



GLOBAL STOCKTAKE:
Constructive realism for a real purpose
or a case of legal ambiguity

Climate Change and Air Quality



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

**To the important questions of life, there
are no easy answers**



A. Paris Agreement

Focus on where we have commonality

Focus on not crossing each other's red lines

DIFFERENCE BETWEEN GST AND THE 2018 FACILITATIVE DIALOGUE

- Scope:
 - ✓ The global stocktake is more comprehensive in scope than the 2018 Facilitative Dialogue

- The 2018 Facilitative Dialogue is
 - ✓ more political,
 - ✓ precedes the post-2020 commencement of legal obligations
 - ✓ is limited mostly to mitigation.

B. Global stock take (GST)

- In research: asking the right questions = the most important part to achieve success.
- GST is asking the right questions
- GST gives the world a blank cheque – can mess it or can make it work
- GST introduces / entrenches a phenomenon known as “common knowledge”.
- ✓ **Common knowledge** is a special kind of knowledge for a group of agents.
- ✓ There is *common knowledge* of p in a group of agents G when all the agents in G know p , they all know that they know p , they all know that they all know that they know p , and so on *ad infinitum*
- ✓ *Simple put: Common knowledge is* - Knowing that you know that I know

C. Paris Agreement – Links to Global Stock Take (1)

- Article 4 (*mitigation*)

9. Each Party shall communicate a nationally determined contribution every five years in accordance with decision 1/CP.21 andand be informed by the outcomes of the global stocktake referred to in Article 14.

- Article 7 (*adaptation*)

14. The global stocktake referred to in Article 14 shall, inter alia:

- Recognize adaptation efforts of developing country Parties;
- Enhance the implementation of adaptation action taking into account the adaptation communication referred to in paragraph 10 of this Article;
- Review the adequacy and effectiveness of adaptation and support provided for adaptation; and
- Review the overall progress made in achieving the global goal on adaptation referred to in paragraph 1 of this Article.

- Article 9 (*finance*)

6. The global stocktake referred to in Article 14 shall take into account the relevant information provided by developed country Parties and/or Agreement bodies on efforts related to climate finance.

C. Paris Agreement – Links to Global Stock Take (2)

- Article 10 (*technology*)

6. The global stocktake referred to in Article 14 shall take into account available information on efforts related to support on technology development and transfer for developing country Parties.

- Article 13 (*transparency*)

5. The purpose of the framework for transparency of action is to provide a clear understanding of climate change action in the light of the objective of the Convention as set out in its Article 2.....and Parties' adaptation actions under Article 7...., to inform the global stocktake under Article 14.

6. The purpose of the framework for transparency of support is

- ✓ to provide clarity on support provided and received
- ✓ to provide a full overview of aggregate financial support provided,
- ✓ to inform the global stocktake under Article 14.

C. Differences in the nature of the linkage between GST and other PA Articles

- Article 4.9 is unique in that it stipulates that the outcomes of the GST are to be used to inform Parties when they communicate their NDCs every five years.
- By contrast, other provisions that refer to the GST govern the ways in which the GST exercise should *assess* the action within the respective area of the Agreement or how the transparency regime should inform the GST.
- Simply put, the provision in Art. 4.9 is about the use of the GST's outputs while the remainder of the listed articles are concerned with scope, objective and inputs into the GST.

D. Objectives of the Global Stocktake

- To “periodically take stock of the implementation of this Agreement
- To assess the collective progress towards achieving the purpose of this Agreement and its long-term goals”
- To “inform Parties in updating and enhancing” their various climate actions.
- ❑ This makes GST an integral component of the ambition provisions of the Paris Agreement.
- ❑ Simply put, the point of the GST is to:
 - ✓ identify how much Parties’ actions collectively contribute to the progress towards the realization of the goals of the Paris Agreement
 - ✓ identify the remaining gaps in order to adjust Parties’ actions accordingly.

E. Key components of the GST

- Scope
- Inputs
- Modalities
- Outcomes

E. Key components of the GST

- Scope
 - ✓ Expectation is that GST will aggregate progress on all elements of the PA

- Inputs
 - ✓ The Paris Agreement identifies some of the inputs that the global stocktake must take into consideration
 - ✓ The outcomes of the transparency of action and support
 - ✓ Ongoing updates of the synthesis paper on aggregate effects

- Modalities
 - ✓ Political and technical components
 - ✓ GST has a backward-looking (“take stock of the implementation”)
 - ✓ GST has a forward-looking component (in the “updating and enhancing” provision).
 - ✓ The 2013-2015 Review can provide a useful precedent

- Outcomes
 - ✓ In Paris, we agreed that there is a strong expectation to show progression.
 - ✓ Parties shall use the stocktake outcomes to help with the preparation of their next NDCs

F. What do we know about GST?

- Scope of GST is comprehensive
- The purpose/objectives of the global stocktake
- Modalities of the GST will need a technical and a political process
- The success of the stocktake largely hinges on clear, transparent, understandable information being provided
- Views of non-State actors, such as civil society, would also be required and beneficial to the process.

F. What do we not know about GST?

- How will information flow to the GST process?
- In respect of multilateral process and conduct of the GST, Article 14 does not provide further guidance of 'how' the stocktake will be undertaken.
- How will the stocktaking exercise consider equity and best available science?
- One important element that Article 14 is unclear about is the temporal horizon that the GST is supposed to cover.
- How to handle the likelihood that the input information is primarily from individual Parties, the assessment of progress is collective, and the triggered response is both individual (in updating actions and support) as well as collective (in enhancing international cooperation).
- Will the scope of GST cover areas that are not explicitly mentioned in the Agreement's purpose, such as loss and damage and response measures

G. GST - key success factors

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