

## Brief History of the UNFCCC and the Kyoto Protocol

The article looks at the history of United Nations Framework Convention on Climate Change (UNFCCC) and Kyoto Protocol

The international political response to climate change began with the 1992 adoption of the UNFCCC, which sets out a legal framework for stabilizing atmospheric concentrations of greenhouse gases (GHGs) to avoid “dangerous anthropogenic interference with the climate system.” The Convention, which entered into force on 21 March 1994, has 197 parties. In December 1997, delegates to the third session of the Conference of the Parties to the UNFCCC (COP 3) in Kyoto, Japan, agreed to a protocol to the UNFCCC that committed industrialized countries and countries in transition to a market economy to achieve emission reduction targets. These countries, known as Annex I parties under the UNFCCC, agreed to reduce their overall emissions of six GHGs by an average of 5% below 1990 levels in 2008-2012 (the first commitment period), with specific targets varying from country to country. The Kyoto Protocol entered into force on 16 February 2005 and now has 192 parties.

### Long-Term Negotiations, 2005-2009

Convening in Montreal, Canada, in 2005, the first meeting of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 1) established the Ad Hoc Working Group on Annex I Parties’ Further Commitments under the Kyoto Protocol (AWG-KP) in accordance with Protocol Article 3.9, which mandated consideration of Annex I parties’ further commitments at least seven

years before the end of the first commitment period.

In December 2007, COP 13 and CMP 3 in Bali, Indonesia, resulted in agreement on the Bali Roadmap on long-term issues that included the Bali Action Plan (BAP), which established the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA), with a mandate to focus on mitigation, adaptation, finance, technology, capacity building and a shared vision for long-term cooperative action. Negotiations on Annex I parties’ further commitments continued under the AWGKP. The deadline for concluding the two-track negotiations was 2009 at COP 15 in Copenhagen, Denmark.

**Copenhagen:** The UN Climate Change Conference in Copenhagen took place in December 2009. The high-profile event was marked by disputes over transparency and process. Late in the evening of 18 December, these talks resulted in a political agreement, the “Copenhagen Accord,” which was then presented to the COP plenary for adoption. After 13 hours of debate, delegates ultimately agreed to “take note” of the Copenhagen Accord and to extend the mandates of the negotiating groups until COP 16 and CMP 6 in 2010. In 2010, over 140 countries indicated support for the Accord. More than 80 countries also provided information on their national mitigation targets or actions.

**Cancun:** The UN Climate Change Conference in Cancun, Mexico, took place in December 2010, where parties adopted the

Cancun Agreements and agreed to consider the adequacy of the global long-term goal during a 2013-2015 review. The Cancun Agreements established several new institutions and processes, including the Green Climate Fund (GCF), the Cancun Adaptation Framework, the Adaptation Committee and the Technology Mechanism, which includes the Technology Executive Committee (TEC) and the Climate Technology Centre and Network (CTCN).

**Durban:** The UN Climate Change Conference in Durban, South Africa, took place in November/December 2011. Among other outcomes, parties agreed to launch the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP) with a mandate “to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties” no later than 2015, to enter into force in 2020. In addition, the ADP was mandated to explore actions to close the pre-2020 ambition gap in relation to the below 2°C target. DOHA: The UN Climate Change Conference in Doha, Qatar, took place in November/December 2012, and resulted in a package of decisions referred to as the “Doha Climate Gateway.” These included amendments to the Kyoto Protocol to establish its second commitment period (2013-2020), and agreement to terminate the work of the AWG-KP and AWG-LCA and negotiations under the BAP.

**Warsaw:** The UN Climate Change Conference in Warsaw, Poland, took place in November 2013. The meeting adopted an

ADP decision that, inter alia, invites parties to initiate or intensify domestic preparations for their intended nationally determined contributions (INDCs). Parties also adopted decisions establishing the Warsaw International Mechanism on Loss and Damage associated with Climate Change Impacts (WIM), and the Warsaw Framework for REDD+ (Reducing emissions from deforestation and forest degradation in developing countries, and the role of conservation, sustainable management of forests, and enhancement of forest carbon stocks).

**Lima:** The UN Climate Change Conference in Lima, Peru, took place in December 2014. COP 20 adopted the “Lima Call for Climate Action,” which set in motion the negotiations towards the 2015 agreement by elaborating the elements of a draft negotiating text for the 2015 agreement, and the process for submitting and synthesizing INDCs, while also addressing pre-2020 ambition. Parties also adopted 19 decisions that, inter alia: help operationalised the WIM; establish the Lima work programme on gender; and adopt the Lima Ministerial Declaration on Education and Awareness-raising.

**ADP Negotiations (2015):** ADP 2-8 took place in February 2015 in Geneva, Switzerland. The objective of the session, as mandated by COP 20, was to develop the negotiating text based on the elements for a draft negotiating text annexed to the Lima Call for Climate Action. The Geneva negotiating text adopted at ADP 2-8 served as the basis for further negotiations. ADP 2-9 convened in June 2015 in Bonn, Germany, and undertook streamlining and consolidation, clustering and conceptual discussions of the Geneva negotiating text, including on: preamble; general/objective; mitigation; adaptation and loss and damage; finance; technology development and transfer; capacity building; transparency; timeframes; implementation and compliance; and procedural and institutional provisions. The ADP also discussed the mandate and proposed elements for a decision on pre-2020 ambition. ADP 2-10 convened in August/September 2015 in Bonn. Delegates engaged on various parts of a “Tool” drafted by the ADP Co-Chairs,

based on the streamlined and consolidated text resulting from ADP 2-9. Delegates considered placement of paragraphs in the Tool, engaged in conceptual discussions on key issues, and, in some cases, began developing textual proposals. The ADP Co-Chairs were mandated to produce a revised nonpaper to serve as the basis for further negotiations. ADP 2-11 convened in October 2015 in Bonn. The ADP Co-Chairs proposed to begin text-based negotiations on the basis of the text they had prepared. Parties agreed to forward a revised non-paper for further negotiations and requested that the Secretariat prepare a technical paper identifying closely related paragraphs and duplication within sections, and possible areas for streamlining.



**Paris:** The UN Climate Change Conference convened in Paris, France, in November-December 2015 and culminated in the Paris Agreement. The Agreement sets the goals of: keeping global average temperature rise to well below 2°C above preindustrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels; and enhancing global adaptive capacity, strengthening resilience and reducing vulnerability to climate change. The Agreement creates two five-year cycles. One cycle is for parties to submit NDCs, with each successive contribution representing a progression from the previous contribution, reflecting common but differentiated responsibilities and respective capabilities (CBDRRC), in the light of different national circumstances. Parties with a 10-year INDC timeframe are re-

quested to communicate or update these contributions. The second cycle is a global stocktake of collective efforts, beginning in 2023, following a facilitative dialogue in 2018. All parties are to report using a common transparency framework, with support provided for developing countries to fulfill their reporting obligations. The Agreement establishes, inter alia, a mechanism to contribute to the mitigation of GHG emissions and support sustainable development and a technology framework to provide overarching guidance to the Technology Mechanism. The threshold for entry into force is 55 country ratifications accounting for at least 55% of global GHG emissions.

### Summary of the Bonn Climate Change Conference

The Bonn Climate Change Conference of the UN Framework Convention on Climate Change (UNFCCC) convened on 16-26 May 2016 in Bonn, Germany. The conference included the 44th sessions of the Subsidiary Body for Implementation (SBI 44) and the Subsidiary Body for Scientific and Technological Advice (SBSTA 44), and the first meeting of the Ad Hoc Working Group on the Paris Agreement (APA 1).

APA 1 adopted its agenda, heard initial views on its work mandated by the Paris Agreement and adopted its conclusions for further work. SBI 44 adopted several conclusions related to its regular work on implementation, including on mechanisms under the Kyoto Protocol, capacity building, gender and national adaptation plans (NAPs). It also began work on issues mandated by the Paris Agreement, including the development of modalities and procedures for a public registry for nationally determined contributions (NDCs), and for adaptation communications. SBSTA 44 adopted several conclusions, including on methodological issues under the Convention, and the Protocol, and the Nairobi work programme on impacts, vulnerability and adaptation to climate change (NWP). SBSTA 44 also began consideration of issues mandated to it by the Paris Agreement, including on the technology framework and modalities for Article 6 of the Agreement (cooperative approaches) ◀

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