



DEFINING AN AFRICAN AGENDA FOR COP28

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I. Executive Summary

The impacts of the climate crisis on life on the planet in 2023 have been unprecedented. Temperature records have been soaring as populations in many countries suffer from unprecedented heat levels. It's highly likely this will be the hottest year in human history. The UN Secretary General has described it as end of era of global warming and the arrival of an era of global boiling. In Africa, a crippling drought in the East of the continent (Horn of Africa region) wreaked death and devastation for months to the people who are least responsible for climate breakdown.

The signals are even becoming clearer in the polluting nations of the Global North. Days after the UN Secretary General's climate summit in New York in September, the city was deluged with floodwater, the worst such floods in years. It was as if the climate was reminding us that empty words and pledges won't prevent its destructive power. Meanwhile, the world is off-track in achieving the goals of the Paris Agreement including achieving the goal of limiting global warming to 1.5C.

The overriding question, therefore, is, will we get a similarly unprecedented COP28 climate summit? One that responds with the scale and urgency that matches the escalating climate crisis?

Last year, we saw signs that countries were starting to recognise the impacts being felt by the most vulnerable communities in the world. At COP27, nations meeting on African soil in Egypt, agreed to create a Loss and Damage fund to provide compensation to the world's poorest people who had suffered the worst losses of a climate disaster they didn't cause.

For that commitment to be worth anything, though, we need countries to act with urgency to make the fund a reality. Countries can take these all-important steps at COP28 in Dubai.

Paying the climate debt that is owed to those who have already suffered losses is a commendable start. But countries also need to act to stop more people from needing loss and damage compensation. This is why we need to see much more directed investment in African development as well as funding to help people adapt to the current climate impacts.

At COP26 in Glasgow, rich nations pledged to double their adaptation funding. To date, this promise is yet to be fulfilled. There's currently a huge shortfall in this lifesaving adaptation funding. This is known as the Adaptation Gap and sadly, it is growing as the needs of people battling on the front line of the climate crisis remain unmet. This should be the year rich nations step up.

In the same way that we demand adaptation funding to prevent more loss and damage, we need to see more action to cut emissions to prevent more people needing adaptation support. It is only by ending all greenhouse gas emissions that we will truly stop the climate crisis.

That is why it's perverse to hold the most important climate talks in one of the biggest oil-producing countries in the world. Yet what a fitting location for us to set the date on which we must phase out all fossil fuels? This is the step that would strike a crushing blow to the fossil fuel industry which profits from the climate suffering of millions.

At the start of COP27 in Sharm El-Sheikh last year, pessimists said developing countries would not succeed in their push for the Loss and Damage Fund. Yet they prevailed. That same determination will be needed by negotiators and civil society delegates this year to obtain a COP28 outcome that effectively challenges the ongoing climate crisis.

African countries have a long and storied tradition of working together. Moreover, Africa has collaborated with other developing countries of the world in the annual COPs in seeking successful outcomes that reflect and respond to their sustainable development needs and priorities.

To reflect Africa's needs at COP28, solidarity is key to breaking the stalemate and unlocking the finance needed to cut emissions, build resilience and secure sustainable food and energy systems.

To this end, an African agenda for COP28 would centre around the following key issues:

- ▶ **Finalizing loss and damage financial and technical institutional arrangements, especially the Loss and Damage Fund**
- ▶ **Establishing a clear mandate for the Just Transition Work Programme that will enhance the provision of support under the UNFCCC and Paris Agreement to Africa and other developing countries to undertake nationally determined just transition pathways.**
- ▶ **Clearly defining the Global Goal on Adaptation goal and the doubling of adaptation finance**
- ▶ **Clear commitments and progress on climate finance negotiations and implementation**
- ▶ **Achieving solid outcomes in the Global Stocktake process that enhances equity and international cooperation on climate change action from 2024 onwards.**
- ▶ **Progress on mitigation towards 1.5C.**

II. The Context for COP28

The 27th Conference of the Parties (COP27) of the UNFCCC that took place in November 2022 in Sharm El Sheikh, Egypt, was billed as the "Implementation COP" and the "COP for Africa." Going into COP27, the focus of the Presidency, and of developing countries, including those in Africa, was on enhancing the implementation of the UNFCCC and its Paris Agreement.

COP27's results for Africa were a mixed bag.

There was a significant breakthrough in loss and damage, as the COP decided on new funding arrangements to support developing countries in addressing loss and damage, including by establishing a loss and damage fund. This fund is expected to provide financial support to developing countries that are particularly vulnerable to, and are severely impacted by, the adverse effects of climate change. These impacts range from sea-level rise to extreme weather events and droughts.

The operational modalities and institutional design of the loss and damage fund are currently being worked out by the Transitional Committee (TC) over the course of 2023. The TC's recommendations are expected to be adopted at COP28.

COP27 also saw an agreement for Parties to push for reforms to make multilateral development banks align their lending and investment portfolios with the goals of the Paris Agreement. This entails promoting the transition to low-carbon and climate-resilient development pathways, increasing the transparency and accountability of MDBs, and enhancing countries' capacity to mobilize private sector finance for climate action.

The COP also called for scaled-up investment in renewable energy, with a specific focus on grant-based support for Sub-Saharan Africa.

COP27, however, fell short on crucial aspects like adaptation (particularly on the Global Goal on Adaptation), mitigation, and the delivery of enhanced climate finance from developed countries.

Going into COP28, Africa is faced with several imperatives. First is the science. The 6th Assessment Report (AR6) of the Intergovernmental Panel on Climate Change (IPCC) has clearly indicated that the world is not on track to staying within the 1.5°C limit agreed upon in Paris. The IPCC report recommends that the global response must be to cut emissions in this decade by at least 45%.

Secondly, we are staring at the grim reality of climate change. Many African countries face disproportionate burdens and risks arising from climate-induced unpredictable weather patterns, including prolonged droughts and devastating floods. These have caused and continue to drive widespread humanitarian crises. Economies, health systems, education, peace and security have been detrimentally impacted.

The IPCC AR6 report confirms that Africa is warming faster than the rest of the world. It warns that if unabated, climate change will continue to have progressively heavier and more destructive impacts on the development of African economies. Further, the report confirms that since 1961, agricultural productivity in Africa has reduced by 34% due to climate change. This is more than any other region. Even more disturbing is that climate change will continue to disrupt food systems in Africa. Despite their low historical and current minimal contribution to global greenhouse gas emissions, African countries are among the most affected and least able to meet adaptation and mitigation costs.

COP28 will, therefore, take place against the backdrop of converging and intensifying crises relating to climate, food, energy, health, debt and geopolitical tension. In 2023, the global average temperatures have briefly touched the 1.5C temperature goal of the Paris Agreement. The year has also seen new and extraordinary weather extremes, fuelling wildfires, heat waves, floods, and stronger tropical cyclones all around the world. Meanwhile, food shortages, fossil fuel price spikes, and rising costs of living in virtually all countries have intensified, with increased geopolitical tensions further stoking these crises.

However, despite being among the least historically responsible for climate change-causing greenhouse gas emissions while being among those particularly vulnerable to the adverse effects of climate change, African countries are already contributing more than their fair share to adaptation. Africa accounts for one-fifth of the expenditure required to reduce potential economic impacts on the continent.¹ Africans, in more senses than one, are now paying the bill for climate change-related adverse effects caused by the historical emissions of developed countries.

Together with other developing countries, African countries have consistently stressed that climate change is one of the greatest challenges of our time and its widespread, unprecedented impacts disproportionately burden the poorest and most vulnerable countries. Extreme weather events and slow onset events affect the environment, economies and societies while reversing hard-earned developmental gains, thus compounding the challenges faced by local communities. African and other developing countries have also long recognized that climate change is a universal concern of humankind.

In this context, Africa has been a leading voice in stressing that the global response to climate change must be guided by the principles and obligations of the UN Framework Convention on Climate Change (UNFCCC) and its Paris Agreement. Africa has repeatedly reiterated the objective of the UNFCCC and its principles, including the principle of equity and common but differentiated responsibilities (CBDRs). Africans recognise the respective capabilities, in light of different national circumstances. In the Nairobi Declaration of the

¹ See e.g. UNECA, Africa spending more than its fair share for climate adaptation, a new study reveals (2017), at <https://archive.uneca.org/stories/africa-spending-more-its-fair-share-climate-adaptation-new-study-reveals>

Africa Climate Summit, African leaders emphasised that the continent “possesses both the potential and the ambition to be a vital

component of the global solution to climate change.” The leaders noted that the continent “has the fundamentals to pioneer a climate-positive pathway.” Additionally, Africans acknowledge the need for an effective and progressive response to the urgent threat of climate change on the basis of the best available scientific knowledge and in the context of sustainable development and efforts to eradicate poverty.

For Africa, the full and effective implementation of the UNFCCC and its Paris Agreement, with all their principles and provisions is non-negotiable. This implementation should result in enhancement of low-cost climate technology transfer and capacity building as well as mobilizing affordable, adequate and timely delivered new additional financial resources for environmentally sustainable projects. This should be delivered in Africa and other developing countries as a fundamental component in international cooperation on climate change.

In this context, Africa and other developing countries have been vocal in defending, promoting and strengthening the multilateral response to climate change under the UNFCCC and its Paris Agreement.

This means that the UNFCCC and its Paris Agreement are integral parts of such multilateral response, with the Paris Agreement, adopted under the UNFCCC, serving as the collective vehicle for all countries to enhance the implementation of the Convention, in accordance with its objectives, principles and provisions, in particular equity and common but differentiated responsibilities and respective capabilities, in the light of different national circumstances, needs and priorities and the right to development, in the context of sustainable development and efforts to eradicate poverty and leave no one behind.

The COP28 in Dubai, UAE, in December 2023 will be a significant juncture for the multilateral climate system and the global community's capacity to enhance international cooperation and action on climate change. This makes COP28 a moment of key importance for Africa and its future.

Success at COP28 should be gauged, not simply on reaching an agreement on COP decisions, rather, on reaching agreement on decisions that contribute to the further development of a fair, equitable, effective, and ambitious multilateral climate regime. One that is guided by the spirit of the UNFCCC and its Paris Agreement in a manner that enhances international cooperation and increases support to Africa and other developing countries. The first Global Stocktake at COP 28 is an important moment to reflect on progress and correct course towards enhanced ambition and implementation.

The means of implementation should be enhanced by developed countries, including through adequate and timely flows of affordable climate finance, technical assistance, capacity building, and transfer of technology to support climate actions of developing countries.

Furthermore, there is a need for developing comprehensive financial arrangements that address loss and damage suffered due to climate change. This includes operationalizing the fund on loss and damage as agreed at COP27 to benefit developing countries. It is also essential to maintain focus on the implementation of existing commitments by developed countries in the pre-2020 period. The global effort to fight climate change is an irreversible process that can neither be overlooked nor postponed.

For COP28 to obtain outcomes that are conducive to enhancing international cooperation and action on climate change, the foundational principles of the UNFCCC and the Paris Agreement should be further operationalized. These include the principle of common but differentiated responsibilities and respective capabilities.² This principle reflects the historical responsibility of today's developed countries for the largest share of historical and current emissions of greenhouse gases. Under this principle, these developed

² See UNFCCC, 6th preamble and Arts. 3.1 and 4; Paris Agreement, 3rd preamble and Arts. 2.2, 4.3, and 4.19.

countries have the legal and ethical obligation under the UNFCCC and its Paris Agreement to lead efforts to combat climate change and its adverse effects. This must go hand in hand with renewed commitments to reducing their emissions and in terms of providing developing countries with the means of implementation (finance, technology transfer and capacity building) with which to undertake their own mitigation and adaptation actions. These initiatives must be accompanied with deliberate actions to address climate change-caused losses and damages.³

Underlying this principle is the concept of equity and fairness that recognizes that while climate change is a global problem that will require global solutions, its causes stem from unequal and inequitable historical conditions such as colonialism, neocolonialism, and the use by developed countries today of more than their fair share of the global carbon budget. These must be addressed and remedied as part of the global solution. This would require that, among other key outcomes, COP28 strikes an agreement that compels developed countries to drastically cut emissions to match their fair shares, leading to real zero or below zero emissions⁴ in the near-term. The outcome must also facilitate the provision of additional finance and technology transfer to developing countries.

It is only through respecting these principles that the spirit of multilateralism and international cooperation as an operational principle that underlies the legal and institutional architecture of the UNFCCC and its Paris Agreement⁵ is lent real effect to the benefit of, particularly, African and other developing countries.

III. Priorities for an African COP28 Agenda

A. Addressing climate-induced loss and damage as a key part of multilateral cooperative climate action

For African countries, loss and damage represents an outstanding economic and political challenge. It is a great concern that has been prioritized by the meeting of the Committee of African Heads of State and Government on Climate Change (CAHOSCC). The African Ministerial Conference on the Environment (AMCEN) has seriously considered the issue.

Current and projected costs to address loss and damage are enormous. Even if all cost-effective adaptation is realised, Africa will still suffer large “residual” damages, which are estimated to be double the adaptation costs in the period 2030-2050. These residual damages are already and will continue to undermine Africa’s development effort. The climate change challenge exceeds the capacity of the continent to respond to projected damages and impacts through domestic resources, even if the base to raise additional funding is broadened.

Consequently, Africa and the international community will need to find ways to cope with these residual damages, under any scenario of global mitigation and local adaptation efforts. Scaled-up international support for loss and damage for African countries is, therefore, critical.

³ See UNFCCC, Arts. 4.3, 4.4, 4.5; Paris Agreement, Arts. 7, 8, 9, 10, and 11.

⁴ See e.g. Civil Society Equity Review, *After Paris: Inequality, Fair Shares, and the Climate Emergency* (December 2018), at <https://www.equityreview.org/s/CSOEQuityReview-2018-AfterParis-InequalityFair-SharesandtheClimateEmergency.pdf>

⁵ See e.g. UNFCCC, Art. 4.7; Paris Agreement, Arts. 2, 3, 4, 6, 7, 8.

Africa is a hotspot of vulnerability to the adverse impacts of human-induced climate change, and existing emission trends and mitigation pledges will only increase the frequency and severity of impacts already being experienced. In Paris, the international community agreed to a goal of keeping the global average temperature increase to well below 2°C above preindustrial levels. They also agreed to pursue efforts to limit the temperature increase to 1.5°C above preindustrial levels.

There are many valid concerns that current mitigation pledges will lead to temperature increases far above the agreed level. Even with the agreed 1.5C level of warming, the impacts for Africa are expected to be enormous. Many studies demonstrate that under different warming scenarios and despite strong adaptation efforts in the region, considerable adverse effects of climate change will be felt in Africa, resulting in significant loss and damage. The scientific evidence shows that the future impacts on the continent are alarming. The African continent is exposed to multiple types of loss and damage which manifest most significantly in diverse sectors of economy and society and are associated with certain events (both extreme and slow onset events) over different time scales both at present as well as in the future i.e., anticipated in the medium and long-term.

African countries are required to address a wide range of concerns associated with the adverse impacts of climate change, in different sectors and in relation to different types of impacts and events (both slow onset and extreme).

The report of the IPCC's Working Group II on climate vulnerability that was released in early 2022 pointed out that climate change has already caused losses and damages arising from climate change impacts. These losses and damages are unequally distributed and, particularly, impact developing countries. There are certain climate change impacts that can no longer be adapted to, resulting in unavoidable losses and damages.⁶

However, the current financial and institutional arrangements under the UNFCCC and its Paris Agreement are not sufficient to enable African and other developing countries to address such losses and damages fully and effectively. Developing countries generally have limited financial resources for responding to these losses and damages.

There are projections, for example, indicating that Africa alone needs up to \$289 billion in a 2°C scenario.

It was in this context that COP27 agreed to establish new funding arrangements, including a fund, to support developing countries address the adverse effects of climate change.

At COP28, Africa will continue to work in solidarity with other developing countries, including African and global civil society organizations, and sympathetic partners from the global North to operationalize the COP27 decision establishing the Loss and Damage Fund. The push will also include supporting the work and the recommendations of the Transitional Committee.

Some key elements for such operationalization should include:

- ▶ **Creating the LD fund as a new multilateral fund, designated as an Operating Entity of the financial mechanism of the Convention, and also serving the Paris Agreement, dedicated to providing financial resources to address loss and damage associated with the adverse effects of climate change in developing countries. This fund would be launched at COP28 with the commitment of**

⁶ See e.g. IPCC, Working Group II – Summary for Policymakers (2022), at https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf; Adelle Thomas, What does the IPCC say on losses and damages (2 June 2022), at <https://climateanalytics.org/blog/2022/what-does-the-ipcc-say-on-losses-and-damages/>; and CAN, New IPCC report paints harsh reality of unavoidable climate impacts and loss and damage (28 February 2022), at <https://climatenetwork.org/2022/02/28/new-ipcc-report-paints-harsh-reality-of-unavoidable-climate-impacts-and-loss-and-damage/>

new and additional finance resources from developed country Parties. This fund would channel, mobilize and coordinate significant grant-based financing for addressing LD by increasing country investments in LD; promoting a more coordinated approach to LD investments; and by convening key stakeholders and serving as a platform for discussion and advocacy around strengthening LD responses that complement and include sources, funds, processes and initiatives under and outside the Convention and the Paris Agreement. The LDF would manage a large volume of financial resources and deliver through a variety of non-debt generating financial instruments, programming approaches and access modalities, including direct budget support, with the objective of providing adequate financial resources to developing countries for their loss and damage-related policy measures, activities and actions.

- ▶ **Underscoring and recognizing that all developing countries who are parties to the UNFCCC and its Paris Agreement are eligible for the fund and the new funding arrangements.**
- ▶ **Being institutionally equipped to quickly deliver new and additional money – as grants – to vulnerable communities in developing countries who are increasingly impacted by extreme weather events and slow onset events as a result of a climate crisis they did not cause**
- ▶ **Agreeing on a direct access window to the LDF, to be distributed by local entities and accessed by impacted frontline communities and civil society organizations.**
- ▶ **COP 28 must launch the Santiago Network for Loss and Damage and agree on the host institution with the necessary capacity and mandate to provide technical support on loss and damage to developing countries. The Network should be facilitated with adequate and predictable financial resources to do its work.**

B. Supporting African Just Transitions and Sustainable Development

Despite the challenges currently posed by climate change, structural poverty, and continental fragmentation, Africa remains full of promise and opportunities, with enormous sustainable development potential in its people (set to double to 2.5 billion by 2050), its energy resources, arable land, critical minerals, and other natural resources.

Africa's renewable energy potential is enormous but renewable energy currently accounts for only 10% of the continent's electricity generation mix, and only 20% of the total installed electricity generation capacity in Africa in 2019⁷. Africa holds about 19% of the global metal reserves required to make an electric vehicle⁸ and holds 30% of global mineral reserves, including dozens of minerals that are critical for the energy transition due to their importance in renewable and low-carbon technologies.⁹ Many African countries are at the forefront in showcasing their push to transition to sustainable pathways.

These resources and strategic minerals can support the just transitions of African countries, provided that there is continent-wide cooperation that ensures coherence and synergy of their climate actions, environmental protection and economic development interests. These can also enhance Africa's role in the global economy.

⁷ IRENA, *The Renewable Energy Transition in Africa (2020)*, at https://www.irena.org/-/media/Files/IRENA/Agency/Publication/2021/March/Renewable_Energy_Transition_Africa_2021.pdf

⁸ Antonio Andreoni and Elvis Avenyo, *Critical Minerals and Routes to Diversification in Africa: Linkages, Pulling Dynamics and Opportunities in Medium-High Tech Supply Chains* (UNCTAD, August 2023), at https://unctad.org/system/files/non-official-document/edar2023_BP1_en.pdf

⁹ Ben Chandler, *Africa's critical minerals: Africa at the heart of a low-carbon future* (Mo Ibrahim Foundation, October 2022), at <https://mo.ibrahim.foundation/sites/default/files/2022-11/minerals-resource-governance.pdf>

Despite its abundant mineral wealth, energy and other natural resources crucial for its energy transition, Africa has largely failed to scale up a continent-wide energy transition. This is due to a range of structural and economic conditions that have kept it reliant on centralized fossil fuel-dependent energy infrastructure, the production of fossil fuels for export, and the export of around 70% of its mineral exports as unprocessed commodities. Investments are needed in sustainable infrastructure, technology, processing, training and capacity building to tap the full benefits of the value chain of African energy transition minerals, and the associated production of renewable energy technologies on the continent to meet its need for energy access and sustainable development.

Africa's own resources provide a solid basis for the continent to embark on just transition pathways that will allow African countries to avoid the fossil fuel-based development pathways of today's developed countries. This will enable economies provide sufficient jobs, eradicate poverty and pursue climate change-resilient and sustainable development. This requires meaningful financial commitments and investments for the adoption of renewable energy at scale and support the social and equity dimensions of just transition pathways.

Doing so will help to accelerate the energy transition away from fossil fuel dependence in African and other developing countries, support energy independence, foster increased economic activity, diversify and industrialize into other (preferably climate-resilient) economic sectors, and support sustainable development.

A key element in such transition pathways is countries' ability and willingness to diversify their economies towards sectors that are more adaptable to climate change impacts. In the Paris Agreement, economic diversification is explicitly recognised among actions to be taken under mitigation and adaptation.¹⁰

Despite its substantial renewable energy potential, however, Africa currently receives only 2 percent of global clean energy investments. Even more disturbingly, the cost of capital for renewable energy projects on the continent can be up to seven times higher than in the developed world. At the same time, more than 600 million Africans remain without access to electricity. Access to clean cooking fuels and technologies for over 900 million Africans must also be enhanced urgently. Renewable energy needs to be made available at affordable prices to realize Africa's inherent potential to meet its energy access and development goals. This is vital to support the achievement of food and energy sovereignty, to decarbonize Africa's production and to grow low-emission local, regional and global supply chains.

In this context, Africa requires the establishment and scaling up of ambitious, people-centered programs to deliver decentralized energy to Africans. These programs must improve the rate and scale at which socially and environmentally sound African renewable energy projects are delivered to cater to all needs, including industry.

Africa and other developing countries should, therefore, push for a framework for financing the transitions to ensure the shift from fossil fuel use to renewable energy in their jurisdictions is measured, protects workers, communities and national economies from negative consequences, and in a manner that enhances sustainable development.

Africa needs planned, phased and nationally appropriate divestment of fossil fuels, supported by a just transition financing framework that facilitates its sustainable development.

Just transition pathways, including economic diversification, should ideally result in developing a more robust range of sectors that can provide varied goods and services; provide jobs in sectors that are more resilient against climate change impacts; enhance the performance of non-agriculture sectors such as

¹⁰ Paris Agreement, Art. 4.7 and 7.9(e).

manufacturing, services, construction, infrastructure, information and communication technology, finance, etc; and significantly contribute to sustaining long-term economic growth and development.

Doing so will require African countries to use active and proactive industrial policies to improve their manufacturing capacity and to scale up production and export by establishing domestic, regional, and continent-wide linkages and value chains.¹¹

Additionally, effective transition pathways would also require the equitable and fair resolution of other issues within multilateral climate change, trade and other regimes. This resolution must capture the transfer and development of environmentally sound technologies and the provision of intellectual property rights flexibilities with respect to the needed technologies. It must reflect the principles of common but differentiated responsibilities and of special and differential treatment (SDT) for developing countries. More crucially, it must feature the provision of new, additional and adequate finance for mitigation, adaptation, economic diversification, and loss and damage.

Like mitigation, climate adaptation measures can also lead to unequal and unjust outcomes, particularly for workers and groups who need to transition to more sustainable and adaptive measures but lack the resources.

At COP26 and COP27, Africa and other Parties of the UNFCCC and the Paris Agreement agreed to scale up low-emission renewable energy systems and to phase down unabated coal. This was complemented by a commitment to abolish all fossil fuel subsidies.

The International Energy Agency (IEA) has suggested that a 1.5C pathway requires the immediate and massive deployment of all available clean and energy-efficient technology. The body has underscored the fact that no new oil and natural gas fields are needed in a net zero pathway. Moreover, IEA has stated that the contraction of oil and gas production will have far-reaching implications for countries that produce these fuels. African Heads of State and Government, in the context of the Africa Renewable Energy Initiative, adopted in various African Union Assembly Decisions¹², have agreed to scale up the deployment of people-centred renewable energy generation and enable universal energy access and the addition of at least 300GW of renewable energy by 2030.

At the Stockholm+50 UN Conference on a Healthy Planet for the Prosperity of All, Parties recommended the phaseout of fossil fuels while providing targeted support to the poorest and most vulnerable, in line with national circumstances and by recognizing the need for financial and technical support towards just transitions.

In undertaking such just transitions, the UNFCCC requires that measures to address climate change should not present adverse economic and social consequences for developing countries. Such an occurrence would create an undue burden for developing countries which are already affected by the impacts of a warming planet.¹³ African countries are already smarting from the negative impacts of unilateral measures in respect of levies, tax standards related to climate change in the form of border carbon adjustments and deforestation-free products without the international cooperation agreed to in Article 4.5 of the Paris Agreement. These are distorting trade thus curtailing African economies.

¹¹ Antonio Andreoni and Elvis Avenyo, *Critical Minerals and Routes to Diversification in Africa: Linkages, Pulling Dynamics and Opportunities in Medium-High Tech Supply Chains* (UNCTAD, August 2023), at https://unctad.org/system/files/non-official-document/edar2023_BP1_en.pdf

¹² See e.g. AU Assembly, *Decision on Africa's Engagement in the Global Climate Negotiations*, Assembly/AU/Dec.603(XXVI).Rev.1 (31 January 2016), at <https://oau-aec-au-documents.uwazi.io/entity/okrpib59wc21vsx3iegrjm7vi?file=1495271139932swrj6c7xs2bvcwobxh66flxr.pdf>; and AU Assembly, *African Renewable Energy Initiative – Status, Achievement and Way Forward*, Assembly/AU/16(XXX) (29 January 2018), at [http://www.arei.org/wp-content/uploads/2018/02/ASSEMBLY%20AU%2016%20\(XXX\)%20_E.pdf](http://www.arei.org/wp-content/uploads/2018/02/ASSEMBLY%20AU%2016%20(XXX)%20_E.pdf)

¹³ See, e.g., IPCC, *Climate Change 2022: Impacts, Adaptation, and Vulnerability* (Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, 2022), at <https://www.ipcc.ch/report/ar6/wg2/>

As part of the modalities of the work programme on just transition pathways at COP28, governments should:

- ▶ Adopt modalities for comprehensive and robust work programme on just transition pathways that considers the transitions towards all the three goals of the Paris Agreement. These are pathways to low-emission economies, climate-resilient economies, and financing that is consistent with the mitigation and adaptation pathways. This must be done within the context of sustainable development and efforts to eradicate poverty while fully operationalizing the principles of equity and common but differentiated responsibilities and respective capabilities. It must also be executed in the light of different national circumstances.
- ▶ The work programme should enhance international cooperation towards securing a transition to a low carbon and climate-resilient future that also contributes to reducing inequalities, both within and between countries.
- ▶ Explicitly recognize under such work programme that there will be multiple forms and stages of just transition pathways and that such pathways will have to be nationally determined and nationally appropriate in terms of the timeframe, scale and pace of transitions to low emissions and climate-resilient development in line with Article 2 of the Paris Agreement.
- ▶ Call for new, additional and adequate and appropriate financing and technology support to be committed by developed countries and to be provided to African and other developing countries. This finance and technical support will spur their economic diversification and energy transition in the context of a carefully thought-out sustainable development and energy transition plan. This plan must be appropriate to national circumstances, including the use of African-led, decentralized and democratized renewable energy, economic, and climate resilience initiatives as the basis for just transition pathways.
- ▶ Stress the need for support of developed countries to developing countries for access to existing and emerging low-emission technologies and solutions that avoid, abate and remove GHG emissions. The support must enhance adaptation action to address climate change. This would include the need for enhancing low-cost technology transfer and for mobilizing affordable, adequate, new and additional financial resources delivered timely for environmentally sustainable projects.
- ▶ Integrate adaptation into the scope of the Just Transition Work Programme to achieve parity and balance with mitigation with the view to addressing restorative, distributive and procedural justice issues underpinning a just transition for climate adaptation and resilience.
- ▶ Underscore Africa's concerns over the adverse impacts of response measures on its countries and to assert that the continent will not bear the costs or assume the responsibilities of other regions for climate actions, including through payment of unfair and discriminatory carbon border taxes. Proposals from developed countries to establish trade barriers, such as unilateral carbon border adjustments that are discriminatory and against the principles of equity and common but differentiated responsibilities and respective capabilities, should be strongly criticized and rejected by Africa and other developing countries. Africa must emphasize that measures taken to combat climate change, including unilateral measures, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade and, in particular, on African exports.
- ▶ Oppose trade barriers, including those under the pretext of tackling climate change, imposed by certain developed countries. This must done in a manner seeks to enhance African coordination with other developing countries on these issues. The aim must be to underline and ensure that measures taken to tackle climate change and biodiversity loss do not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. It also should not create unnecessary obstacles to international trade of African and other developing

countries. Such measures must be guided by the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances.

- ▶ **Establish a CMA agenda item and annual high-level dialogue to capture decisions that may merge from the technical and high-level discussions of the work programme, including a consideration of political declarations where appropriate.**

C. Strengthening Adaptation Action and Support

Set against the backdrop of intensifying economic impacts from floods, droughts and locust invasions across Africa, COP28 should highlight the urgent need for Africa to adapt to climate change while also cutting emissions. For Africa, and developing countries around the world, it is no longer enough to mitigate the climate crisis. They need to adapt and to build their resilience to survive and thrive.

The African continent is warming at a rate that is at least twice the global average. Africa is also most vulnerable to climate impacts, a situation compounded by the development gap compared to the rest of the world. Additionally, impacts of climate change are eroding the development gains the continent has made. The losses in terms of economic sectors and livelihoods are unfairly borne by African countries. There is an intrinsic link between adaptation and sustainable development, where climate impacts undermine sustainable development, while sustainable development enhances adaptive capacity that acts as a shield against climate impacts. It is highly unlikely that African countries will be able to achieve the SDGs by 2030.

The impacts of climate change are unfolding in different ways around the continent. The Horn of Africa is on the brink of famine due to a recent devastating drought that lasted more than five seasons. Huge locust swarms in East Africa, drawn in by heavy rain, have in the recent past devoured crops. Severe floods in Southern Africa this year have killed hundreds of people and displaced tens of thousands. Warmer temperatures are attracting malaria-bearing mosquitos to new places. Floods in Libya have killed and injured thousands, leaving many more displaced. The simultaneous impact of different weather extremes and climate hazards is causing cascading losses and damages that are increasingly difficult to manage and adapt to. This is exposing millions of people to acute food and water insecurity as well as economic damage, especially in Africa, Asia, Central and South America, Small Island Developing States (SIDS) and the Arctic, the IPCC said in its 2023 report.

African countries are among those that are particularly vulnerable to the adverse effects of climate change due to a host of historical, structural and development factors contributing to low adaptive capacity. Climate change adaptation and resilience is key to achieving Africa's development objectives in Agenda 2063, including low-emissions and resilient sustainable development across all the countries in the continent. Africa's adaptation needs are estimated to be at least US\$52.7 billion annually by 2030, against annual average flows of US\$11.4 billion. This leaves a financing gap of US\$41.3 billion.¹⁴ More than half of adaptation finance Africa is channeled through debt, thus exacerbating existing debt burdens in many African countries.¹⁵ African governments are already investing significant public resources (between 4-7 percent of annual GDP) towards adaptation. The IPCC suggests that climate impacts costs for African countries approach 4% of their GDP, a cost singularly borne by the continent, yet it is driven by global emissions.

Consequently, the cost to African countries cannot be estimated by the quantum of the investment alone. Rather, by costs to the economies. Budgetary support and grant-based finance, a lifeline for adaptation action¹⁶ to African countries should, therefore, form the main modality for financing adaptation projects in Africa.

¹⁴ See https://gca.org/wp-content/uploads/2023/09/Accelerating-Adaptation-Finance_Web.pdf

¹⁵ See https://gca.org/wp-content/uploads/2023/09/Accelerating-Adaptation-Finance_Web.pdf

¹⁶ See <https://policy-practice.oxfam.org/resources/climate-finance-shadow-report-2023-621500/>

This calls for immediate action to adapt to climate change, while also slashing emissions. Admittedly, though, adaptation has so far drawn minimal attention and finance, compared to mitigation.

Developed countries under the UNFCCC and the Paris Agreement are obligated to assist developing countries in meeting the costs of adapting to the adverse effects of climate change.¹⁷ Adaptation is good for the economy as investing US\$1.8 trillion in adaptation between 2020 and 2030 could generate upwards of US\$7.1 trillion in benefits.¹⁸ These benefits are related to the fact that adaptation actions in Africa offer a unique investment opportunity, with a triple dividend of avoiding losses, creating economic gains, and having positive social and environmental benefits¹⁹.

At COP26, developed countries agreed to double financial support for adaptation to US\$40 billion per year. These nations have, however, not met²⁰ this goal even as African countries said they need about US\$700 billion per year from 2025 to adapt²¹. Africa, together with other developing countries, are, however, concerned that the current provision of climate finance for adaptation remains grossly insufficient to respond to worsening climate change impacts in developing country Parties. Studies show that boosting finance and investments for adaptation now is far more cost-effective than reactively paying for and responding to severe crises.²²

Moreover, the little support for adaptation is normally in foreign denominations and high-risk loans that make the facility more expensive. Africa needs adaptation support in form of low-risk concessional loans and grants. These should be extended at speed and scale to enable Africa to build resilience against climate impacts.

COP28 must be the moment when governments, businesses and investors come together to confront those obstacles to finance and figure out what must change to unlock action on adaptation now.

An African solidarity, fairness and prosperity package on adaptation outcomes at COP28 should include the following:

- ▶ **Accelerated progress in the negotiations to define the global goal on adaptation. This could include delivering an elaborate framework for the global goal on adaptation, to be subsequently fleshed out and provided with more detail through negotiations in 2023, with a decision on the global goal on adaptation to be adopted at COP28. The goal should be quantifiable with indicators and targets to enhance ambition and implementation of adaptation projects. Equally, it must enable assessment of progress against negative impacts of climate change.**
- ▶ **In the context of scaled up climate financing commitments from developed countries as suggested above, adaptation funding should also be upscaled to put it on an equal footing with mitigation., Under this arrangement, governments must commit to allocate at least 50% of climate finance, whether channelled bilaterally or through the GCF and GEF to adaptation, now and for the future. COP 28 should agree on a delivery and implementation plan for doubling adaptation finance in line with the COP 26 decision, the “Glasgow Climate Pact.” This plan must, particularly, ensure the adequacy and predictability of adaptation finance**
- ▶ **Agree on a programme to improve access to adaptation finance for developing countries, including by reducing procedural complexities.**

¹⁷ UNFCCC, Art. 4.4; Paris Agreement, Art. 9.1.

¹⁸ See <https://gca.org/reports/adapt-now-a-global-call-for-leadership-on-climate-resilience/>

¹⁹ See https://gca.org/wp-content/uploads/2023/09/Accelerating-Adaptation-Finance_Web.pdf

²⁰ See <https://www.wri.org/insights/developed-countries-contributions-climate-finance-goal>

²¹ See <https://www.theguardian.com/environment/2021/nov/08/cop26-african-nations-seek-talks-climate-finance-deal>

²² See https://gca.org/wp-content/uploads/2023/01/GCA_State-and-Trends-in-Adaptation-2022_Adaptation-Finance-Flows-in-Africa.pdf

- ▶ **Scale up predictable finance for the Adaptation Fund through implementation of decisions on shares of proceeds and the delivery of COP 26 pledges to the Fund. It must be noted that USD 230 million of the USD 356 million pledges to the Adaptation Fund has not been delivered. COP28 must compel developed countries to deliver on their pledges and replenish the Adaptation Fund through new pledges to reflect progression in delivering adaptation.**
- ▶ **Articulates the urgency of Africa’s adaptation needs as one of immediate survival and lasting resilience, recognizing that Africa’s agriculture, food systems, and support for smallholder farmers is a top priority for climate adaptation.**
- ▶ **Secures, protects, and advances land rights and security of tenure of farmers, pastoralists, women, Indigenous groups and other vulnerable groups to enhance their resilience, sustain their livelihoods, and protect biodiversity.**

D. Maximizing the Global Stocktake to Highlight Equity

The Global Stocktake (GST) is a key element in the Paris Agreement for enhancing the collective ambition of action and support towards achieving the purpose and long-term goals of the Paris Agreement. The first GST was launched at COP26 in Glasgow. The Technical Dialogue of the GST was undertaken in 2022 and in June 2023, with the political phase of the GST to be concluded at COP28. The outcomes of the GST should be enhanced action and support, as well as international co-operation, to be communicated through updated NDCs by 2025.

Equity is a fundamental principle for the GST. For the outcome of the GST to be equitable, GST discussions should look backward at implementation gaps and the existing challenges (including by reflecting on historical responsibility and pre-2020 implementation of the Convention and its related instruments. In particular, the Kyoto Protocol, as well as the provision of climate finance and technology transfer from developed to developing countries must be considered) The discussions should also feature what has been done, what has not yet been done, and how these would be addressed in a forward-looking and equitably ambitious manner in the various areas and related efforts under paragraph 6b) of decision 19/CMA.1.

This process must consider the underlying principle of common but differentiated responsibility and respective capabilities, in light of different national circumstances. It must also be consistent with sustainable development and poverty eradication efforts. It should support a science and equity-based reset of climate negotiations to address the scale of the climate crisis.

Such a substantive equity-based outcome would be the best way to enable the GST to inform Parties as they prepare their next NDCs and enhance international cooperation. For Africa, the overriding objective for this GST should be that all action across all thematic pillars of the Paris Agreement subsequent to this GST outcome are undertaken in a manner consistent with equity and fairness. It must include considerations of historical responsibility, the principle of common but differentiated responsibilities and respective capabilities. Again, this must be undertaken in the context of the pursuit of sustainable development and poverty eradication as set out in Article 2 of the Paris Agreement, and just transitions.

The outcomes of the GST should consider the legitimate right of Africa and other developing countries to pursue sustainable development as contained in both Article 3.4²³ of the Convention and Article 2 of the Paris Agreement. The guiding principles of the Convention and the context in which climate action is being pursued need to be explicitly recognized.²⁴

²³ Article 3.4 of Convention: “The Parties have a right to, and should, promote sustainable development. Policies and measures to protect the climate system against human-induced change should be appropriate for the specific conditions of each Party and should be integrated with national development programmes, taking into account that economic development is essential for adopting measures to address climate change.

²⁴ Such as Article 3.4 of the Convention (the right to sustainable development), Article 2 [historical responsibility, CBDR-RC, sustainable development

The GST outcome should reflect the progress made towards achieving the Paris Agreement goals, including the pre-2020 ambition and implementation gaps. These gaps include the barriers to and significant opportunities for bridging gaps in climate action and support in a comprehensive, balanced, equitable manner for enhancing NDC and international cooperation. Others are the gaps in implementation of current commitments including pre-2020 and gaps in the ambition required, based on best available science, to achieving the Paris Agreement goals. Additionally, it must emphasize the need for progression and ambition in action and support by countries and through international cooperation, including on the opportunities for bridging the gap based on equity, fairness and just transitions. The GST outcome should recognize that countries will follow different pathways to achieving low emissions and resilient development, according to their national circumstances.

During the COP28 GST deliberations, Africa and other developing countries should:

- ▶ **Stress that a successful GST outcome at COP28 in Dubai, as the main mechanism for assessing collective progress towards achieving the purpose of the Paris Agreement and its long-term goals and promoting climate action on all aspects of the Paris Agreement under the UNFCCC, should identify implementation gaps on the global response to climate change. It must also lay the foundations for enhanced ambition by all and, in particular, developed countries.**
- ▶ **Emphasize that the first GST is an important opportunity for the world to address the gaps across all elements of climate action that include adaptation, loss and damage, mitigation and response measures, and means of implementation and support, It must put particular emphasis on equity and the best available science.**
- ▶ **Underscore that the outcome of the first GST should reflect a fair, just and balanced view of political messages on climate action and support that informs addressing gaps in the implementation and the ambition required in nationally determined contributions and international cooperation to achieve the global goals of the Paris Agreement. It must also recognize the need for proportionate responses in each area. For Africa, it would also be important to have a GST outcome that takes into consideration the special development circumstances of the continent. In the same breath, it must provide the policy space necessary for Africa to achieve sustainability and a just transition to low-emission and resilient development. Global climate action and the pursuit of appropriate pathways for Article 2, on mitigation, adaptation, and finance or generally Means of Implementation and Support (MoI) should be equitable and “just”. As such, it should not keep African countries from developing their economies. The GST outcome should provide sufficient policy space for African and other developing countries to pursue their sustainable development and just transitions²⁵. This includes the fiscal space to invest in development and the space to exploit all available clean and renewable energy resources. This pursuit must note that climate change impacts are eroding development gains - in the short to medium term.**
- ▶ **The GST adaptation outcome that supports the effective operationalization of the Global Goal on Adaptation by taking into account the increasing adaptation implementation gaps in African countries, the adaptation needs articulated by African countries, and the impact on key economic sectors.**

and poverty eradication], Article 4.5 level of developing country ambition dependent on provision of enhanced support. In Africa's case, the inter-linkages between climate change and other economic and social indicators; issues of the debt burden, economic diversification, sustainable development and population considerations; unique regional ecosystems and the challenges they face from impacts of climate change, are all important factors to take into account.

²⁵ Policy space means the ability, freedom or scope to implement policies for achieving development priorities and objectives.

E. Real Delivery of Enhanced Climate Finance and Other Support to Africa and Other Developing Countries

Success at COP28 also rests on its ability to get money flowing from wealthy countries to those most in need. This must happen at the pace and scale required to match the climate crisis. One of the biggest points of tension at COP28 will be the developed world's failure so far to fulfil its promise to mobilise US\$100 billion per year in finance by 2020. As well as meeting that sum, developed countries need to set out how they will increase it from 2025.

Climate finance refers to the transfer of public and private money from developed to developing countries to help them adapt to climate impacts and to cut emissions. Such transfers, particularly of public money, are treaty commitments by developed countries under the UNFCCC and its Paris Agreement.²⁶

Climate disasters and shocks are exacerbating the limited fiscal space and social vulnerabilities already faced by many African countries, with crippling effects on their sustainable development. Developing countries require at least \$6 trillion by 2030 to meet less than half of their existing Nationally Determined Contributions (NDCs). According to the OECD, the actual flow of climate finance from developed countries to developing countries in 2020 was between \$21 billion and \$83.3 billion, despite the long overdue and vastly insufficient annual commitment to \$100 billion.

The African Group has consistently stressed the importance of climate finance, and the transparency related to it, as a reflection of the clear and direct linkage between the level of actions by developing countries and the level of support provided to them under UNFCCC Article. 4.7. The Article states that "The extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology and will take fully into account that economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties." This is further bolstered by Article 4.5 of the Paris Agreement which states that "Support shall be provided to developing country Parties for the implementation of this Article, in accordance with Articles 9, 10 and 11, recognizing that enhanced support for developing country Parties will allow for higher ambition in their actions".

Such climate finance is needed to help support African and other developing countries' climate actions. This is especially so given that many of them face fiscal resource constraints, other developmental priorities, as well as immense debts that complicate additional resource allocation to climate action. Climate finance support for the pathways towards low emissions and climate-resilient development must be based on the needs and priorities of developing countries. The context of needs includes the quantity and quality of finance, as well as the necessary ecosystems that support just transitions.

But despite years of discussions and promises, climate finance has yet to reach developing countries at the pace and scale needed to confront intensifying climate impacts and to facilitate the shift from fossil fuels. As of 2020, developed countries claim to have mobilised US\$83.3 billion per year in climate finance, with funds for mitigation accounting for 58% and adaptation only 34%.²⁷ However, these figures are highly inflated and contested. For example, Oxfam²⁸ estimates that climate finance delivered to developing countries may be as little as a quarter of what is reported. Even if climate finance reached the US\$100 billion promised per year, the sum is not based on an analysis of what is required to achieve climate goals. It is far short of what is needed by developing countries to adapt to current climate impacts and to limit heating to 1.5C.²⁹

²⁶ UNFCCC, Art. 4.3, 4.4, and 4.5; Paris Agreement, Art. 9.1.

²⁷ See OECD, Climate Finance and the USD 100 Billion Goal (September 2022), at <https://www.oecd.org/climate-change/finance-usd-100-billion-goal/>

²⁸ See Oxfam International, Climate Finance Shadow Report 2020 (October 2020), at <https://www.oxfam.org/en/research/climate-finance-shadow-report-2020>; see also <https://www.nature.com/articles/d41586-021-02846-3>.

²⁹ The UK COP26 presidency released a finance delivery plan during COP26, under which developed countries would meet their US\$100 billion-

Developing countries are estimated to need just under US\$6 trillion up to 2030 to finance less than half of the work planned in their national contributions to the Paris Agreement.³⁰ At COP26 in Glasgow in November 2021, African climate negotiators stated that developing countries need US\$1.3 trillion per year by 2030.³¹ Financing flows remain orders of magnitude below what is needed (e.g., longstanding pledges of \$100 billion as climate finance for developing countries remain unfulfilled). Developing countries require energy transition investment to rise from around \$785 billion in 2021 to \$1 trillion per year by 2025. They also need around \$2.4 trillion per year by 2030 for this energy transition. Today, less than 10% of global climate finance goes to developing countries. Progress towards climate compatible growth is undermined by the growing debt crisis in many countries on the continent.

The need for enhanced climate finance flows is even more important and must be addressed immediately given that COP28 is also taking place against a more dire economic outlook than COP26. Most countries worldwide, especially those in the Global South, are experiencing rising costs of food, fuel and living costs, rising debt and inflation, with some suffering financial distress and facing economic collapse. Furthermore, it should also be recognized that the current global financial system currently creates a net transfer of wealth from the Global South to the Global North of more than \$2 trillion annually. At a time, multilateral action and coordination is needed to unlock near-term climate finance and action, rising geopolitical tensions – particularly between the US and its Western allies and Russia and China – risk weakening the process.

Parties' discussions under the Sharm el-Sheikh dialogue on Article 2.1(c) of the Paris Agreement, should be guided by article 2 and article 9 obligations for defining its scope, which includes public and grant resources from developed-countries parties to facilitate the transition to make financial flows consistent with the Paris Agreement goals. These discussions must take into account the needs and priorities of developing countries. Parties need to consider the complementarity of this dialogue with the work programme on just transitions pathways, as well as the risks of such unphased alignment on investments, indebtedness and its impacts on economies.

With public debt having increased from 64.3 to 71.4% of GDP between 2019 and 2021, African governments were projected to allocate 11.5% of their revenues to servicing external debt in 2022. This happened even as the cost of public borrowing increased by 20% since the start of 2022. As the result of an international financial system that is structurally biased against developing countries, about 60% of low-income countries are in, or on the edge of, debt distress. These countries are spending an estimated eight times more on debt servicing every year than their Global North counterparts, undermining future resilience and sustainable development prospects.

Countries financing the transition risk further debt-default, with the bigger risks of underdevelopment and ability to respond to the transition imperatives as a result. Despite efforts by the international community to refine the G20 Common Framework for Debt Treatments to deliver timely, faster resolutions of debt distress, the existing framework excludes middle-income countries from debt relief. Besides, it does not compel all creditors to engage in debt relief and does not link debt relief negotiations to climate and development targets. This makes these efforts both insufficient and untimely.

In this context, developing countries' needs of promoting sustainable development and poverty eradication should also be reflected in multilateral discussions on global financial architecture reform. Such reform

per-year promise by 2023 and scale it up thereafter. See <https://ukcop26.org/wp-content/uploads/2021/10/Climate-Finance-Delivery-Plan-1.pdf>. Failure to show further progress towards the delivery plan, or for scale-up from 2025, could fuel tensions between rich and poor countries in Sharm El-Sheikh.

³⁰ See UNFCCC, Executive summary by the Standing Committee on Finance of the first report on the determination of the needs of developing country Parties related to implementing the Convention and the Paris Agreement (2021), at https://unfccc.int/sites/default/files/resource/54307_2%20-%20UNFCCC%20First%20NDR%20summary%20-%20V6.pdf

³¹ See Emma Rumney, African governments want climate finance to hit \$1.3 trillion by 2030 (Reuters, 6 October 2021), at <https://www.reuters.com/business/sustainable-business/exclusive-african-governments-want-climate-finance-hit-13-trillion-by-2030-2021-10-06/>

must be accompanied by a climate-focused review of multilateral development banks and international financial institutions to meet the enormous challenges of mitigation, adaptation and loss and damage, and delivery instruments that contribute to debt restructuring and debt relief.

Crucially, the operationalization of Article 2.1(c) of the Paris Agreement should be undertaken in a way that does not constrain African development growth. Instead, it should facilitate the attainment of the goals of the Paris Agreement and economic, social, and sustainable development. In the process, it must balance support to pathways for adaptation and mitigation. This implies that the dialogue (as well as other processes such as the GST and the NCQG) should recognize the interlinkages and the need to also take into account issues of debt restructuring, repayment and surcharge systems of the World Bank and IMF respectively. Capitalisation and risk appetite for MDBs, non-debt finance instruments and budgetary support amongst others as part of the reform of the global finance system to finance just transitions must also be recognised.

The ministers of African and other developing countries have stressed in the G77 ministerial declaration of 2022 that providing and mobilizing adequate financing will be critical for sustainable and inclusive global recovery. To this end, they proposed provision and mobilization of larger concessional assistance to developing countries, especially those that require the fiscal space and liquidity to save lives and livelihoods and stabilize economies. They also emphasized the need for early action to ease unsustainable debt burdens and the voluntary reallocation of at least \$250 billion of the newly created SDRs by countries with strong external positions to the developing countries in need. They proposed larger lending by the multilateral development banks' balance sheets and reduction in the market borrowing costs through mechanisms such as proposed by Economic Commission for Africa for Liquidity and Sustainability Facility (LSF). The ministers further called for the earliest fulfillment by the developed countries of their commitment to provide \$100 billion in annual climate finance up to 2025. They proposed the continuation of negotiations to agree on a new quantified collective climate finance goal from a floor of \$100 billion per year, aiming to achieve a better balance between mitigation and adaptation; and access for developing countries to private capital for sustainable development projects. They also underlined the gravity and urgency of this recovery promoting a sustainable global economy and by investment in sustainable, quality and resilient infrastructure in a manner that creates decent jobs and reduces poverty.

Therefore, COP28 must deliver an ambitious finance package that can support African and other developing countries to implement their climate actions. Specifically:

- ▶ **Developed countries should fulfil their \$100 billion by 2020 pledge not later than the start of COP28 by enhancing their current climate finance pledges and putting in place accelerated delivery mechanisms. COP28 should result in a clear call to developed countries to scale up their provision of annual climate financing in the 2021-2025 period, to reach at least US\$700 billion per year up to levels commensurate with the climate finance needs of developing countries. This COP must accelerate the implementation of the Climate Finance Delivery Plan. All developed countries should communicate their mandatory climate finance projections by COP28 covering pledges for the next 1 to 2 years, as agreed in Article 9 paragraph 5 of the Paris Agreement. This will provide more predictability for developing country climate action**
- ▶ **Developed countries should commit to increasing provision of grants rather than loans, bilaterally and through multilateral institutions including the GEF and GCF, consistent with supporting external efforts to provide debt relief in the context of climate action.**
- ▶ **Require developed-country Parties to honour their Glasgow commitments to double their adaptation finance from its current very low levels and to demonstrate a further progression of effort to support African and other developing countries in the context of the IPCC findings on the urgency of adaptation actions taking into consideration Africa's needs and requirements of up to \$86 billion annually for adaptation by 2030**

- ▶ **Agreement on an operational definition of climate finance.** One of the main goals for such an operational definition is to allow for the tracking of the fulfilment of obligations of developed countries under the Convention and its Paris Agreement to provide climate finance under the Convention and its Paris Agreement to support the climate actions of developing countries. It is important to keep a clear definition that is simple and one that fulfils the aim and goal of having such an operational definition within the UNFCCC process.³²
- ▶ **Achieve progress in the New Collective Quantified Goal (NCQG) on climate finance negotiations, including on having a timebound annual finance goal for developed countries.** This goal must be needs-based and subject to transparency and accountability requirements. This could be outlined through a decision at COP28 that lays out a timeline and action plan to advance deliberations in line with the obligations of developed-country parties under the Convention and its Paris Agreement. These deliberations could then be successfully concluded at COP29. The new finance goal should reflect progression over previous efforts and be based on the needs of developing countries, reaching up to \$6 trillion for the pre-2030 period, to meet the cost of adaptation and mitigation costs in line with any proposed targets and scenarios
- ▶ **Have a COP28 decision to encourage countries to free up additional financial resources for developing countries as part of an integrated approach to a post-pandemic and climate-adapted global economic recovery.** Such measures could include providing additional liquidity in the form of Special Drawing Rights (SDRs); supporting measures designed to increase capital available to developing country governments. This could, for example, be done by controlling flows of capital or regulating illicit financial flows and by providing debt relief.
- ▶ **Push for the reform of the global financial architecture in a manner that places adaptation finance as the principal priority for these reforms through a substantial increase in the scale of climate finance.** The reforms should also boost access to finance and recognize the need for concessional finance, notably grants.

F. Enhancing Ambition on Mitigation Towards 1.5C

The COP26 Glasgow Climate Pact stressed the need to align national emission reduction plans with a 1.5C temperature limit. Many countries, both developed and developing, have committed to reach net-zero emissions by mid-century. But emissions have yet to fall, as global emissions have returned to pre-pandemic levels.³³

Accelerating mitigation action by countries to limit the increase in global temperature to well below 2°C above pre-industrial levels and striving to limit the temperature increase to 1.5°C above pre-industrial levels is of great importance to Africa and other developing countries. This must be based on the principle of equity

³² The African Group's proposed definition of "climate finance" is as follows: "Climate finance is the financial resources provided by developed countries, and any other countries referred to Annex II of the UNFCCC, from public sources, in line with fulfilling their relevant obligations under the UNFCCC and its Paris Agreement, such resources are new and additional, predictable, in line with needs identified by developing countries, reflects progression, provided directly or through intermediaries, including bilateral, multilateral channels and the operating entities of the financial mechanism, or other climate related funds, on a grant and or concessional basis, and disbursed in developing countries, with the aim of providing full support to developing countries to complement their national efforts to implement climate related actions, including projects and programs as identified by the countries themselves, and fulfil their reporting obligations under UNFCCC and its PA. Mobilized climate finance is the grant equivalent financial resources of other sources, including private sources and investments, using range of financial instruments, provided directly or through intermediaries, and disbursed in developing countries for mitigation, adaptation and cross-cutting climate related activities, projects and programs." See African Group, Submission on Operational Definition of Climate Finance (2020), at <https://africangroupofnegotiators.org/wp-content/uploads/2020/08/AGN-Submission-on-Operational-definition-of-climate-finance.pdf>

³³ See Steven Davis et al., Emissions rebound from the COVID-19 pandemic (Nature Climate Change 12, 412-414 (2022), at <https://www.nature.com/articles/s41558-022-01332-6#>.

and reflecting on common but differentiated responsibilities and respective capacities. These nations have underscored that limiting global warming to 1.5 °C requires rapid, deep and sustained reductions in global greenhouse gas emissions. This includes cutting global carbon dioxide emissions down by 45 per cent by 2030 relative to the 2010 level. These reductions must hit net zero around mid-century. At the same time, the world must pursue deep reductions in other greenhouse gases.

Africa and other developing nations have also recognized that this requires accelerated action in this critical decade, based on the best available scientific knowledge and equity, reflecting common but differentiated responsibilities and respective capabilities. The action must be pursued in the context of sustainable development and efforts to eradicate poverty and to leave no one behind. Developing countries, including Africa, have stressed that their developed counterparts should continue taking the lead by undertaking economy-wide absolute emission reduction targets and by supporting them.

It is therefore critical for all countries, and in particular developed countries, to submit concrete and ambitious NDCs and long-term low emission strategies consistent with science and the principles and provisions of the UNFCCC and Paris Agreement. Indeed, the Parties were supposed to have submitted these strategies by the time for COP27 in 2022.

Developed countries must live up to their duty to lead by achieving zero-emissions well before mid-century. In addition, they must acknowledge that sustainable economic and social development and poverty eradication continue to be key priorities for poor and vulnerable developing countries. This is especially so in the context of the devastating economic and social impacts of the Covid-19 pandemic, global economic recession, and other economic and environmental challenges to development.

In this context, the mitigation work programme needs to focus on the necessary enabling elements, including the climate finance and technology transfer required, particularly by African countries, for the implementation of developing countries' NDCs. Developed countries should take ambitious mitigation actions towards achieving the temperature goal of the Paris Agreement. The mitigation-related outcomes under the Glasgow Pact should also be implemented in a manner that reflects the principles of equity and common but differentiated responsibility, so that developing countries' concerns and interests are also reflected and taken into account.

Africa should caution other countries against the promotion of carbon removal technologies in lieu of mitigation efforts, considering the limited information and understanding of the risks associated with such technologies. The potential risks arising from any use of technological solutions for emission removals as well as the technology gap between countries during the development and deployment of such technologies need to be considered, addressed, and mitigated. This includes the non-use of solar radiation management technologies.

It is equally critical for Africa and other developing countries to call out recent developments in some developed countries in relation to the fulfilment of commitments under the Paris Agreement. Reopening coal-fired power plants, for instance, by developed countries, in addition to undertaking other actions that could potentially increase rather than reduce their GHG emissions amounts to a scandal that must be condemned.

Africa and other developing countries have stressed that the global effort to combat climate change is an irreversible process that should not be undermined or weakened. They have also highlighted the expectation that developed countries should fulfill their leadership role through more ambitious mitigation targets and financial support to developing countries in line with priorities of developing countries.

At COP28, a robust mitigation outcome means that:

- ▶ Developed nations must submit enhanced and updated NDCs for the period 2024-2030 in which the mitigation and finance components are commensurate to their mitigation and finance fair shares as required by the latest science. In this regard, it is important to acknowledge the pre-2020 mitigation and finance gaps of developed countries and thus demand that they them to address these gaps.
- ▶ Developing countries should come forward with enhanced NDCs for the period 2024-2030 as appropriate, which should be supported by international climate finance, technology transfer, and capacity building from developed countries
- ▶ Countries should submit their new NDCs with mitigation components for the period 2031-2035 as informed by the outcomes of the GST. This must take into account and reflect the principles of equity, CBDRRC, and the provision of adequate and commensurate finance and technology to developing countries under the Convention and its Paris Agreement.
- ▶ Implements the mitigation-related outcomes under the Sharm el Sheikh implementation Plan and the Glasgow Pact, including phaseout of fossils fuels in a manner that reflects equity and CBDR and facilitates just transitions in developing countries
- ▶ Enhance the share of renewable energy to realise increased people-centred and decentralised renewable energy investments in Africa to boost energy access and contribute to global mitigation efforts.
- ▶ The work programme on urgently scaling up mitigation ambition and implementation in this decade needs to accelerate real world actions towards addressing the existing mitigation gap and the necessary means of implementation gaps.

IV. Conclusion

The climate records that have been set in 2023 are all clear indicators that the pace of this dangerous change has accelerated. Yet the implementation of commitments made by countries to combat climate change under the UNFCCC and its Paris Agreement still fall short of what science recommends to successfully limit the global temperature rise to 1.5C. On top of that, many countries, especially developed countries, are already backsliding on their climate action commitments as they respond to the economic downturn and war in Ukraine. Today, growing geopolitical tensions around the world threaten to tear the fabric of international cooperation under the UNFCCC.

The climate negotiations that will take place at COP28 must take these realities into account. To prevent further relapses, countries should step up and be more ambitious in implementing their longstanding climate commitments. They must also enhance solidarity-based international cooperation on climate change.

COP28 should build on COP27 outcomes and urgently respond to the climate crisis as highlighted by the latest scientific reports. To do this, COP28 must prioritize actions that address the most pressing climate challenges such as ambitious emissions reductions, clear progress on the Global Goal on Adaptation and adaptation finance, loss and damage finance and enhanced climate finance provision. It must also prioritise an effective just transitions work programme and GST outcomes that catalyze greater ambition across all elements of climate action (adaptation, loss and damage, mitigation, and means of implementation) that is centred on equity.

For Africa, ensuring that COP28 delivers on outcomes that are commensurate to the enormity of the climate change challenge, and that meet the sustainable development and just transitions needs of the continent require the intentional, steadfast and resolute pursuit of the six-point agenda suggested above to galvanize action and increase international cooperation.

Having adequate outcomes in these six key areas at COP28 can measurably move Africa, other developing countries, and, indeed, the rest of the world forward in their efforts to work together to combat climate change in the context of addressing poverty eradication and sustainable development objectives. Attainment of the six pillars will also anchor the world on a path to develop on the basis of equity and by responding adequately and appropriately to the latest climate science information while reflecting the principle of common but differentiated responsibilities and respective capacities (CBDRRC) under the Convention and its Paris Agreement.



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