International Labour Office
Green Jobs Programme

A Guide to Climate Change Negotiations for ILO Constituents

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Introduction

This informational brief presents an overview of the institutional mechanisms and procedures of the United Nations Framework Convention on Climate Change (UNFCCC), including the current negotiation streams, the expected outcomes of COP21 (to be held in Paris, France from 30 November to 11 December 2015) and other relevant information about the climate negotiation process. The brief is primarily addressed to the actors in the world of work, labour ministries, employers' and workers' organizations, green job practitioners and other labour issue experts that are unfamiliar with the climate change regime and its functioning.

Information on the ILO and its constituents' engagement in the climate change process is also provided, as well as the pursued goals and objectives related to ILO's mandate on decent work.

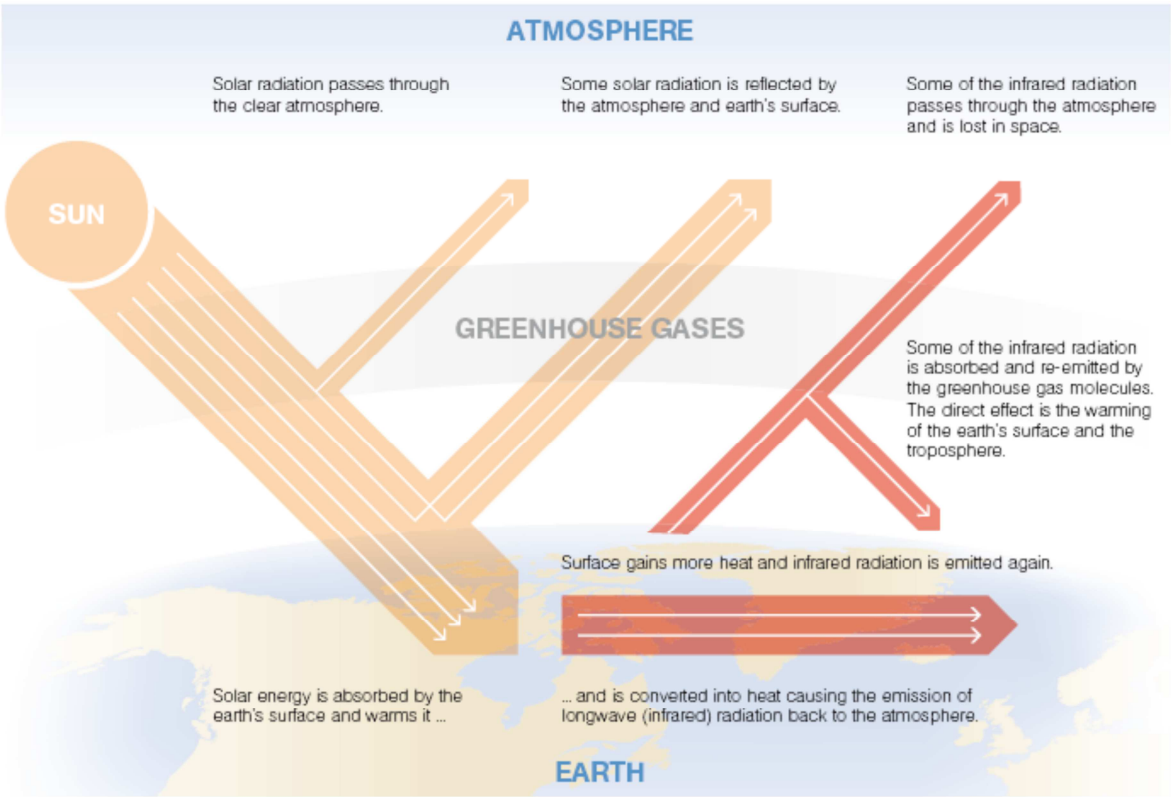
The brief should be read in conjunction with the related "Climate Change and Jobs: Making Climate Action Deliver Double Dividend" policy brief, which gives an analytical overview of the substantive links between climate change and decent work; the employment and income implications of climate change and climate policy responses, and how employment policies offer solutions for both climate change adaptation and mitigation and decent work and a just transition for all.

1. Climate Change: the scientific basis in a nutshell[1]

1.1 Greenhouse gases and the greenhouse effect

The Earth's climate has always naturally varied. A growing body of evidence indicates that human-induced climate change is well underway, with potentially drastic impacts on people, economies and ecosystems. Levels of carbon dioxide and other 'greenhouse gases' in the atmosphere have steeply increased during the industrial era, owing to human activities like use of fossil fuels and deforestation which have been exacerbated by economic and population growth. Like a blanket wrapped around the planet, greenhouse gases trap heat energy in the Earth's lower atmosphere (see below). If emission levels rise too high, the resulting overall rise in air temperatures – an effect known as global warming – is liable to severely disrupt natural patterns of climate.

[1] Source of the section: "Uniting on Climate. A guide to the Climate Change Convention and the Kyoto Protocol", 2007



1.2 The Intergovernmental Panel on Climate Change

Climate change negotiators are informed with the latest "scientific, technical and socio-economic information relevant for the understanding of the risk of human-induced climate change"[2] through periodical reports produced by the Intergovernmental Panel on Climate Change (IPCC).

The IPCC was established by the World Meteorological Organization (WMO) and by the United Nations Environment Programme (UNEP) in 1988 as an intergovernmental scientific body. At present, 195 countries are Members of the IPCC, and it is open to all member countries of the United Nations (UN) and WMO.

The IPCC doesn't conduct research or monitor climate related data or parameters; it reviews existing and current climate literature and compiles it into a clear, up-to-date and publicly accessible periodical reports. Thousands of scientists from around the globe voluntarily contribute to the work of the IPCC. Governments participate in the literature review process and plenary sessions where the main decisions about the IPCC work programme are made, reports are accepted, adopted and approved, and the IPCC Bureau Members, including the Chair, are elected.

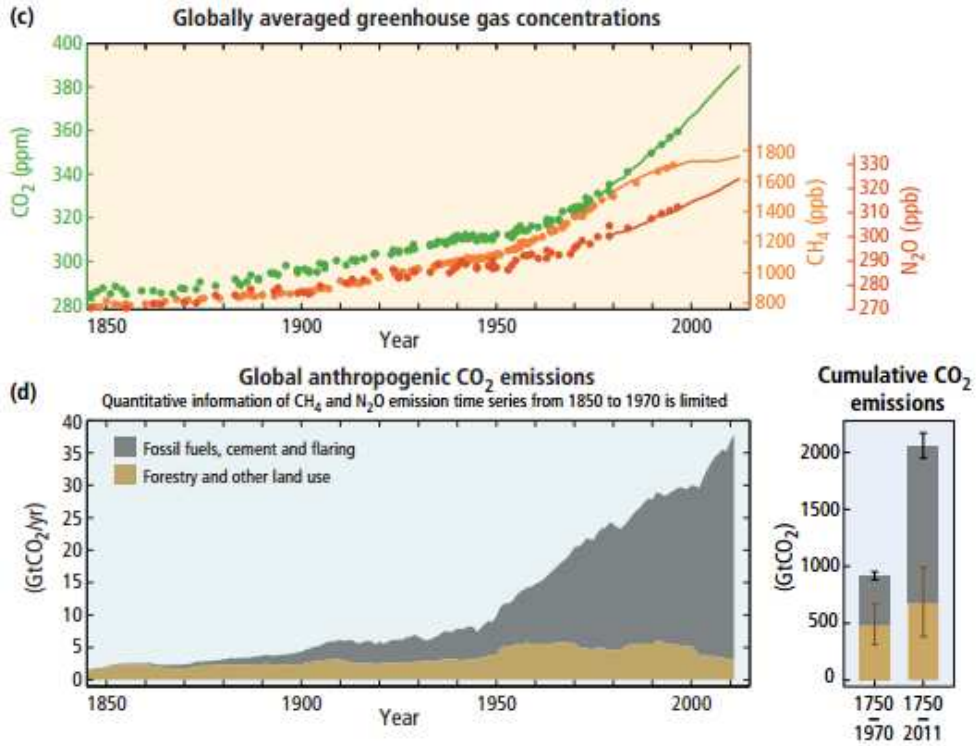
[2] https://www.ipcc.ch/organization/organization_history

1.3 The IPCC 5th Assessment Report

The Fifth Assessment Report[3], the latest global report, was published in 2014. The report concluded that the human influence on the climate system is clear, and that recent anthropogenic greenhouse gas emissions are the highest in history. These have been driven largely by economic and population growth, lifestyle, energy use, land use patterns, technology and climate policy. The changes have had already had widespread impacts on human and natural systems (IPCC, 2014).

According to the IPCC, the world faces an average temperature rise from 3.7°C to 4.8°C above 1850–1900 levels over the course of this century if greenhouse gas emissions (GHG) continue to rise at their current pace without additional mitigation (see note on mitigation below at 2.3).

Keeping the global mean temperature increase below 2ºC is necessary to avoid the worst consequences of climate change. To reach this goal, we need to reduce GHG emissions to between 40 to 70% of 2010 emission levels by 2050, and need near or below zero emissions by 2100. Achieving these reduction targets requires substantial technological, economic, social and institutional innovation.



Source, IPCC 5th Assessment Synthesis Report, 2014

Climate change and the associated temperature increase are already negatively affecting natural and human systems around the world - and these effects are very likely to worsen. Most short- to medium-term impacts will

[3] http://www.ipcc.ch/report/ar5

result from increased variability of weather and more frequent and more extreme weather events like storms, droughts, floods and heat-waves.

Continued greenhouse gas emissions will cause further warming and long-lasting changes in all components of the climate system, increasing the likelihood of severe, pervasive and irreversible impacts for people and ecosystems. Limiting climate change would require substantial and sustained reductions in greenhouse gas emissions which, together with adaptation, can limit climate change risks (IPCC, 2014).

1.4 Expected future impacts

Heat waves will occur more often and last longer and extreme precipitation events will become more intense and frequent in many regions. The ocean will continue to warm and acidify and will strongly affect marine ecosystems (IPCC, 2014). Global mean sea level will continue to rise, even if the global mean temperature is stabilized. Coastal systems and low-lying areas are at extreme risk. An increasingly large number of species face risk of extinction due to climate change, especially as it interacts with other stressors. Coral reefs and polar ecosystems are highly vulnerable.

Social impacts of climate change*:* The social impacts of climate change are increasingly better understood. It is now widely acknowledged that limiting the effects of climate change is a prerequisite to achieving sustainable development and equity, including and poverty eradication.

Impacts on development: Climate change will amplify existing risks and create new risks for natural and human systems. Risks are unevenly distributed and are generally greater for disadvantaged people and communities in countries at all levels of development. Mitigation and adaptation raise issues of equity, justice and fairness. Many of those most vulnerable to climate change have contributed and contribute little to GHG emissions. Delaying mitigation shifts burdens from the present to the future generations, and insufficient adaptation responses to already emerging impacts are eroding the basis for sustainable development.

Increasing food insecurity: Climate change is projected to undermine food security. Rain-fed agricultural will decline substantially in some parts of the world, notably Sub-Saharan Africa. Global marine species redistribution and marine biodiversity reduction in sensitive regions will challenge the sustained provision of fisheries productivity and other ecosystem services.

Impacts on health: Until mid-century, projected climate change will impact human health mainly by exacerbating health problems that already exist, especially in developing countries with low income.

Impacts on labour: The combination of high temperature and humidity in some areas for parts of the year is expected to compromise common human activities, including growing food and working outdoors. It addition, negative impacts are expected on incomes in sectors highly dependent on natural

resources affected by climate change, mainly but not only agriculture due to shifts in the production areas of food and non-food crops around the world.

Impacts on poverty: Climate change exacerbates other threats to social and natural systems, placing additional burdens particularly on the poor. From a poverty perspective, climate change impacts are projected to slow down economic growth, make poverty reduction more difficult, further erode food security and prolong existing and create new poverty traps, the latter particularly in urban areas and emerging hotspots of hunger.

Impacts on migration: Climate change is projected to increase displacement of people. Populations that lack the resources for planned migration experience higher exposure to extreme weather events, particularly in developing countries with low income. The number of climate induced migration is currently estimated at 165.9 million people only in the five-year period of 2008–2013 and likely to reach up to 1 billion people by 2050 (IOM, 2014)[4].

Impacts on conflicts: Climate change can indirectly increase risks of violent conflicts by amplifying well-documented drivers of these conflicts such as poverty and economic shocks.

Source: IPCC Synthesis Report 2014

2. The International Climate Regime

2.1 The UN Framework Convention on Climate Change

The United Nations Framework Convention on Climate Change (UNFCCC) was adopted in 1992 with the ultimate objective to stabilize atmospheric concentrations of greenhouse gases at a level that will prevent dangerous interference with the climate system. The Convention was opened for signature at the United Nations Conference on Environment and Development[5] (or Earth Summit) in Rio de Janeiro in June 1992 and entered into force in 1994. A total of 191 countries are Parties to the Convention. This almost worldwide membership makes the Convention one of the most universally supported international environmental agreements.

The UNFCCC is based on a number of key principles contained in Article 3 of the Convention[6]. Such principles form the basis of the climate regime and define roles and responsibilities of the different categories of countries. Among those principles are the principles of historical responsibility of developed countries and the principle of "common but differentiated

[4] IOM Outlook on migration, environment and climate change can be accessed at: http://publications.iom.int/system/files/pdf/mecc_outlook.pdf
[5] http://www.un.org/geninfo/bp/enviro

responsibilities and respective capabilities". The Convention affirms that responses to climate changes should be integrated with social and economic development, and recognizes the specific needs of developing country Parties that are particularly vulnerable to the adverse effects of climate change. The Convention cautions that measures to combat climate change should not be used as an arbitrary or unjustifiable discrimination or restriction on international trade.

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Three groups of countries under the Convention

The Convention divides countries into three main groups with differing commitments, roles and responsibilities:

Annex I Parties include the industrialized countries member of the OECD in 1992 and countries with economies in transition. Annex I Parties pledged to adopt climate change policies and measures to reduce greenhouse gas emissions to 1990 levels by the year 2000.

Annex II Parties are OECD members of Annex I but not countries with economies in transition. Annex II Parties are required to provide financial resources to enable developing countries to undertake emissions reduction activities under the Convention, and to help them adapt to adverse effects of climate change. In addition, they have to "take all practicable steps" to promote the development and transfer of environmentally friendly technologies to Parties with economies in transition.

Non-Annex I Parties are mostly developing countries. Certain groups of developing countries are recognized by the Convention as being especially vulnerable to the adverse impacts of climate change, including countries with low-lying coastal areas and those prone to desertification and drought. Others (such as countries that rely heavily on income from fossil fuel production and commerce) feel more vulnerable to the potential economic impacts of response measures to climate change which reduce greenhouse gas emissions. However, they are subject to general commitments to respond to climate change, the same that Annex I and Annex II Parties.

In addition, the 48 Parties classified as least developed countries (LDCs) by the United Nations are given special consideration under the Convention on account of their limited capacity to respond to climate change and adapt to its adverse effects.

Source: UN Framework Convention on Climate Change (UNFCCC), 1992

2.2 The Kyoto Protocol: Binding commitments to reduce emissions

In December 1997 in Kyoto, Japan an implementation mechanism to the Convention outlined legally binding commitments to emissions cuts was adopted at the third Conference of the Parties (COP3). The Kyoto Protocol, as

the implementation mechanism is now known, entered into force on 16 February 2005.[7] Recognizing that developed countries are primarily responsible for the current high levels of GHG emissions in the atmosphere due to over 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities."

The Kyoto Protocol shares the Convention's objective to stabilize atmospheric concentrations of greenhouse gases at a level that will prevent dangerous interference with the climate system. It builds upon and enhances many of the commitments that are already in place under the Convention and requires Annex I Parties (industrialized countries) to undertake domestic policies and measures to reduce GHG emissions and to enhance GHG removal from the atmosphere through what are known as "carbon sinks". In addition, both Annex I and non-Annex I Parties (developing countries) must cooperate in the areas of:

- Development, application and diffusion of climate-friendly technologies;
- Research on and systematic observation of the climate system;
- Education, training, and public awareness of climate change;
- The improvement of methodologies and data for GHG inventories.

Unlike other multilateral environmental agreements, the Kyoto Protocol allows Annex I Parties to achieve emission reduction through participation in "flexibility mechanisms" that are intended to serve as tools to lower the overall cost of reducing emissions. The scientific argument for this approach is based on the fact that the atmospheric effect of emissions removed or not emitted is equal.

The three mechanisms are known as joint implementation, the clean development mechanism and emissions trading[8].

2.2.1. The first commitment period of the Kyoto Protocol

During the first commitment period (2008-2012), the developed countries parties to the Kyoto Protocol committed to a reduction of 5.2% of their greenhouse gas emissions compared to 1990 levels. This global target is broken down into specific targets for each country (see table below).

Countries included in the Kyoto Protocol and their emissions targets

Country	Target (1990** - 2008/2012)	Change from 1990

[7] After ratification from at least 55 Parties to the Convention, including enough industrialized countries listed in the Convention's Annex I to represent 55 per cent of that group's carbon dioxide emissions in 1990.

[8] See glossary for explanation.

		to 2012 (%)****
EU-28*,	-8%	-21,0
Switzerland	-8%	-1,4
US***	-7%	+2,7
Canada	-6%	+42,2
Japan	-6%	+8,6
New Zealand,	0	111,4
Russian Federation,	0	-50,3
Ukraine	0	-57,1
Norway	+1%	-35,3
Australia	+8%	2,4
Iceland	+10%	9,8

The 28 EU members States redistributed their targets amongst themselves, taking advantage of a scheme under the Protocol known as a "bubble" whereby countries with different individual targets can combine them to make an overall target for that group of countries.
** Some EITs have a baseline other than 1990.
*** The US has not ratified the Kyoto Protocol.
****Total aggregate anthropogenic emissions of CO2, CH4, N2O, HFCs, PFCs and SF6 including emissions/removals from land use, land-use change and forestry (Source UNFCCC, 2014. Document FCCC/SBI/2014/20)

2.2.2 Second commitment period: the Doha Amendment

In 2012, new commitments for the second commitment period (2013- 2020) were adopted. Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period. However, this second commitment period has not yet entered into force due to a lack of sufficient country ratifications. The composition of Parties in the second commitment period is also different from the first.

2.3 Negotiating issues

To achieve the objective of the UN Framework Convention on Climate Change, countries should take action in the following areas. These have subsequently become the main negotiating areas.

Adaptation to climate change: defined by UNFCCC as "the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities". Examples of adaptation measures include natural or artificial flood-

management infrastructure, water harvesting and water management infrastructure to address increasing water scarcity, and changing agricultural production times and process to adapt to new temperatures and weather conditions, among many others. Although all countries are experiencing the impacts of climate change and therefore need to adapt, developing countries, particularly the Least Developed Countries, have lower adaptive capacity and thus need greater support from the international community.

Mitigation to climate change: is defined by the Convention as 'policies and measures taken by countries to limit anthropogenic emissions of greenhouse gases and protecting and enhancing its greenhouse gas sinks and reservoirs'. Examples of mitigation measures include using renewable energy sources, reducing energy consumption by undertaking energy efficiency measures, taking measures to control deforestation, and many others.

All countries should consider and undertake mitigation measures; developed countries should be global mitigation leaders due to their greater capacity and historical responsibility.

Capacity building for climate action[9]: country level capacity building is much needed to strengthen the ability of individuals, organizations and institutions to identify, plan and implement ways to mitigate and adapt to climate change. This may include providing knowledge, tools, public support, scientific expertise and political know-how, among others.

Climate finance[10]: According to the UNFCCC website 'climate finance refers to local, national or transnational financing, which may be drawn from public, private and alternative sources of financing'. It is widely recognized that finance is critical to addressing climate change since significant investments are needed for new measures to reduce GHG emissions also through the development and use of technology, provide capacity building and adapt to climate change effects. It is one of the most contentious issues of the climate discussions, due to the difficulties of defining climate finance and ensuring that developed country Parties provide sufficient resources to developing countries in a predictable and stable manner, and that those financial resources are new and additional.

3. Actors of the negotiations

Governments: UNFCCC is a country-driven process. That means that governments are the ones taking decisions. Generally, governments are represented by ministries of environment and foreign affairs. Other ministries, such as those in charge of economic affairs, participate in the consultative phases of the negotiations at country level. Increasingly, other departments such as energy and agriculture are included in country delegations.

[9] Access more on capacity building to address climate change at: http://unfccc.int/cooperation_and_support/capacity_building/items/1033.php

[10] Access more information on climate change finance here: http://unfccc.int/focus/climate_finance/items/7001.php

Observers' organizations: In addition to Parties there are a number of organizations that participate as observers. They only can take the floor at the invitation of the Chair of each UNFCCC session and do not have any voting power. Organizations included in this category include civil society groups, United Nations Organizations and other Intergovernmental Organizations.

Civil society organizations are represented by the nine major groups of Agenda 21: **ENGOs**: Environmental non-governmental organizations; **BINGOs**: Business and industry non-governmental organizations; **YUNGOs**: Youth and children organizations, Women and gender organizations, Farmers Organizations; **TUNGOs**: Trade Union non-governmental organizations; **RINGOs**: Research and Independent Non-governmental Organisations; **LGMAs**: Local government and municipal authorities and **IPOs**: Indigenous peoples' organizations.

4. Institutional mechanisms of the Convention

Conference of Parties (COP): The COP is the supreme decision-making body of the Convention, and all States that are Parties to the Convention are represented at the COP, while States that are not Parties participate as observers. There, they review the implementation of the Convention and any legal instruments adopted by the COP and take decisions necessary to promote the effective implementation of the Convention including institutional and administrative arrangements.

The COP meets every year, unless the Parties decide otherwise. The COP Presidency rotates among the five recognized UN regions - Africa, Asia, Latin America and the Caribbean, Central, Eastern and Western Europe, and Others – and the venue of the COP also shifts among these groups (UNFCCC, undated).

Meeting of the Parties to the Kyoto Protocol (CMP): The Conference of the Parties (COP) serves as the meeting of the Parties to the Kyoto Protocol (CMP). The CMP meets annually during the same period as the COP. Similarly to the COP, the CMP reviews the implementation of the Kyoto Protocol and takes decisions to promote its effective implementation. Parties to the Convention but are not Parties to the Protocol are able to participate in the CMP as observers, but do not have the right to take decisions.

Subsidiary bodies: There are two permanent bodies of the Convention, one to provide Scientific and Technological Advice (SBSTA) and one in charge of Implementation (SBI), and number of bodies that have been created over the years that deal with key technical issues that have emerged in the negotiations, including technology, finance and adaptation.

Financial mechanisms and bodies: A number of financial committees, funds and entities have been created, including:

- The Adaptation Fund[11], which promotes the enhancement of adaptation in a coherent manner;
- The Least Developed Countries Fund, which was created to support the work of LDCs in the various reporting obligations under the Convention;
- The Special Climate Change Fund, established to finance activities, programmes and measures relating to climate change complementary to those supported by other funding mechanisms for the implementation of the Convention;
- The Global Environment Facility (GEF), the operational entity of the financial mechanism of the Convention that provides financial support to the activities and projects of developing country Parties and receives guidance from the COP;
- The Green Climate Fund (GCF), which was established as a new operating entity of the financial mechanism of the Convention and is accountable to and functions under the guidance of the COP. It is intended to be the main fund to scale-up the provision of long-term financing for developing countries. Industrialized countries committed to provide funds rising to USD 100 billion per year by 2020.

5. Towards a new climate agreement

The UNFCCC is the main treaty that governs climate change policies at global level. For its implementation, the Kyoto Protocol was established as a time-bound agreement with a specific emissions-reduction objective for a specific category of countries.

In December 2011 UNFCCC Parties established a working group called the **Ad-Hoc Working Group on the Durban Platform for Enhanced Action** (ADP) mandated to 'developing a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties' no later than 2015. It is expected that this outcome will be adopted at COP21 and come into effect as of 2020.

The ADP process has two work streams: work-stream 1 focuses on the process of negotiations for reaching a final agreement in Paris, and work-stream 2 focuses on the 'pre 2020 ambition', which refers to the efforts required to reduce 'the significant gap between the aggregate effect of Parties' mitigation pledges in terms of global annual emissions of GHG 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'. Its main objective is to identify and explore options for a range of actions that can close ambition gap with a view to ensuring the highest possible mitigation efforts are made by all Parties.

This Agreement has two important distinctions from the Kyoto Protocol:

[11] Access more information about the different financial structures under the Convention at: http://unfccc.int/bodies/items/6241.php

- **Universality**: The new agreement will have been discussed among all Parties to the Climate Change Convention, including those that did not ratify the Kyoto Protocol. The future agreement is to include specific commitments to be fulfilled by all countries following the principle of common but differentiated responsibilities and capabilities.

- **Higher ambition:** The new agreement will aim to achieve much more substantial emission cuts. The Kyoto Protocol aimed to reduce greenhouse gas emissions by 5.2%; this agreement will aim to have global GHG emissions by 2050, which is deemed as necessary for GHG concentrations in the atmosphere to remain below 450 ppm[12] CO_{2eq}[13]. Such a reduction would result in an average global warming of 2^oC. This emission reduction goal would require 60–80 per cent emission cuts in industrialized countries and 30 per cent lower levels of emissions in developing countries.

6. ILO engagement in climate negotiations

6.1 International Labour Office engagement

The International Labour Office engaged in the UNFCCC process in COP13 (Bali, Indonesia) in 2009. Since then, ILO has actively participated in COPs and SBs, providing technical presentations to Parties upon request by the UNFCCC Secretariat on areas of work linked to the ILO's mandate, such as the socio-economic impacts of response measures or skills and other education measures related to climate change policies[14]. ILO also produces technical information on the links between the world of work and the decent work agenda and climate change policies and impacts.

The ILO participates in the UN working Group on climate change under the High-Level Committee on Programmes (HLCP), the coordinating body of the UN system in the UNFCCC process[15], mandated to promote system-wide cooperation, coordination and knowledge sharing in programme and operational areas. It has also developed training programmes on the links between climate change and decent work through the International Training Centre (ITC-ILO) in Turin, Italy[16] as well as at regional and country level.

6.2 Engagement of workers and business

[12] ppm: parts per million
[13] See pages 39 and 90 of the Technical Summary of IPCC's Fourth Assessment Report at: http://www.ipcc.ch/pdf/assessment-report/ar4/wg3/ar4-wg3-ts.pdf
& page 776 of Chapter 13at: http://www.ipcc.ch/pdf/assessment-report/ar4/wg3/ar4-wg3-chapter13.pdf
[14] Information on ILO's work on climate change can be accessed at: http://www.ilo.org/global/topics/green-jobs/areas-of-work/climate-change
[15] Information about how the UN system supports ambitious action on climate change can be accessed at: http://goo.gl/Z6sBG5
[16] Information about ITC-ILO Turin can be accessed at: http://www.itcilo.org/en/the-centre

Workers and trade unions are represented and organized by the International Trade Union Confederation (ITUC), and Business NGOs are organized by the International Chamber of Commerce (ICC). Individual organizations that represent sectoral, regional or national level affiliates can request to be part of these groups by sending a formal request to the respective coordinators[17].

Workers and employers' organizations have been active in the climate change process since it started in 1992. Both groups, workers and trade unions (known as TUNGOS) and employers' groups (which are part of the BINGO-Business NGOS- constituency) participate in all COPs and SBs as observers of the negotiating process. They participate in different manners:

- by producing technical reports on their areas of their interests;
- by interacting with governments, with UNFCCC Secretariat and other key players on a regular basis;
- by facilitating their groups' interventions at UNFCCC sessions;
- by organizing side events at UNFCCC sessions, where they present relevant research, technical information, their position on issues related to their organizational interests; and
- by interacting with other groups of civil society, other organizations and the broader UN system.

All civil society constituencies as well as TUNGOs and BINGOs have the opportunity to provide formal inputs to the process by making brief (2-3 minutes) statements from the floor. However, opportunities to make these interventions are at the discretion of the Chair of each session and are not guaranteed. They also have the opportunity to submit their views in written form to the UNFCCC Secretariat that will make them available on the UNFCCC website.

During official UNFCCC meetings, both groups hold daily meetings (usually at 9:00 in a room at the official venue) for informal exchange of views about the status of negotiations, daily coordination and related strategies.

In addition, at the margins of each COP, workers and trade unions attending the Conferences convene in the 'World of Work Pavilion' to exchange views, share experiences and present their findings on specific climate change issues. BINGOs organize the 'business days' with very similar purposes.

[17] Anabella Rosemberg (Anabella.Rosemberg@ituc-csi.org) at ITUC and bi@iccwbo.org at ICC