

Land use in a future climate agreement

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Overview

Land use has a reputation for complexity and has in the past impeded as well as catalyzed international climate negotiations. It seems important therefore, prior to Parties meeting later this year in Paris, to consider what elements from the negotiating text provided by the Geneva meeting in February 2015 should be included in the Paris agreement. This briefing note presents the results of an analysis of the Geneva text with this in mind. It suggests what specific to land-use needs to be included, what can be left to subsequent detailed negotiations, and what will be covered by general provisions of the Paris agreement. The paper also summarizes what explanations should be sought on nationally determined contributions to achieve transparency.



Key Points

- Land-use mitigation is essential to meet the goals discussed in the context of avoiding dangerous climate change
- The Geneva negotiating text contains all the elements needed to include land use
- Work after Paris will be needed on methodological detail and transparency
- Existing agreements on LULUCF and REDD-plus are useful and should be recognized and built upon in a new agreement.

Introduction

Globally, land use accounts for about a quarter of anthropogenic greenhouse gas (GHG) emissions and offers significant mitigation potential. There are linkages with adaptation and food security, and the environmental credibility of biofuels and bioenergy depends on taking sufficient account of GHG emissions associated with land use. Inclusion of land use in a future climate agreement is essential to meet the goals discussed in the context of avoiding dangerous climate change.

Land use, especially forestry, is unique under the UN Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol (KP) for the number of COP and CMP decisions that provide guidance; in the case of developed countries on how to account for forest related emissions and removals, and in the case of developing countries on recognizing results from REDD-plus activities. These decisions, and the commitment of Parties in achieving them, suggest that land use can make a positive contribution to achieving a new climate agreement, negotiations on which are expected to be completed in Paris in December 2015.

This briefing paper seeks to inform UNFCCC negotiations by suggesting how land use could be referenced in the Paris agreement, recognizing that the associated text elements are likely to be brief; a few sentences at most. The paper also suggests areas where countries could usefully provide transparency on land use in nationally determined contributions, as submitted or through subsequent clarification.

“Land use can make a positive contribution to achieving a new climate agreement”

Considering the time it takes to negotiate implementation rules and the support that exists for decisions reached in the context of the KP and the Convention, there is value in integrating existing agreements and decisions into the Paris agreement. Based on this assumption we suggest text options for a new climate agreement which take into account that:

- tools and accounting systems have been developed to manage land-use issues that require special treatment such as natural disturbances, the dynamics of carbon stocks associated with the effects of forest

management, notably on the age-class structure of forests, and non-permanence;

- more comprehensive treatment of land use will enhance the credibility of GHG accounting systems (e.g. by better capturing cross-sector spillovers such as those related to bioenergy) and therefore coverage should increase over time;
- there is in some cases a critical relationship between land use emissions, food security and economic development.

The approach adopted for the briefing paper is to review the references to land use¹ in the negotiating text that emerged from the eighth part of the second session of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP 2-8) held in Geneva from 8-13 February 2015, which is intended for transmission to ADP 2-9 which will take place in Bonn in June 2015. We have worked with grain of the Geneva text, under the assumption that it represents various Parties' expectations, and therefore departing radically from it would not be realistic.

Options for including land use in the Paris agreement

The elements for a draft negotiating text laid out in the text annexed to Decision 1/CP.20 (Lima Call for Action) form the basis of the deliberations of the ADP. The text is structured to cover Preamble and Definitions, Objective, Mitigation, Adaptation and Loss and Damage, Finance, Technology, Capacity Building, Transparency, Time Frame and Process Related to Commitments, Facilitating Implementation and Compliance, and Procedural and Institutional Provisions. We use this structure to provide views on where, and how, we think land use should be reflected in the Paris text, specifically under the Preamble, Mitigation, Adaptation, Finance and Transparency. In other areas we think that the requirements of land use will be adequately covered by general provisions. Annex 1 of this paper summarizes the text proposals put forward in this briefing note.

“We have worked with the grain of the Geneva text.”

¹ The ADP text was also examined for related ideas such as forest, agriculture, permanence and leakage.

Preamble

Indications from Geneva

Current text: [*Recognizing the special characteristics of land use systems, including the importance of food security, the diversity of global land management systems, and the need to manage multiple sustainability objectives, may require particular consideration within actions under this agreement*]

The above text mentions only special characteristics of land use related to food security, varying country systems, and multiple sustainability objectives; and the verb “may” introduces speculation about the nature of a future agreement. The text should be positive, and recognize the suite of special characteristics of land use, including those related to mitigation.

Possible Paris formulation

Recognizing that the special characteristics of land use, including in relation to land management systems, food security, removals as well as emissions, impact on biological diversity, multiple sustainability objectives, disturbance, permanence, legacy and non-anthropogenic effects, require particular consideration under this agreement.

Commentary

The purpose of the preamble is to introduce the legal text by giving background, justification and aims. The preamble helps to understand and interpret the paragraphs that follow and provide direction for the more detailed negotiations that are likely to follow Paris.

With respect to land use, the preamble of a future climate agreement should recognize the special features of land use. They include the unique capability of land use systems to act both as a sink and a source of GHG emissions. These also include the complex interactions among biological systems, the reaction of biological systems to human intervention, and the interactions between biological and atmospheric systems. The resulting challenges necessitate accounting and transparency provisions related to legacy effects, natural disturbances, non-anthropogenic effects as well as the risk of non-permanence.

Preambular text should neither detract from the critical role that land use plays in climate change mitigation,

nor suggest there are barriers to treating land use contributions on a basis comparable to other sectors, while balancing this with recognition that land use has special characteristics to be taken into consideration.

The recommended revision covers a wider range of special characteristics, without going into detail. It signals intent to consider the special features of land use. The need to address the special characteristics is implied by identifying them and the degree to which they are addressed will emerge subsequently.

Mitigation

Indications from Geneva

The main ideas to emerge from analysis of the Geneva text on mitigation are the a) land-use sector accounting principles; b) relevance of REDD-plus to emissions mitigation; c) applicability of joint adaptation/mitigation approaches; and (d) role of the carbon market. There are also various text elements that suggest the Paris agreement should build on existing accounting approaches, existing mechanisms, and take into consideration national circumstances.

To be efficient, the Paris agreement needs to distinguish between what has already been agreed and can simply be cross-referenced, what should be established in the form of a principle, what is best implemented via national legal systems, and what should be formulated as obligations applicable to all or some Parties. This suggests that the Paris text on mitigation should:

- a) Encourage all Parties to use land use approaches to mitigate climate change;
- b) Identify land use GHG mitigation in national commitments/contributions/actions;
- c) Set out land use accounting principles, building on what has usefully been agreed in the KP context, recognizing that the KP decisions do not apply to all Parties, while noting that what has been agreed under the KP may suggest useful solutions elsewhere;
- d) Build on existing COP decisions, including those concerning REDD-plus;
- e) Agree on the relevance of approaches that support synergies between adaptation and mitigation for the integral and sustainable management of ecosystems.

With this in mind and drawing on elements from the Geneva text, possible elements for the new agreement to include under the *Mitigation* paragraphs could be:

Possible Paris formulation

All Parties should consider policies and measures in the land-use sector that aim to mitigate emissions.

Parties are encouraged to undertake mitigation actions in accordance with COP decisions, including on REDD-plus, CMP decisions on land use activities under the KP where appropriate, and future decisions by the COP or the Governing Body.

In respect to land use in national [commitments] [contributions][actions]²:

- a) Anthropogenic emissions and removals in the land-use sector should be accounted for in assessing progress towards Parties' [commitments][contributions][actions];
- b) Inclusion should be on the basis of the most recently agreed IPCC estimation methodologies;
- c) Parties should include all IPCC land use categories over time, in accordance with common but differentiated responsibility and respective capacities (CBDR/RC);
- d) Once a source, sink, activity, or pool is accounted for, it should not subsequently be excluded from accounting;
- e) Definitions of forest, land use and activities should be used consistently over time, or an explanation should be provided of why and how a definition has changed;
- f) Under certain conditions³, Parties may exclude from their accounting emissions and removals resulting from natural disturbances;
- g) Parties may build on the existing principles, methodologies and accounting approaches for including land-use under the Convention and its Kyoto Protocol;
- h) Parties should consider in the land-use sector, synergies between mitigation and adaptation,

² The square brackets in this list are not specific to land use, and we assume they will be resolved elsewhere in the negotiations.

³ The conditions include geographic identification of the land affected by disturbance, identification of any subsequent land use change, specification of statistical or other rules to identify disturbances and implementation of policies to minimise the likelihood of disturbances occurring.

taking into account the overall objective of the Convention.

Commentary

These text proposals recognize land use activities as valid and important mitigation strategies. They anticipate that coverage of land use will be consistent with the most recent IPCC guidance as agreed by the COP, and that, if not already complete, then countries will aim for complete coverage of land use over time starting with the most important categories so that anthropogenic emissions and removals and effect on carbon stocks is fully taken into account. The more complete the coverage, the more credible bioenergy and biofuels will be. Subsequently to Paris, the COP or the Governing Body could consider the need for a decision on time to achieve completeness, mindful of CBDR/RC. The Paris text proposal also does not contain specific requirements on permanence. We assume that the principle of no subsequent exclusion once a source or sink is fully accounted for is sufficient to address permanence in the case of national commitments or contributions and that specific provisions will be developed by Parties in other cases.

The proposals are consistent with use of reference levels, for example, in order to correct for age class structure in forest management or as a benchmark in the case of REDD-plus. Exclusion of non-anthropogenic emissions is covered by use of IPCC methods (which provide the managed land proxy and, in the KP context, a methodology for removing natural disturbance related emissions from accounting). The proposals are not specific on harvested wood products (HWP), except by referring to the existing approaches negotiated under the KP, which contain an HWP agreement. This (or some other) approach could also be covered by a COP (or Governing Body) decision following Paris. Such a decision or mandate could refer to outstanding methodological issues for resolution, presumably by SBSTA, within a specified time-frame, say two years.

Adaptation

Indications from Geneva

The Geneva text includes two references to land use in its adaptation section. These references a) encourage Parties to adopt joint adaptation and mitigation approaches, and b) enhance the Nairobi Work Programme through a Technical and Knowledge Platform to, among others, incorporate an approach of

sustainable management of ecosystems in adaptation planning.

Considering the interconnection between adaptation and mitigation in the land use sector, some Parties have stressed the need to consider adaptation and mitigation in an integrated manner. Considering the risk of decreasing crop yields linked to climate change, this is particularly relevant for agriculture. The Paris agreement should therefore encourage Parties to develop integrated frameworks for adaptation and mitigation across the full land use sector which would be able to exploit fully synergies among the objectives of mitigation, adaptation, food security, biodiversity conservation and poverty reduction.

Possible Paris formulation

Parties are encouraged to consider joint adaptation and mitigation [commitments][contributions][actions]; and to include approaches of sustainable management of forests and other ecosystems, in their adaptation planning.

Commentary

The proposal is intended to cross-link to the suggested mitigation text. Compared to the existing text, the proposed formulation is broader and not limited to particular processes under the Convention or particular ecosystems such as forests. It applies to the land use sector in general. Considering the impact climate change has on all ecosystems, this provision should also apply to all Parties. Detailed process requirements could be dealt with by subsequent decisions of the COP or the Governing Body.

Finance

Indications from Geneva

The Geneva text refers to REDD-plus finance in the context of a) providing sufficient resources in line with previous COP decisions, b) a window of REDD-plus under the Green Climate Fund (GCF), c) REDD-plus results-based finance to supporting the implementation of nationally determined contributions (NDCs), and d) institutional arrangements.

A principal concern seems to be that financing for REDD-plus should be adequate, predictable, and sustainable, and in line with the agreed provisions under the existing REDD-plus decisions, including payment for results.

There is also language suggested in the Geneva text that would establish a window for REDD-plus under the Green Climate Fund (GCF). So far, the GCF has established land use, including REDD-plus, as one of its thematic areas for financing under the mitigation window; no other sub-windows have yet been created. Further institutional arrangements for REDD-plus finance are also suggested, referring to Decision 10/CP.19. This decision suggests the need for potential governance alternatives for the coordination of support for REDD-plus activities will be considered in 2017, and recommendations provided to COP-23.

Finally, there is language proposed to clarify developing countries Parties may use actions supported by REDD-plus results-based finance to support implementation of their NDCs. The Geneva text also notes that the needs of developing countries for finance may change over time.

Considering that many of these issues are not land use specific, we suggest that so far as land use is concerned, the Paris text on finance should:

- a) Recognize the set of past COP decisions related to REDD-plus, ensuring those decisions are applied when providing finance for REDD-plus activities or their results;
- b) Encourage the provision of finance for land use actions in the context of NDCs, recognizing and providing incentives for countries to put forward domestic actions or contributions in the context of CBDR/RC;
- c) Recognize support for approaches that encourage synergies between mitigation and adaptation, including the sustainable management of ecosystems.

With this in mind and drawing on elements from the Geneva text, possible elements for Paris could be:

Possible Paris formulation

Under General principles

... recognizes that financing for forest-related mitigation should build on previous COP decisions, and incentivize more ambitious national contributions in the context of CBDR/RC.

...encourages financing for the integral and sustainable management of forests and other ecosystems including joint adaptation and mitigation.

Additional text would not be needed under either *Anchoring institutions under the legal agreement* or under *Addressing the scale of resources*, as there is no land use specific issue for such areas of the text.

Commentary

The proposed text suggests that recognition of past COP decisions is useful in the context of financing for REDD-plus and joint mitigation-adaptation approaches. However, the need to provide adequate, predictable, and sustainable funding for developing country mitigation is not a REDD-plus specific issue; neither are the modalities on how such finance should be delivered. We also think that given the high-level nature of the Paris text, the establishment of particular funding windows under the GCF may be best left for the GCF Board to decide in the future.

The same seems to apply to the institutional arrangements. Since there appears to be no consensus among Parties except to reconsider alternative governance arrangements for coordinating REDD-plus finance at a later date, there is not a strong argument to include reference to new arrangements into the current text, as long as the text does not preclude the addition of new arrangements following COP-23.

Finally, the question of whether an emission reduction can be used by both the provider of finance and the recipient toward meeting NDCs (or only by one of them) is not a REDD-plus specific issue, and therefore does not require REDD-plus specific language. This issue is also not confined to forestry (or land-use) although there may be transparency implications in distinguishing between what is supported internationally and domestically.

Transparency

Indications from Geneva

The transparency elements are high-level and anticipate the need for further work by the COP or Governing Body at, or after, Paris. Further work after Paris by the Governing Body to enable the application of general provisions seems essential. For some specifics mentioned in the Geneva text, such as the use of IPCC methods, the use of common metrics and tracking tradable units, application is broad and does not require explicit mention of land use.

There are some areas specific to land use identified for which it would be useful to identify the need for transparency and these include:

- a) coverage, including categories, activities and pools;
- b) use of reference levels or other accounting rules;
- c) how any disturbance provisions have been applied.

Possible Paris formulation

Parties shall:

... specify whether NDCs are accounted on the basis of full coverage of IPCC categories, or specify which activities, categories pools and gases are included.

... be transparent in the use of reference levels, either by use of existing decisions under the Convention and its Kyoto Protocol or by providing comparable information.

... be transparent on the approach used to address natural disturbance emissions and removals, either as consistent with available IPCC guidance or by providing comparable information.

The COP or Governing Body shall elaborate further guidelines related to transparency of action and support, recognizing the importance of greenhouse gas emissions by sources and removals by sinks resulting from land use activities, and the need for review and assessment provisions.

Commentary

The proposal recognizes that critical aspects of transparency, including coverage, reference levels and disturbance provisions need to be included in the text. It recognizes the relevance of existing methods to account and report on critical aspects while also providing flexibility to Parties wishing to take another route, so long as doing so provides similar clarity. The text accepts the need for review and assessment. It also assumes that detailed work on transparency will be undertaken by the COP (or Governing Body) subsequent to the Paris agreement, which would provide more specificity on the key aspects (such as the timescale to full coverage where this is not already achieved) and deal also with issues not mentioned, such as Harvested Wood Products.

Parties are currently considering the information on Intended Nationally Determined Contributions (INDCs) that have been submitted. Annex 2 identifies issues that it will be useful to consider in achieving transparency on the INDCs that are becoming available.

Conclusion

Given that the Paris agreement is expected to be a short, high-level document, we have focused our text proposals for the Paris climate agreement on those elements that we consider essential for the recognition of land use and its special features. In many areas, we feel that land use does not require treatment different from mitigation, adaptation or finance for other sectors. While land use may require a few special provisions related to accounting for mitigation, finance, and transparency, a future climate agreement that addresses the points identified in here should be able to ensure that there are no barriers to treating land use contributions, or incentives, on a basis comparable with other sectors.

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Annex 1 – Proposed Paris formulations for land use

Location	Suggested text
Preamble	<i>Recognizing</i> that the special characteristics of land use, including in relation to land management systems, food security, removals as well as emissions, impact on biological diversity, multiple sustainability objectives, disturbance, permanence, legacy and non-anthropogenic effects, require particular consideration under this agreement.
Mitigation	<p>All Parties should consider policies and measures in the land-use sector that aim to mitigate emissions.</p> <p>Parties are encouraged to undertake mitigation actions in accordance with COP decisions, including on REDD-plus, CMP decisions on land use activities under the KP where appropriate, and future decisions by the COP or the Governing Body.</p> <p>In respect to land use in national [commitments][contributions][actions]:</p> <ol style="list-style-type: none"> Anthropogenic emissions and removals in the land-use sector should be accounted for in assessing progress towards Parties' [commitments][contributions][actions]; Inclusion should be on the basis of the most recently agreed IPCC estimation methodologies; Parties should include all IPCC land use categories over time, in accordance with common but differentiated responsibility and respective capacities (CBDR/RC); Once a source, sink, activity, or pool is accounted for, it should not subsequently be excluded from accounting; Definitions of forest, land use and activities should be used consistently over time, or an explanation should be provided of why and how a definition has changed; Under certain conditions⁴, Parties may exclude from their accounting emissions and removals resulting from natural disturbances; Parties may build on the existing principles, methodologies and accounting approaches for including land-use under the Convention and its Kyoto Protocol. <p>Parties should consider in the land-use sector, synergies between mitigation and adaptation, taking into account the overall objective of the Convention.</p>
Adaptation	Parties are encouraged to consider joint adaptation and mitigation [commitments][contributions][actions]; and to include approaches of sustainable management of forests and other ecosystems, in their adaptation planning.
Finance	<p>Under <i>General principles</i></p> <p>... recognizes that financing for forest-related mitigation should build on previous COP decisions, and incentivize national contributions in the context of CBDR/RC.</p> <p>... encourages financing for the integral and sustainable management of forests and other ecosystems including joint adaptation and mitigation.</p>
Transparency	<p>Parties shall:</p> <p>... specify whether NDCs are accounted on the basis of full coverage of IPCC categories, or specify which activities, categories pools and gases are included.</p> <p>... be transparent in the use of reference levels, either by use of existing decisions under the Convention and its Kyoto Protocol or by providing comparable information.</p> <p>... be transparent on the approach used to address natural disturbance emissions and removals, either as consistent with available IPCC guidance or by providing comparable information.</p> <p>The COP or Governing Body shall elaborate further guidelines related to transparency of action and support, recognizing the importance of greenhouse gas emissions by sources and removals by sinks resulting from land use activities, and the need for review and assessment provisions.</p>

⁴ The conditions include geographic identification of the land affected by disturbance, identification of any subsequent land use change, specification of statistical or other rules to identify disturbances and implementation of policies to minimise the likelihood of disturbances occurring.

Annex 2 – INDCs and Transparency

The Warsaw and Lima COPs requested Parties in a position to do so, to provide during the first quarter of 2015 information on Intended Nationally Determined Contributions (INDCs). The submissions⁵ available at the time of writing show that Parties intend to include land use in their NDCs, but not always on the same basis. This demonstrates the need for transparency to ensure NDCs can be well understood. Transparency is also needed to clarify the extent to which Parties expect emissions mitigation to be achieved by own effort, with international support, or by a mixture of the two.

Consistent with the discussion in the main part of the briefing paper the following pieces of information are likely to be useful in achieving transparent understanding of how Parties intend to include land use in NDCs.

Issue	Question	Notes
1) Coverage	Land-use included on the basis of complete coverage of all IPCC inventory categories?	Under the Kyoto Protocol some LULUCF activities are mandatory, some voluntary.
2) Category or activity exclusions	If question 1) indicates that coverage is not complete which activities, or land use categories, are included and which excluded? Is there a time-scale to achieve complete inclusion?	
3) Pools and gases	Are all pools and gases required by IPCC or COP decisions estimated for the categories or activities included?	
4) Base year, reference level or benchmark	Is land use fully included in specifying GHG emissions and removals for the base year? If not, has a reference level been used? What is the difference between full inclusion in the base year, and the method used?	It would be useful to specify the intended approach, e.g. using forest management reference level guidance under the KP 2 nd CP, or COP agreed guidance for REDD-plus forest reference (emission) levels.
4) Natural disturbances	Is the intention to be able to exclude emissions and subsequent removals from natural disturbances? If yes, what are the criteria for exclusion and for returning land affected by disturbances to accounting?	It would be useful to say whether the disturbance provisions agreed for use under the KP for the second commitment period will be applied, and if not what the alternative approach will be, and whether it will be equivalent
5) Forest management, especially age class structure	Is the intention to be able to correct for the effects of forest management, especially on forest age class?	If yes, will the reference level approach be used, as agreed for use under the KP for the second commitment period will be applied, and if not what the alternative approach will be, and whether it will be equivalent to the KP-CP2 one? Will long-term carbon stocks be maintained?
6) Harvested wood products	Which of the approaches outlined by the IPCC will be used	It would be useful to say whether the HWP approach agreed for use under the KP for the second commitment period will be applied.
7) Own action and international support	Is a distinction made between the two?	If so, how will the distinction be made, e.g. by adopting an intensified target in the presence of international support for land sector actions?

⁵ Submissions can be found at <http://www4.unfccc.int/submissions/indc/Submission%20Pages/submissions.aspx>