52 % of global GDP, 54 % of global greenhouse gas emissions and almost half of the world's population. More than 30 leading companies announced their alignment with the Caring for Climate Business Leadership Criteria on Carbon Pricing. The African Risk Capacity announced an expansion of its services and coverage, including the introduction of Catastrophe Bonds. Leaders from the insurance industry, representing USD30 trillion in assets and investments committed to creating a Climate Risk Investment Framework by Paris conference in 2015.

36. Governments, business and civil society are creating the coalitions needed to meet the full scope of climate challenge. Leaders from 19 countries and 32 partners from government, regional organisations, development institutions and private investors committed to creating an 8,000 kilometre-long African Clean Energy Corridor. The Global Alliance for Climate-Smart Agriculture, comprised of 16 countries and 37 organisations, was launched to enable 500 million farmers worldwide to practice climate-smart agriculture by 2030. Leaders of the oil and gas industry, along with national Governments and civil society organisations, made an historic commitment to identify and reduce methane emissions by 2020. A new Compact of Mayors, representing well over 2,000 cities pledged new commitments on climate action supported by new funding from public and private sources — 228 cities have voluntary targets and strategies for greenhouse gas reductions, which could avoid up to 3 gigatonnes of greenhouse gas emissions per year by 2030. A new coalition of more than 160 institutions and local governments and more than 500 individuals committed to divesting USD50 billion from fossil fuel investments within the next three-five years and reinvest in new energy sources. Leading commercial banks announced their plans to issue USD30 billion of Green Bonds by 2015. A coalition of institutional investors, committed to de-carbonizing USD100 billion by December 2015 and to measure and disclose the carbon footprint of at least USD500 billion in investments.

37. Dispute of diverse and politically charged environment at Peru to combat environmental problems, with different expectations and widely diverging views, at the end most felt that, in the words of the South African Minister of Environmental Affairs Edna Molewa, the Lima Conference managed to strike a “delicate balance between very difficult issues” and laid “a solid foundation” for work towards Paris. Advancing the Durban Platform and its annex containing

elements for a draft negotiating text were seen as the major outcomes which may serve to move the process forward and create a shared feeling of achievement and confidence in the process.

38. An Analysis of Key Outcomes of Lima:

a. Scope of INDCs – Developed countries wanted “nationally determined commitments” to focus only on mitigation, while many developing countries pushed to include adaptation and finance too. The compromise does not explicitly define the scope of INDCs. In linking INDCs to the Convention’s ultimate objective (stabilizing greenhouse gas concentrations to avoid dangerous anthropogenic interference with the climate system), the decision sets an expectation of mitigation contributions from all. It also invites parties to “consider including an adaptation component” as well.

b. Upfront information – To help clarify and assess parties’ contributions, the decision identifies certain information that parties might provide, as appropriate, including “quantifiable information” on an INDC’s timeframe, scope and coverage, and the assumptions and methodologies used in estimating and accounting for emissions. It also asks parties to say how their contributions are “fair and ambitious.” However, language saying that “all Parties shall” provide upfront information was replaced by “may” in the final text, making it voluntary.

c. Ex ante consideration – Many parties pushed for different types of processes to scrutinize one another’s intended contributions pre-Paris; major developing countries tried to block them. The final decision dropped a mid-year “dialogue” on the INDCs, but added direction to the UNFCCC secretariat to prepare a synthesis report by November on the “aggregate effect” of the INDCs – in other words, how they compare to the reductions needed to limit warming to 2°C.

d. Differentiation – Major developing countries pushed for explicit differentiation between Annex I (developed) and non-Annex I (developing) countries throughout the decision, which developed countries flatly rejected. The compromise echoes language from the recent US-China joint announcement, simply restating the UNFCCC principle of “common but differentiated responsibilities and respective capabilities,” with a slight addition: “in light of different national circumstances.” However, it does not bring out explicitly the differentiation between Annex I (developed) and non-Annex I (developing) countries.

e. Finance – Differentiation was also an issue in the decision’s call for increased finance for developing countries. Rather than assuming the entire onus themselves, developed countries pushed for language saying that other parties “in a position to do so” should also contribute. The final text simply “recognizes complementary support” from other parties.

f. Loss and damage – COP 19 launched a separate process to consider steps to help especially vulnerable developing countries cope with “loss and damage” – climate impacts that cannot be avoided even with strong mitigation and adaptation efforts. In

Lima, those countries tried but failed to add loss and damage to the list of issues the Paris agreement must address. The final decision merely notes the separate process already underway. On the decision's adoption, Tuvalu, speaking for the least developed countries group, noted for the record its interpretation that this reference indicates an intention by parties to address the issue in the Paris agreement.

E. Forty-first Session of the Intergovernmental Panel on Climate Change (IPCC-41), 24-27 February 2015, Nairobi, Kenya

39. The 41st session of the Intergovernmental Panel on Climate Change (IPCC-41) met from 24-27 February 2015 in Nairobi, Kenya, to discuss, among other things, the future work of the IPCC. Regarding future work, the panel considered recommendations by the Task Group on Future Work of the IPCC; decision on size, structure and composition of the IPCC Bureau and any Task Force Bureau; a questionnaire about the organization of the IPCC nomination and review process – report by the Secretariat; the report of the expert meeting on potential studies of the IPCC process – recommended principles to guide IPCC's engagement; a request from Monaco for an IPCC special report on the ocean.

40. The Panel had on its agenda IPCC programme and budget; communication and outreach activities; a report on the activities of the IPCC Executive Committee; implementation of the IPCC Conflict of Interest Policy; implementation of the IPCC Error Protocol; progress reports on, inter alia, the IPCC Scholarship Programme and preparation of expert meetings; and matters related to the UN Framework Convention on Climate Change and other international bodies.

F. Climate Change Conference, 8-13 February 2015, Geneva, Switzerland

41. The Geneva Climate Change Conference marked the beginning of a busy and important year of negotiations dedicated to finalizing the 2015 climate agreement, scheduled for adoption at the Paris Climate Change Conference in December. The first on a long list of tasks for negotiators was developing a negotiating text that forms an acceptable foundation for agreement in Paris. Most delegates were feeling that the Geneva outcome augurs well for the negotiations ahead. Some, however, revealed disappointment, saying that parties should have done more in Geneva to start streamlining the text. Regardless, everyone recognized that much hard work will be needed to turn the Geneva text into the Paris agreement.

42. At the Lima Climate Change Conference in December 2014, parties requested the ADP to prepare, by May 2015, a negotiating text that will be communicated to parties six months before COP 21 in Paris. Parties started this work on the basis of the elements for a draft negotiating text annexed to Decision 1/CP.20 (Lima Call for Climate Action).

43. Negotiators of climate negotiations warned against measuring success in Geneva by the length of the text. They saw the longer text as an “unavoidable part” of the process of transforming “the Co-Chairs’ text” from Lima into a “party-owned text.” There was widespread convergence, in other words, that what happened in Geneva was a necessary

precondition to generate a sense of ownership among parties and boost confidence that all parties' views will be taken into consideration in the negotiations on the Paris agreement.

44. Given that the first reading of the text was completed early in the week, the Co-Chairs, with the support of many parties, made several attempts to start streamlining the text by removing duplications and redundancies. However, some negotiating groups were not ready to proceed to this stage. As a result, apart from technical corrections, the negotiating text remained the same. Some parties, including the EU, expressed disappointment that streamlining did not advance in Geneva.

45. The ADP agreed that the Geneva text should be issued as an official document and circulated to parties. Pleased with progress made, Co-Chair Reifsnnyder indicated that this could be achieved already in March, earlier than requested by COP 20.

46. With the Geneva negotiating text, parties are able to comply with legal requirements for adopting a new protocol. However, on the road to COP 21, they will need to make up their minds on whether the Paris agreement will be “a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all parties,” as suggested in the ADP mandate. While divergent views remain on whether the Paris agreement will be a new protocol, many envisage the possibility of a “Paris package” comprising both the Paris agreement and a set of COP decisions.

47. The Geneva negotiating text covers all key substantive areas of the ADP's mandate, from adaptation to finance, technology, capacity building, mitigation and transparency. Reading through the Geneva text, some negotiators commented that it “almost inevitably” reflects sharper differences in parties' positions than the Lima text. Some also warned that it is “considerably easier” to make good progress when the focus is on adding text, as in Geneva, but the task is more challenging when parties start searching for middle ground.

48. In Geneva the LDCs suggested text on the establishment of a climate change displacement coordination facility, breaking new ground in efforts to address what has arguably long been the elephant in the room at climate negotiations—namely the organized migration and planned relocation of populations that will be forced to move as a result of climate change. Several parties, however, have long resisted addressing this issue under the UNFCCC, and negotiations on loss and damage are likely to be complex.

49. Many perceive the matter of loss and damage to be inextricably linked to the relationship between climate change action and human rights protection, which now features in a few sections of the Geneva negotiating text, making reference, among others, to the rights of indigenous peoples, women and children.

50. During the closing plenary, eighteen developed and developing countries announced an informal voluntary initiative to facilitate the sharing of best practices and knowledge between human rights and climate experts at the national level. While the relationship between human rights protection and climate change had already been

inconclusively discussed ahead of COP 15 in Copenhagen, this issue has enjoyed greater prominence in the last few months, with the appointment of former UN High Commissioner for Human Rights, Mary Robinson, as the UN Special Envoy for Climate Change.

III. Sustainable Development Goals (SDGs)

A. Background

51. The Rio+20 outcome document, *The future we want*, inter alia, set out a mandate to establish an Open Working Group to develop a set of sustainable development goals for consideration and appropriate action by the UN General Assembly at its 68th session. It also provided the basis for their conceptualization. The Rio outcome gave the mandate that the SDGs should be coherent with and integrated into the UN development agenda beyond 2015.

52. Poverty eradication is the greatest global challenge facing the world today and an indispensable requirement for sustainable development. The Rio+20 outcome reiterated the commitment to freeing humanity from poverty and hunger as a matter of urgency.

53. In its resolution 66/288, the General Assembly endorsed the outcome document of the United Nations Conference on Sustainable Development, entitled “*The future we want*”, annexed to the resolution. Paragraph 248 of the said outcome document read as follows

“248. We resolve to establish an inclusive and transparent intergovernmental process on sustainable development goals that is open to all stakeholders, with a view to developing global sustainable development goals to be agreed by the General Assembly. An open working group shall be constituted no later than at the opening of the sixty-seventh session of the Assembly and shall comprise 30 representatives, nominated by Member States from the five United Nations regional groups, with the aim of achieving fair, equitable and balanced geographical representation. At the outset, this open working group will decide on its methods of work, including developing modalities to ensure the full involvement of relevant stakeholders and expertise from civil society, the scientific community and the United Nations system in its work, in order to provide a diversity of perspectives and experience. It will submit a report, to the Assembly at its sixty-eighth session, containing a proposal for sustainable development goals for consideration and appropriate action.”

54. The Open Working Group underscored that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, with a view to accelerating the reduction of global greenhouse gas emissions. It recalled that the United Nations Framework Convention on Climate Change provides that parties should protect the climate system for the benefit of present and future generations of humankind on the basis of equity and in accordance with their common but differentiated responsibilities and respective

capabilities. It noted with grave concern the significant gap between the aggregate effect of mitigation pledges by parties 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.

55. In the outcome document of the United Nations Conference on Sustainable Development, it was reaffirmed that planet Earth and its ecosystems are our home and that “Mother Earth” is a common expression in a number of countries and regions. It was noted that some countries recognize the rights of nature in the context of the promotion of sustainable development. The conviction was affirmed that, in order to achieve a just balance among the economic, social and environmental needs of present and future generations, it is necessary to promote harmony with nature. The natural and cultural diversity of the world was acknowledged, and it was recognized that all cultures and civilizations can contribute to sustainable development.⁸

B. Thirteenth session of the Open Working Group on Sustainable Development Goals, 14 - 18 July 2014, New York, UNHQ.

56. The thirteenth and final session of the UN General Assembly Open Working Group (OWG) on SDGs took place from 14-19 July 2014, at UN Headquarters in New York. It was mandated by the UN General Assembly (UNGA) to develop a proposal for a set of sustainable development goals to present to the UNGA, as called for by the UN Conference on Sustainable Development (Rio+20).

57. On 19 July 2014, the OWG completed its mandate following three complete readings of drafts of the proposed SDGs and associated targets. The multiple readings

⁸ Goal 1. End poverty in all its forms everywhere

Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture

Goal 3. Ensure healthy lives and promote well-being for all at all ages

Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

Goal 5. Achieve gender equality and empower all women and girls

Goal 6. Ensure availability and sustainable management of water and sanitation for all

Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all

Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation

Goal 10. Reduce inequality within and among countries

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable

Goal 12. Ensure sustainable consumption and production patterns

Goal 13. Take urgent action to combat climate change and its impacts

Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development

Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Goal 17. Strengthen the means of implementation and revitalize the global partnership for sustainable development

took place during “informal-informal” consultations three days prior to OWG-13, from 9-11 July, and during informal sessions of OWG-13 over the course of the five-day meeting. The final formal session of OWG-13 convened to adopt the “Proposal of the Open Working Group for Sustainable Development Goals.” After nearly three hours of statements—both in support of and opposed to the final document—the OWG adopted the document by acclamation, with a standing ovation for the Co-Chairs.

58. While most delegations and observers were not completely satisfied with the final proposal containing 17 goals and 169 targets (including 62 targets on means of implementation), it was generally acknowledged that the proposal represented the best outcome that could be hoped for, based on the Group’s 16 months of work. But even as exhausted delegates and stakeholders left UN Headquarters, many were already looking ahead to the next steps in the process. The OWG’s proposal on SDGs will now be submitted to the UNGA for consideration as part of the broader post-2015 development agenda that is to be adopted in late 2015. Many delegates and the Co-Chairs clearly indicated that there was still another year’s worth of negotiations before the proposed SDGs are adopted by the UNGA along with the rest of the development agenda that will supplant the Millennium Development Goals.

59. One delegation pointed out the rules of procedure call for adopting the OWG’s report by consensus. He argued to delete the reference to the review conferences of ICPD and Beijing in target 5.6. Co-Chair Kamau responded that the text had been presented for adoption, not reopening, and represents “a delicate balance that could very easily unravel.”

60. Some delegations said they could not accept target 5.6 on sexual and reproductive rights, suggesting a country could not report on the implementation of a concept it does not recognize. Another delegation said the text was not balanced. He expressed disappointment that reference to foreign occupation was not in the action-oriented part of the text, and stressed the need to address unilateral economic measures against developing countries.

61. One delegation said that the process itself was very important in contributing to the discourse on sustainable development “We knew all along that the outcome had to be a compromise between north and south and east and west.” While hoping for a target on peaceful societies and people under foreign occupation, he noted its inclusion in the chapeau. He entertained a “slim hope that some last minute flexibility” would enable consensus adoption of the document.

62. The other noted this is not a perfect document, but agreed it was a good proposal for the way forward. She noted that the delegates understand each other more, learned a lot and developed trust for the way forward. Another said her delegation had hoped to have a strong and ambitious proposal that could lead to transformative change. While she wanted stronger language on Goals 5 and 16, they made concessions in the interest in coming together and to continue to work together to achieve a post-2015 development agenda for poverty eradication and sustainable development.

63. One delegate said the process had been truly inclusive and was grateful for civil society's presence and support. He expressed concern about the use of "gender" rather than "sex" in the chapeau; and the division in the Group about targets 5.6 and 13.a. He said the report will be subject to further negotiation in the upcoming session of the UNGA, and he would not prevent its adoption, "knowing full well that the end of this journey is the beginning of the next." The other delegate said monitoring and accountability was missing from the final text, but could be discussed in a broader manner in the course of the post-2015 discourse. He said the document should be adopted as a whole, as proposed by the Co-Chairs.

64. One delegate said the structure of the product shall be the basis for integrating SDGs into the post-2015 development agenda. Smiling, he also proposed a new MOI target "improve the working methods of the OWG by encouraging, where appropriate, delegates to shorten their interventions and restrain their statements, and in this regard provide enhanced capacity building to developing countries." His "proposal" was met with a round of applause.

C. The First Intergovernmental Negotiation on the Post-2015 Development Agenda, 19-21 January 2015, New York, UNHQ

65. The first intergovernmental negotiation on the post-2015 development agenda convened from 19-21 January 2015 at UN Headquarters in New York to conduct a "stocktaking" of the preparations for a new global sustainable development agenda, which will succeed the Millennium Development Goals. This was the first of eight scheduled sessions, to prepare the outcome that will be adopted at the UN Summit on the Post-2015 Development Agenda in September 2015.

66. The new global development agenda is anticipated to comprise four elements: a declaration; a set of Sustainable Development Goals (SDGs), targets, and indicators; their means of implementation (MOI) and a new Global Partnership for Development; and a framework for follow-up and review of implementation. Speakers at the stocktaking session, from the opening statements by the UN Secretary-General, President of the General Assembly and President of the Economic and Social Council (ECOSOC), to government delegates and representatives of major groups and other stakeholders, addressed each of these four elements and recalled the commitments that had brought the intergovernmental decision-making process to this point.

67. Delegates emphasized the opportunity that this process provides to establish a robust, effective development agenda based on global partnership and shared responsibility. The discussions revealed a great deal of support for the proposal of SDGs that the Open Working Group (OWG) developed in 2014, as well as anticipation for the Third Conference on Financing for Development (FfD3). On other issues, the discussions revealed that a range of options will need to be taken into account as delegates reconvene

in the coming months, with an eye towards agreement on the post-2015 development agenda at the 25-27 September 2015 Summit.

68. The meeting followed an extensive history of previous agreements, events, consultation processes, and negotiated inputs. This three-day review allowed governments and other stakeholders to reflect on the past and consider and signal how they might channel that history into concrete results over the next few months. Noting that this is an “electrifying time to work on these issues,” delegates called attention to the opportunities to end poverty, reduce inequality, halt climate change, and prevent future conflicts through the agreements and partnerships to be developed this year. But while delegates voiced lofty ideals and visions for the future over the course of the three-day session, their discussions also revealed some of the difficult issues they will need to resolve if they are to reach an agreement equal to its promise in time for adoption by the UN’s post-2015 summit in September 2015.

69. The stocktaking session was organized according to the expected elements of the outcome of the post-2015 summit: a declaration; the sustainable development goals and targets; means of implementation and global partnership for sustainable development; and follow-up and review.

(1) A Global Declaration

70. Delegates viewed the proposed declaration as an opportunity to provide a short, crisp and powerful statement of a common vision for the UN’s development agenda and what it will seek to accomplish. As they began to compare ideas for what such a vision should contain, many governments highly ranked the promotion of development and equality on their lists.

71. However, the definitions of justice voiced during the meeting revealed differences on how to achieve a more equal society. According to many developing countries, greater justice would be delivered by meeting past commitments and revising voting rights in international institutions, among other demands. Others emphasized good governance at the national level, with policies and institutions that ensure a peaceful and stable society, rule of law, and access to justice. Proposals related to these ambitions included calls to reference past agreements such as the Rio+20 and Open Working Group outcomes, and an emphasis on CBDR for countries in implementing the agenda. Others reiterated their view that CBDR does not apply to the SDG context and said the agenda must rest on principles of universality and shared responsibility.

(2) Goals, Targets, and Indicators for the Future

72. The OWG’s proposed SDGs and the “subtle balance” they had reached, in one delegate’s words, guided most speakers during the discussion of the goals, targets, and indicators. The Secretary-General’s suggestion, in his Synthesis Report, that “technical experts of the United Nations system are available to review the targets, including on the means of implementation, and to compare and align the level of ambition represented by

each to that of existing international targets, commitments, standards and agreements” ignited extensive debate. Some speakers supported the so-called “technical proofing” of the targets to give governments a chance to see what experts might suggest. Others, citing the OWG’s hard-won political consensus, urged caution, saying there was no mandate for this exercise, and expressed suspicion that it could lead to the unwarranted deletion or insertion of targets and a renegotiation of the OWG’s proposal.

(3) Means for Implementing the Agenda

73. The means of implementation addressed in the OWG proposal cover a range of resources, including traditional and new forms of finance, technology facilitation, and measures to improve the international policy environment for development. Several governments pushed for resolution of the deadlocked discussion on the transfer of clean technologies, such as by establishing a technology-facilitation mechanism. Others, however, indicated a preference to leave all discussion on means of implementation to the Financing for Development process, which will begin its first drafting session on 27 January 2015 in New York.

74. In fact, the linkages between the post-2015 and FfD processes were highlighted by most speakers, and it was clear that the outcomes of both will be interlinked and mutually dependent. The relationship between these two processes is yet to be defined, however. During the three-day session, delegations suggested various ways forward, including inserting the final outcome of FfD3 as a full component of the post-2015 agenda; bringing the full set of financial and implementation issues associated with FfD3 into the post-2015 discussion; and ensuring the MOI discussion only takes place in the FfD3 context, so as to “minimize duplication.” The FfD3 Co-Chairs encouraged delegates to coordinate their positions between these two parallel processes.

(4) Reviewing Efforts and Progress

75. This meeting was the first chance for many delegates to dedicate significant time to the discussion of follow-up and review in the post-2015 process. While many governments and civil society representatives had well-developed proposals for a future review mechanism, it was clear that much more time is needed for delegations to consider the full range of options.

76. In the weeks before the meeting, some privately recalled that the terminology for this element changed significantly. The previously used term “accountability,” as some delegates said, is not appropriate for an intergovernmental process, as sovereign governments are not “accountable” to each other, but rather to their own citizens. Instead, the language has shifted to “follow-up and review,” although some high-level representatives privately expressed concern that this change would “water down” the discussion.

77. Participants noted that there are a variety of levels and actors that should be considered in the process of review, including national governments, regional

organizations, civil society groups, international institutions and even existing peer review mechanisms. One delegate requested mapping these existing options as a starting point for further discussion, and others suggested a multi-layered approach to reporting, which could incorporate all actors.

(5) The Road Ahead

78. The stocktaking session demonstrated that there are many difficult issues to be worked through in the coming weeks and months, and that countries will have to aspire to a new level of cooperation to get there. With this challenge in mind, several speakers turned to the words of US President Barack Obama in his 2015 State of the Union address, which took place during the session, to inspire each other in the task ahead, and his emphasis on justice, equality and working together resonated throughout the room “I still believe that we are one people. I still believe that together, we can do great things, even when the odds are long.”

IV. Comments and Observations of the AALCO Secretariat

79. Addressing and tackling climate change mitigation now will reduce humanity’s need to adapt to climate change in the future and give us more time to adapt overall. However, the last sentence subtly suggests that delayed mitigation efforts may reduce humanity’s future options, including options for development.

80. The potential loss of future options poses risks to AALCO Member States and socio-ecological systems that should already be modifying how we think about development goals, even sustainable development goals. All human societies ultimately depend on ecosystems and the goods and services that those ecosystems provide, but climate change directly threatens the current states of most of the world’s ecosystems. Change an ecosystem too much in a bad way, and you retard the economic and social development (and ultimately survival) of the societies that depend on that ecosystem.

81. The climate change extremes of this new reality, such as the predicted disappearance of island nations as a result of sea-level rise, have been well-publicized but not yet incorporated into global development goals. In part, these kinds of extreme, indeed, existential, threats to island (and also Arctic) cultures may not seem generalizable; indeed, they are currently generally portrayed as tragic but somewhat unusual climate change fates for particular kinds of human societies, with the implication that the rest of us will still be able to muddle along in our pursuit of continuous development.

82. Ecological dependence, however, is more insidious than that. In particular, there are a suite of ecological changes that can thoroughly undermine development goals in a particular society without completely wiping it out. The BBC News recently published a particularly poignant example of the human tragedies that can result from ecosystem decline, tracing how the loss of terrestrial food species and especially freshwater and offshore fisheries has led to increased slavery—especially child slavery—in some

countries of Asia and Africa.⁹ Fewer fisheries and other food species make it highly labor-intensive to get food, which may promote the enslavement of children and others to carry out this task. At some point, a society's dependence on a failing or radically changing ecosystem drastically retards, even reverses, economic and social development. And climate change is making it all the more likely that a variety of ecosystems will experience such changes, or crash completely.

83. For States that lose their homelands, food supply, or water supply, this statement does not go nearly far enough. Sustainable development goals—indeed, any development goals—presume that the relevant society will continue to have the basic ecological requisites for development—a place to inhabit, a source or sources of food, water that is or can be made potable. Climate change calls those assumptions into question and limits the future development options for current societies—particularly in conjunction with an ever-rising global human population.

84. Nor is the potential loss of development options, or developmental retardation, limited to developing nations. Europe's remaining ecosystems cannot support the human population of that continent at their current levels of affluence; indeed, in 2005 the World Wildlife Fund estimated that Europe's consumption footprint more than doubles its own biological productive capacity, and hence "Europe's well-being depends on ecological capacity from elsewhere."

85. The IPCC, in other words, is just beginning to wrestle with what climate change could truly mean for future human development, sustainable or otherwise. Notably, reduced and changing resources alter not only a particular society's development options but also its adaptive capacity, potentially creating a vicious cycle of ever-diminishing resilience and ability to cope with climate change, let alone achieve economic or social progress. Clearly, as the IPCC does emphasize, a strong, immediate, and effective climate change mitigation strategy is our first-best approach to preserving as many options as possible for the future.

86. Many AALCO Member States may face greater vulnerability because of their reliance on agriculture, their lower tolerance to coastal and water resource changes, and lower financial, technical, and institutional capacity to adapt (causing higher health impacts, for example). While sustainable development might reduce this vulnerability, uncertainties about the rate of climate change and pattern of economic development in poorer countries raise questions about whether development could occur fast enough to make a difference. Few studies have considered dynamic responses to steadily increasing GHG concentrations, and the implications of multiple stress factors.

87. The GHG emissions of countries in the region are insignificant in global terms; the major sources of emissions that exist are from land-use changes and deforestation. However, West Africa is one of the most vulnerable areas to climate change due to its propensity for drought and desertification, its dependence on subsistence agriculture, and

⁹ Matt McGrath, "Global decline of wildlife linked to child slavery," BBC News Science and Environment, <http://www.bbc.com/news/science-environment-28463036> (July 24, 2014).

its vulnerability to poor rainfall. The Sahel in particular would be hugely affected by further desertification, caused by a combination of the extension of arable land due to rapid by population growth, deteriorating soils, and declining run-off from major catchments areas.

88. South Asia is extremely vulnerable to climate change impacts, given its high levels of poverty, low human development indices, inadequate legal and governance mechanisms, and vulnerability to extreme weather events. Beyond the direct economic impacts, crop failure due to climate change could also increase unemployment, destabilize food security, further increase competition for scarce resources, and increase social inequity.

89. Mitigation remains a critical concern on the road to Paris. There is a well-known gap between the current and promised emission reductions, and those needed to lead the world to a safe pathway to prevent dangerous climate change. In this regard, the Geneva text includes a broad range of new and old ideas on how to carry out mitigation, including REDD+, the land-use sector and market mechanisms, such as emission trading, and an enhanced Clean Development Mechanism (CDM+).

90. One of the key outputs from Lima was agreement on the requirements and process of intended nationally determined contributions (INDCs). While parties are yet to submit their official INDCs, announcements of planned post-2020 emission reductions by key emitters have created concerns that the Paris agreement will not be sufficiently ambitious to lead parties to a safe pathway towards the 2°C target.

91. The Geneva text includes several proposals for the assessment of parties' commitments/contributions and the time frames and "cycles" for the submission of commitments. These apparently technical details are vital elements for ensuring what many have called a "dynamic agreement" that allows mitigation ambition to be periodically reviewed and strengthened after COP 21. Parties' views on this matter radically diverged.

92. The question of differentiation and CBDRRC is another area of sharp differences in the Geneva text. The UNFCCC parties have been debating differentiation for years with positions ranging from a "static interpretation" of CBDRRC to an evolutionary one, removing or shifting the so-called "firewall" between developed and developing countries.

93. After COP 20, some commentators emphasized that Decision 1/CP.20 laid the grounds to shift the firewall of differentiation. Nevertheless, the Geneva text clearly shows that all options on differentiation remain on the table. Differentiation is addressed in several sections of the text, from the preamble to the substantive sections, and many approaches are suggested. While some proposals rely on parties' existing categorization embedded in the UNFCCC annexes, others suggest going beyond the existing distinction between developed and developing countries, with the some parties proposing entirely new annexes for the Paris agreement.

94. It is important for the Member States to closely follow the Paris Conference as it is a crucial conference, it aims to achieve a new international agreement on the climate, applicable to all countries, with the aim of keeping global warming below 2°C. Asian African countries may prepare and make an effort to unite themselves by building consensus and solidarity on issues of climate change and sustainable development goals.

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

(Deliberated)

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

Having Considered the Secretariat Document No. AALCO/54/BEJING/2015/SD/S 10,

Noting with appreciation the introductory statement of the Deputy 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 negotiations for stronger international cooperation on climate change for the period beyond 2012 under the *Ad Hoc* Working Group on the Durban Platform for Enhanced action to strengthen the multilateral rules-based regime under the United Nations Framework Convention on Climate Change,

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 outcome of the United Nations Climate Change Conference held in Warsaw, Poland in November 2013, including the request of the Conference that

the Ad hoc Working Group on the Durban Platform further elaborates elements for a draft negotiating text for the protocol, another legal instrument or an agreed outcome with legal force to be adopted by 2015,

Considering further the decision in Warsaw to invite Parties to initiate or intensify domestic preparations for their intended nationally determined contributions and to communicate them well in advance of the 21st session of the Conference of the Parties (by the first quarter of 2015) in a manner that facilitates the clarity, transparency and understanding of the intended contributions,

Affirming the importance of the linkages between climate change and sustainable development goals,

1. **Urges** Member States to actively participate in the 21st Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP21/CMP11), 30th November-11th December 2015, Paris, France, working towards an ambitious and a fair agreement that will strengthen the multilateral rules-based regime under the United Nations Framework Convention on Climate Change;
2. **Also Urges** Member States to participate constructively in the forthcoming United Nations Summit to adopt the post-2015 development agenda, which will be held from 25 to 27 September 2015, in New York;
3. **Directs** the Secretariat to continue following the climate change negotiations and Durban Platform for Action processes for stronger international legal instrument on climate change for the period beyond 2020;
4. **Further directs** the Secretariat to continue to follow up the progress in the implementation of the Sustainable Development Goals, and 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;
5. **Decides** to place this item on the provisional agenda of the Fifty-Fifth Annual Session.