

Brief

COP28 Performance on Delivering Climate Justice

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Executive Summary

COP28 marked a significant yet challenging milestone in the climate change narrative. The COP28 main mandate was to deliver the first science and equity-based assessment of progress and deliver a roadmap to keep the Paris Agreement's goal alive. The conference aimed to set important precedents in various work streams like the Global Stocktake, the Just Transition Work Programme, the Global Goal on Adaptation, and the New Collective Quantified Goal. Some progress was made, particularly in transitioning away from fossil fuels, addressing loss and damage due to climate change, and setting adaptation goals. However, the event also faced criticism for insufficient ambition and concrete action plans, especially in terms of climate finance and adaptation strategies.

- **Fast, fair, full, forever fossil fuel phase-out** - Agreement for fossil fuel phase-out, excluding any reference that opens the door for dangerous distractions, and is in line with human rights obligations. Including an operational and funded Just Transition Work Programme rooted in equity
- **Course correcting Global Stocktake** - a balanced and equitable package supporting communities at the forefront of climate change, with priorities in finance, adaptation, loss and damage, and just transition.
- **Loss and Damage that Delivers Climate Justice** - through the GST fill the gaps on the Loss and Damage Fund by reinforcing human rights language for L&D, ensuring active and meaningful participation of affected communities, respecting the rights of Indigenous Peoples, clarifying the Fund's scale, commitment to direct community access, avoid debt creating finance instruments

This brief provides an analysis are analyzed in light of the key demands for climate justice and outlines the path ahead, emphasizing the need for continued engagement and advocacy for more robust climate justice and finance mechanisms.

COP28 Expectations

Fossil fuel phase-out & Just Transition

At COP28, expectations for the phase-out of fossil fuels were centered around several key objectives. The primary goal was to establish a clear and equitable strategy for phasing out all fossil fuels, recognizing their significant contribution to global warming and climate change and essential to meet the objectives of the Paris Agreement and limit global warming to 1.5°C. This involves transitioning away from coal, oil, and natural gas to cleaner, renewable energy sources such as solar, wind, and hydroelectric power.

A significant aspect of the fossil fuel phase-out expectation was ensuring a just and equitable transition. The Just Transition Work Programme (JTWP) was expected to ensure that the move away from fossil fuels is not only environmentally sustainable but also socially equitable. The JTWP aimed to address the socio-economic impacts of the transition, particularly on communities and workers who have been dependent on the fossil fuel industry.

The program should have also highlighted the importance of international cooperation and support, especially from developed countries to developing nations. Developed countries, which historically contributed most to carbon emissions, were anticipated to lead by example and provide financial and technical assistance to developing countries. This support is crucial for developing nations to leapfrog to renewable technologies and avoid the carbon-intensive development path taken by wealthier nations. This support was expected to come in the form of financial assistance, technology transfer, and capacity building, enabling less economically developed countries to make the transition to renewable energy sources more effectively and without

COP28 Expectations

compromising their economic development. It also involved developing social safety nets to support those who might be adversely affected by the transition.

A key aspect for the JTWP outcome was to emphasize social dialogue and collaboration between governments, businesses, labor unions, and civil society. This collaborative approach was intended to ensure that the voices of all stakeholders, especially those from vulnerable communities, were heard and considered in the transition process.

Incorporating the Just Transition Work Programme into the broader fossil fuel phase-out strategy at COP28 underscored the commitment to ensuring that the transition to a low-carbon economy is fair and leaves no one behind. The program was anticipated to play a crucial role in balancing environmental imperatives with social and economic sustainability, making the global response to climate change more inclusive and equitable.

Another critical expectation was the integration of robust policies and regulations to facilitate this phase-out. This includes setting ambitious yet realistic targets for reducing fossil fuel use, implementing carbon pricing mechanisms, and providing incentives for renewable energy adoption. Governments were expected to commit to stringent timelines and clear roadmaps for reducing their reliance on fossil fuels.

COP28 Expectations

Global Stocktake

The expectation for the Global Stocktake was to deliver a balanced package that effectively evaluates and guides global climate action across several critical areas: mitigation, adaptation, and means of implementation and support. A balanced package in the context of the Global Stocktake refers to an equitable assessment of collective progress towards keeping global warming below 1.5°C, and the need for more ambitious targets. This GST was of particular importance since it is the only one who could course-correct to ensure we can still meet the 1.5°C target.

Furthermore, the Global Stocktake was anticipated to review adaptation efforts, acknowledging the increasing climate change impacts and the need for resilience-building, particularly in vulnerable and developing countries. This includes assessing the adequacy of adaptation support provided to these nations in terms of technology and finance. The Global Goal on Adaptation (GGA) provides a framework to drive political action and adaptation finance. It is particularly crucial for groups and communities on the frontlines of the climate crisis, and developing countries. The framework had to be finalized at COP28.

The means of implementation, support, and finance aspects of the stocktake were particularly crucial. The balanced package was expected to evaluate the provision and mobilization of financial resources, technology transfer, and capacity-building support, essential for enabling countries to meet their climate commitments. This includes assessing the fulfillment of developed countries' commitment to mobilizing \$100 billion annually in climate finance to support developing countries.

COP28 Expectations

Loss and Damage and Climate Justice

The expectations for Loss and Damage (L&D) were centered around establishing a robust and effective framework to address the impacts of climate change that are beyond the capacity of countries to adapt. The key focus was on creating a comprehensive Loss and Damage mechanism that acknowledges and compensates for the irreversible impacts of climate change, particularly in vulnerable and developing countries.

The L&D agenda at COP28 was expected to advance discussions on the operationalization of the Santiago Network for L&D. This network aims to provide technical assistance, by connecting vulnerable countries to resources, knowledge, and expertise needed to address L&D.

Another critical expectation was the operationalization of the Loss and Damage Fund (LDF). This involves setting up dedicated funds to aid countries that are disproportionately affected by climate-related disasters. The financial support was expected to be adequate, accessible, non-debt-creating, and timely, enabling averting, responding, and rebuilding from climate L&D.

There was also a strong emphasis on the principle of Common But Differentiated Responsibilities (CBDR). The expectation was that developed countries, responsible for a larger share of historical emissions, would acknowledge their role and contribute significantly to the financial mechanisms supporting loss and damage. Incorporating aspects of equity and justice was a significant expectation. The framework for Loss and Damage was anticipated to address not only the economic impacts but also non-economic losses such as loss of culture, identity, and biodiversity.

Energy Package

Developments

- Despite being held in the most unfavorable environments to end fossil fuels - including a repressive petrostate presidency and the presence of 2,500 fossil fuel lobbyists - COP28 sent a political signal to transition away from fossil fuels, a first in COP decision texts.
- Strong references to scientific evidence
- Encouragement for ambitious, economy-wide emission reduction targets in alignment with the 1.5°C goal for the next round of Nationally Determined Contributions (NDC)
- Recognition of the need for a just and equitable transition with a JTWP that highlights the importance of socio-economic dimensions, international cooperation as a key enabler, labor rights, social protection, and social dialogue.
- Just Transition text that acknowledges the importance of respecting human rights, social justice, gender equality, and the rights of Indigenous Peoples and future generations, migrants, people with disabilities when developing and delivering on Just Transition pathways.

Limitations

- The decision did not include a commitment to peak emissions by 2025, essential for aligning actions with scientific findings.
- Loopholes for transition away from fossil fuels, including technology endorsements like Carbon Capture and Storage (CCS), and language such as "transition fuels" and "zero emission energy systems"
- Absence of financial commitments to support the energy transition in recognition of the historical responsibility, risking the objective of a just and equitable global transition.
- Lack of mandate to deliver operational decisions that lead to just transition implementation guidance for NDC, finance, and partnerships.

UAE Consensus: GST

“A key component of the UAE Consensus is the decision on the GST to assess progress since Paris and put forward a plan to close implementation gaps to 2030.” Besides the energy package, the GST covered holistically all the agendas under the Paris Agreement. Unfortunately, the *consensus* was gaveled without Small Island Developing States being in the room.

Developments

- The Stocktake revealed a significant gap between current efforts and what is needed to limit global warming to 1.5°C, indicating a need for more urgent and robust action.
- Challenges in data consistency and availability affected the accuracy of the assessment, highlighting the need for improved climate action reporting and transparency.
- A framework for a Global Goal on Adaptation (GGA) was finalized on COP 28

Limitations

- The Stocktake did not result in binding commitments or a clear roadmap for enhancing NDCs, which was seen as a missed opportunity for driving more decisive action.
- The GGA did not establish robust and clear targets for long-term, scaled-up, predictable, new, and additional financial support for developing countries. This fails to deliver on the need for increased adaptation resources for developing countries already facing climate impacts.

Loss and Damage & Climate Justice

In the lead to COP28, a series of Transitional Committee meetings took place around the globe to develop robust recommendations to operationalize the Loss and Damage Fund. Loss and Damage issue was discussed in different agenda items including Global Stocktake, the Santiago Network, and the New Climate Quantified Goal. The expectation was that through these agenda COP28 would strengthen the guidance and support for Loss and Damage.



Developments

- Loss and Damage Fund was operationalized at COP28
 - Calls for the Board to create a process for effective participation of observers in the Fund's operations is proposed, promising inclusivity.
 - The Fund emphasizes engagement with a wide array of stakeholders, including community-based organizations, indigenous groups, youth, women, migrants, as well as industries and the private sector.
 - The Fund seeks to bolster national responses, particularly focusing on women, vulnerable communities, and indigenous peoples.

- An explicit acknowledgment of various human rights obligations, including the rights to a clean environment, health, and development, as well as gender equality and intergenerational equity.
- Financial pledges amount to \$770 million in pledges, primarily from developed countries.
- Loss and Damage Santiago Network
 - The UNDRR and UNOPS consortium was chosen to host the Santiago Network secretariat, now fully operational for an initial term of five years.
 - The Network has structural and functional connections with the Fund, poised to catalyze technical assistance and capacity building for vulnerable communities.
- Global Stocktake
 - Acknowledgement of financial gaps for loss and damage

Limitations

- L&D fund institutional setup is skewed against the interest of the most vulnerable. The text does not reflect differentiated responsibilities, scale of needs, scaling up mechanisms, or frontline community representatives on the board.
- The fund governing instrument allows debt-creating financing mechanisms to fund L&D
- Concerns remain about the World Bank's capability of delivering direct community access to the fund
- Although the GST references financial gaps in addressing loss and damage, it lacks specifics on scale, replenishment, and non-debt-creating instruments.
- Financial commitments fall incredibly short to address the L&D finance need which is estimated to be in the hundreds of billions.
- COP28's decisions were insufficient in encouraging a robust NCQG but did not foreclose its potential to establish a goal and contributions monitoring for Loss and Damage

Rule 16

In the UNFCCC, procedural Rule 16 allows for the deferral of agenda items to the next session if they are not concluded during the current session. This procedural rule, while essential for managing complex negotiations and extensive agendas, can also lead to delays in critical decision-making and implementation of actions. Rule 16 allows for the deferral of agenda items that are not completed during the current session of the conference, indicating ongoing complexities and the need for further discussion in these areas of climate negotiation

During COP28 the rule was invoked for 12 agenda items, including carbon credits (Article 6.2, 6.4), Adaptation committee report, Kyoto ambition, International aviation and shipping, and Action for Climate Empowerment, among others.

It's important to highlight that ACE negotiations tend to be very collaborative. However, this year negotiations reached a deadlock over including discussions of finance for ACE. ACE is a toolkit, recognized as essential for delivering every climate action since 1992, that includes education, public awareness, public participation, access to information, training, and international cooperation. In spirit, society needs to be informed and engaged in the design and implementation of climate solutions.

As we embark on a journey for 2024 climate action, on the road to Baku, it is important to highlight some of the challenges ahead as the focus turns to finance and ensuring capacities, responsibilities, and implementation are aligned to ensure Paris Agreement is met in its full scope.

Columbia at COP28

Columbia University had a significant presence at COP28, researchers and members from the Columbia Climate School participated in numerous events.

People

Haein Shin, from Earth Institute, was a speaker in a panel about climate and sustainability education as a powerful tool for combating the climate crisis. She also published a White Paper on how we can nurture and encourage youth-led innovation to accelerate the implementation of the UN's Sustainable Development Goals

The Urban Climate Change Research Network's global coordinator, Maria Dombrov, aimed to strengthen international collaborations and share insights from the Third Assessment Report on Climate Change and Cities (ARC3.3) and participated in a discussion on National Adaptation Plans.

The Climate Justice post-doc, Isatis M. Cintrón-Rodriguez chaired and was a speaker in several sessions regarding loss and damage, participatory climate governance, and the Escazú Agreement. Additionally, she facilitated COP28 presidency events, and provided technical support for observers and governments. Lastly, she coordinated the People's Pavilion an openCOP collaboration that aims to enhance access and engagement at UNFCCC.



Columbia at COP28

Columbia Day

Global Alliance of Universities on Climate (GAUC) Pavilion

The day featured discussions on topics like carbon markets, climate change, energy transition, and the nexus of climate change and human health. Columbia University staff, faculty and partners, including Johanna Lovecchio, Peggy Shepard, Ana Maria Camelo Vega, and Jason Bordoff, were among the speakers at these events.



Ben Orlove, a professor at Columbia's School of International and Public Affairs, was involved in the launch of "10 New Insights in Climate Science" and participated in events at the Cryosphere Pavilion, focusing on adaptation justice and the impacts of climate change on mountain regions.

Andrew Kruczkiewicz from the International Research Institute for Climate and Society at Columbia University focused on the integration of science into policy and practice, particularly in the context of extreme events and climate-related disasters.

2024 Pathway: What now?

Loss and Damage

- Increased engagement in monitoring the World Bank's role in hosting the Fund to ensure it fulfills its conditions for managing the Fund
- L&D fund Board nominations will be completed by the end of January, focusing on fund-raising plans, operational modalities, financial instruments, and expert committees.
- Participation in dialogues leading up to COP29 to influence decisions of NCQG
- An agreement at COP29 on NCQG which includes Loss and Damage to ensure that the LDF funding is part of the broader mandate of climate finance provision by developed countries.

Global Stocktake

- Countries and observers are invited to provide inputs, in February 2024, on the lessons learned from the Global Stocktake to inform better outcomes in the following iterations.

Adaptation

- The Emirates Framework for Global Climate Resilience will kick off in 2024, and inputs due in March 2024 will help inform indicators at the heart of this framework.

Climate Finance

- COP29 will be a finance COP, from scale to reform issues on the table.
- Governments will set a new post-2025 finance goal, which will have implications for all previous agreements about scaled-up ambition, adaptation, loss and damage, and technology transfer.
- Governments need to get their parliaments and Congress to agree on mobilizing resources.

Conclusion

While COP28 might be seen as progress in the multilateral process, still leaves much to be desired in terms of concrete action, delivery, and financial commitments to climate justice. Particularly, it represents an incremental advancement with reinforced status quo instead of the transformational and exponential change required to meet the expectations and magnitude of the climate crisis. The outcome of the COP28 is a little too late.

The road ahead in 2024 is crucial for the implementation and operationalization of these mechanisms. It is imperative to maintain solidarity, advocacy, and constructive creativity with developing countries and frontline communities. Addressing these challenges presents opportunities to strengthen climate action and enhance equity and justice in the global response to climate change.

