

# Negotiator Briefing: A Needs-based Approach to Assessment and Stocktaking

## Key Messages from the Workshop “Enabling a Needs-Based and Equitable Climate Regime”

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## + Background

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1. Following the Bonn intersessional meetings, the Joint Contact Group for the Global Stocktake (GST) invited Parties and non-Party stakeholders to hold GST related events to generate additional inputs for the technical dialogue progress focused specifically on how the goals of the Paris Agreement could be achieved. As a direct result of this general invitation the iGST Equity Working Group hosted a workshop themed “Enabling a Needs-Based and Equitable Climate Regime - Inputs into the GST” on October 19-20, 2022.

2. The workshop was attended by about 40 negotiators; representatives of civil society, academia, and think-tanks; and other leading experts involved in the GST process. This negotiator brief was drafted by the coordinators of the Equity Working Group of the iGST. It emerged from this workshop and outlines the core elements of how a needs-based assessment could be used to guide the GST and support efforts towards the achievement of the core objectives of the Convention and the Paris Agreement. All participants were invited to contribute. While this is not necessarily a consensus document, no objections were raised to the key messages.

## + Why a Needs-based Approach Would Assist the Global Stocktake

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3. Article 2 of the UNFCCC clearly lays out the central challenge for the international climate regime: to achieve climate stabilization and avoid dangerous climate change in a context characterized by vast disparities of wealth and access to sustainable development, disparities that both hamper countries’ capacities to take mitigation action and exacerbate their vulnerability to climate impacts.

**“** *Need is not an abstraction. Centering concrete needs will help clarify specific capacities that are lacking, barriers that are present, and the scale and nature of the international finance, technology, and capacity support required to meet the resulting needs.* **”**

4. Similarly, Article 14 of the Paris Agreement clearly indicates that the GST’s mandate is to assess “collective progress towards achieving the purpose of this Agreement and its long-term goals” which, in turn, include “holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels...in the context of sustainable development and efforts to eradicate poverty.”

5. As the IPCC has highlighted, meeting the central objectives of the Paris Agreement and the Convention itself will require transformative change (IPCC WG3). Unfortunately, this calls for significantly more climate action than has yet been demonstrated (EGR,

2022), which, in turn, requires building significantly more adaptive and mitigative capacity, particularly in developing countries. To date, the overwhelming scale of unmet development needs has seriously undermined the capacity of many countries to both protect their populations from climate change and move towards low carbon development pathways rapidly and at scale.

6. As a key component of Paris’s so-called “ambition ratchet,” with its mandated outcome to inform Parties in updating and enhancing their NDCs, the GST must serve as an assessment process that both gauges the level of ambition demonstrated thus far, and comprehensively assess what is needed to build the adaptive and mitigative capacity required to underpin the necessary transformative climate action.

7. Accordingly, in the interest of advancing toward a climate regime and global efforts that are “fit for purpose” with respect to achieving our commonly agreed climate goals, **we propose that the GST take a concrete, bottom-up, needs-based approach to collective assessment, one that holds the notions of adaptive capacity and mitigative capacity at its core.**

8. Explicitly identifying the preconditions and “needs” of adequate and effective action has inherent merit because it tends to identify the concrete barriers to and requirements for action in a *context sensitive manner*. Need is not an abstraction, and it can be immediately clarifying. For example, highlighting the contextually specific needs of energy exporting developing countries that continue to experience domestic energy poverty is more likely to generate productive pathways for international cooperation than merely abstract arguments. Centering concrete needs will help clarify specific capacities that are lacking, barriers that are present, and the scale and nature of the international finance, technology, and capacity support required to meet the resulting needs. Indeed, such a process is essentially a precondition to strengthening climate action and achieving the objectives of the Convention. Identifying and articulating concrete needs is thus very much in line with the mandate of the GST, starting with its technical phase.

9. Significant guidance about the centrality of needs in climate action already exists within both the Convention and the Paris Agreement that can inform the needs-based approach within the GST. Following this guidance and using a needs-based approach within the GST would provide coherence to collective assessments within the UNFCCC. It would help identify processes necessary to build the necessary capacities, and help identify the mechanisms needed to deliver the required support. Given that transformative action implies changes far beyond the bounds of the formal climate regime, the GST process can also serve to signal and inform actors outside the Convention whose actions bear strongly on the successful achievement of the core climate objectives of climate stabilization and resilient low emissions development for all.

10. In the following sections we outline the central dimensions of a needs-based approach and provide illustrative considerations of what it would entail in each of the primary pillars of climate action included in the GST.



## + Core Elements of a Needs-Based Approach

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11. A needs-based approach within the UNFCCC regime and at the center of GST conversations would consist of the following elements.

(a) The term “needs” refers to both the further climate action needed to achieve the climate goals as stipulated in the Paris Agreement, and the adaptive and mitigative capacity needed to realize such action, specifically for vulnerable and marginalized people for whom such capacity is especially lacking. A needs-based articulation is fully consistent with both Article 2 of the UNFCCC, which insists that climate stabilization be achieved at a level that would prevent dangerous climate change and be pursued in a manner that is consistent with sustainable development, and Article 2 of the Paris Agreement, in which the Parties similarly agreed to pursue climate action “in the context of sustainable development and efforts to eradicate poverty.” Both, very notably, explicitly tie adequate climate action to achievements of sustainable development and poverty eradication.

(b) The GST is mandated to be conducted in light of equity (Article 14 PA), in which equity considerations can be clarified by a needs-based assessment. From an equity perspective, a needs-based approach prioritizes the protection of those vulnerable to climate change, highlights the specific contextual factors facing Parties, and recognizes that there will be differential requirements for support to build adaptive and mitigative capacity and thereby enable the depth and ambitiousness of climate action required to meet the objectives of the UNFCCC and the Paris Agreement.

(c) Any assessment of climate action from a needs-based approach would have to recognize the scope of currently existing unmet development needs and growing adaptation needs, along with systemic gaps of capacity to address these. Persistent mitigative and adaptive capacity gaps will prevent Parties from undertaking low-carbon and climate resilient development pathways that are essential for climate stabilization and for securing human well-being in a changing climate.

(d) Using a needs-based approach entails an understanding of the context shaping the opportunity spaces actors have to pursue low carbon and climate resilient development pathways. The GST has a mandate to use the best available science. A central message emerging from numerous scientific bodies, including the IPCC, is that contextual factors – including political, social and material factors – are fundamental in creating or constraining opportunities to mitigate and adapt.

(e) A needs-based approach is directly applicable within and beyond the GST. Using a needs-based approach would necessarily require a *comprehensive* assessment of the adequacy of collective progress towards the implementation of the Paris Agreement across the key categories of mitigation, adaptation, loss and damage, and means of implementation as articulated below. Because needs are concrete, applying a needs-based lens in each of these components of climate action helps identify **what** adequate

climate action implies, what adaptive and mitigative capacities are required, and **how** they might be achieved.

(f) While the GST is an essential component of the Paris Agreement’s ratchet mechanism, the equity challenges impeding global progress towards adequately addressing climate change and protecting vulnerable populations extend far beyond it. A needs-based approach inevitably identifies actions by actors currently not formally within the UNFCCC, including non-state actors and international institutions, to promote adaptive and mitigative capacity and adequate climate action. Using a needs-based approach with the GST would send a necessary signal to domestic and international actors outside the UNFCCC whose efforts are essential if the objectives of the Convention are to be met.

(g) The GST could set out core principles on needs-based assessments to guide Parties in the enhancing and updating their NDCs and support, and where possible provide guidance to international cooperative initiatives and other non-state actors in supporting country actions and options.

## + Mitigation

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12. In Article 4 of the Paris Agreement, the Parties agreed that meeting the objectives of the Convention requires “global peaking of greenhouse gas emissions as soon as possible recognizing that peaking will take longer for developing country Parties,” and that efforts to “achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century” will be done “on the basis of equity, and in the context of sustainable development and efforts to eradicate poverty.”

13. This requirement sets the scene for a needs-based approach in the GST. Such an approach would squarely identify both the mitigation efforts that are needed globally and the particular efforts that are needed to build mitigative capacity in developing countries, while also providing them with the support necessary to undertake mitigation actions in ways that do not undermine – and indeed enhance – their efforts to achieve sustainable development and eradicate poverty.

14. The challenges of mitigation ambition are well known, but bear repetition.

(a) As the 2022 UNEP Emissions Gap Report (EGR2022) highlights, there is a gaping divide between the global emissions effort pledged for 2030 and the mitigation need. EGR2022 calculates the 2030 pledge gap at a staggering 23 GtCO<sub>2</sub>eq for the median 1.5°C pathway.

(b) Even more terrifying is the slackening pace of the drive for greater ambition. By COP26, the mitigation ambition of the NDCs had been increased by less than 5 GtCO<sub>2</sub>eq relative to the initial Paris NDCs, and since then the pledges have barely been strengthened at all – indeed, the post-COP26 enhancements sum to only about 0.5 GtCO<sub>2</sub>eq (EGR2022).



(c) This is not surprising, because the preconditions of increased international mitigation ambition have simply not been put in place. These preconditions are substantial, and by their nature must include large increases in MOI (see below) – but nothing like these increases has materialized. Even grossly inadequate promises of support (e.g., the \$100 billion, which is also supposed to meet the adaptation need) have been repeatedly broken.

(d) Further, today's world is awash in mixed signals. For example, Africa is now widely expected to move toward a net zero pathway, but at the same time powerful actors both international and domestic are pushing development paths based on “indigenous natural gas.” Meanwhile, real financial and technical support for “leapfrogging” to a proper renewables-based development model is nowhere in sight. Until it is, and unless it is accompanied by broader changes designed to make fossil-free development a realistic possibility, there is no good way forward.

(e) Fossil fuels must be phased out as quickly as possible, but this can only happen in the context of a larger strategy that builds the capacities that would allow developing country fossil fuel producers to diversify, provide alternative livelihoods, and create reliable alternative streams of foreign exchange. To that end, the fossil phase out must initially focus on eliminating the emissions that make the smallest contribution to human well-being, among those countries with the greatest capacity to fend off potential transitional disruption. These are the luxury emissions of the relatively wealthy, most of whom live in the developed countries of the Global North.

(f) How can progress towards such a challenging goal be assessed? The answer must take the needs of the vulnerable and the developing into fundamental account, while at the same time focusing on very rapid decarbonization. New fossil fuel infrastructure – including new gas infrastructure – will only make it more difficult to protect the vulnerable, and to open sustainable development paths.

(g) The needs assessment here is a critical one. It will be impossible to phase out fossil fuels quickly enough unless this decarbonization process is very widely accepted as fair. To this end, assessing fossil emissions in a more fine-grained manner can provide clarity on relative welfare gains from different types of reduction strategies. This would help identify ways of preferentially phasing out the emissions that contribute the least to human and ecosystem welfare.

## + Adaptation

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15. The Paris Agreement establishes Collective Goals in Article 2 and regarding adaptation, a Global Goal on Adaptation (GGA) in Article 7.1. Article 7.14 specifies aspects of adaptation that will be assessed in the Global Stocktake (GST) including progress made in achieving the Global Goal on Adaptation in light of equity. Using a needs-based approach to assess progress on adaptation within the GST is in line with Article 7.4 which recognizes that adaptation needs are intrinsically linked to mitigation



ambition. A further consideration in the assessment of progress towards the Global Goal on Adaptation must take “into account the urgent and immediate needs of those developing country Parties that are particularly vulnerable to the adverse effects of climate change.”

16. Accordingly, taking a needs-based approach to assessing the extent to which adaptation efforts have moved closer to protecting people from dangerous climate change by addressing their needs would include the following features:

(a) Because adaptation requirements are necessarily linked to mitigation achievements, a dynamic approach to identifying all adaptation needs which recognizes that these will differ depending on temperature outcomes being pursued. This dynamic approach should underpin all needs assessments for adaptation and draws attention to the utility of process metrics that indicate whether or not actions are in the right direction of travel, where predetermined absolute goals are not possible or available.

(b) The elements through which needs can be discerned to reduce climate risk and adaptation efforts have been identified in Decision 9/CMA.1 and 18/CMA, and can be assessed based on the state of: active planning for adaptation, implementation of actions in comparison to the scope of unmet and anticipated needs, and finance for adaptation activities including investments in technology and capacity building. Assessments of efforts to enhance adaptive capacity could include the state of investments in institution building, human resources, generic capacity supports, and knowledge resources, compared to the scope of need for these efforts under different temperature goals.

(c) Assessment of the total global finance requirements attached to the adaptation needs expected at different global temperature goals (i.e., 1°C, 1.5°C, 2°C, 2.5°C, etc.) should be pursued. This assessment would include clarity about the extent of financial support provided through modalities appropriate for long-term, country driven, programmatic efforts that reach diverse vulnerable groups.

(d) A needs-based accounting for adaptation finance would differentiate between grants, loans, and private finance because these will differ in their capacity to address needs within a sustainable development context, as such would assess the extent to which finance has been made available to those vulnerable to climate change. Guidance for this is already included in Article 9.4 which agrees to take into account “the priorities and needs of developing country Parties ... considering the need for public and grant-based resources for adaptation.”

(e) A needs-based approach would also clearly identify the barriers preventing deeper adaptation action, cooperation, and adequate finance from reaching those vulnerable to climate change. As Article 9 further agrees (9.9), financial resources should be made available “through simplified approval procedures and enhanced readiness support for developing country Parties.”

17. Good practices identified through the best available science - such as that summarized in the IPCC - suggests that enabling a needs-based approach to adaptation would feature investments in the following:



(a) Assessment of and support for the development of in-country capacity to collect and effectively use disaggregated data to identify vulnerable populations and their needs. Aggregation can mask inequities and can hide the extent of needs.

(b) Assessment should be organized around the principles established in the Sendai framework to be sensitive to local conditions, build resilience, draw on community organisations and their knowledge and reporting, and at the same time set the stage for designing and enhancing multi-scale inclusive networks for adaptive governance.

(c) The development and use of multiple kinds of metrics. Assessment should include both snapshot metrics capable of tracking absolute support and adaptation efforts, and process metrics designed to provide assessment of the development of institutions and long-term in-country capacity to manage envisioning, designing, implementing and assessing adaptation needs and progress in meeting these.

## + Loss and Damage

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18. Article 8 of the Paris Agreement explicitly recognized “the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change.” In particular, Article 8(4) recognizes that actions and support are needed to address non-economic losses that generate permanent impacts. Since the Paris Agreement was signed, the best available science, consolidated by the IPCC, has clearly indicated that climate induced losses are already occurring and are set to intensify if the temperature goals embedded in the Paris Agreement are not rapidly achieved. Accordingly, avoiding ‘dangerous’ climate change, as agreed to in the Convention, necessarily entails explicit international cooperation designed to address the needs of those experiencing loss and damage from climate change.

19. Using a needs-based assessment to guide the inclusion of loss and damage in the GST would suggest the following:

(a) The best available science indicates that loss and damage has both financial and non-financial components which must be included in any accounting of loss and damage. Furthermore, both financial and non-financial loss assessments must go beyond infrastructure damage to accurately reflect the experiential nature of loss and the needs that arise from these.

(b) An assessment of losses beyond damage whose needs are monetizable to include social-psychological losses, loss of life, health impacts, loss of mobility, loss or erosion of statehood, as well as cultural impacts such as loss of heritage and knowledge systems. Assessing the adequacy of international cooperation to address loss and damage would include comparison of the extent of both financial and non-financial needs with the extent of support provided.



(c) In light of the diversity of needs triggered by loss and damage from climate change, efforts should be made to develop novel methods and metrics for assessing non-economic forms of loss and damage. These could include territorial (e.g., loss of sovereignty, autonomy, participation), sentimental (e.g., loss of place, sense of roots), and symbolic (e.g., loss of sacred sites, cultural heritage) dimensions in addition to direct and indirect economic losses (e.g., loss of property, ecosystem services).

(d) Assessments of effort should reflect multiple modalities including finance, the provision of core services, establishment of adequate medical and mental health care and other related needs. The scope should include disaster preparedness, response, and post-disaster interventions. Existing efforts undertaken by developing countries to address loss and damage - such as through supporting communities suffering from climate related extreme events or diverting domestic resources for disaster relief - should be included as part of developing countries contributions to the collective effort required to protect people from dangerous climate change.

20. Good practices for a needs-based assessment of loss and damage could include:

(a) Assessing financial needs should include both direct economic costs of loss and damage and the components of non-economic loss and damage that could be mitigated through financial support, including the provision of core services, establishment of adequate medical and mental health care, creation of adequate domestic institutions to handle losses, and other related needs

(b) Addressing non-financial needs for non-economic losses could include diverse responses including land and in-kind rehabilitation, changes in institutions (such as shifts in immigration laws), and satisfaction through commitments to long-term cultural and social norms (such as education and memorialization). Assessments should both seek to identify specific needs and track the efforts being used to address them.

(c) The best available evidence from both climate and non-climate contexts suggests that needs assessments must be sensitive to the specificities of loss which includes taking a gender, cultural, social and ecologically informed approach. Such assessments are more likely to be done effectively in-country, rather than through globally trained consultants. Accordingly, best practices would suggest the creation of long-term, country-driven needs-assessment capacity so that emerging needs can be identified, tracked, and appropriately addressed over time.

## + Means of Implementation

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21. Articles 9, 10 and 11 of the Paris Agreement highlight finance, technology and capacity as core means of implementation needed to enable the achievement of the objectives of the Convention and the Paris Agreement. Moreover, the provision of these forms of support should take “into account the needs and priorities of developing country Parties” and provide clarity on types of finance - grant, loan, leveraged private finance - made available to developing countries (Article 9).



22. From a needs-based perspective, means of implementation refers to the support required for developing countries to meet the challenges associated with transitioning to a “pathway towards low greenhouse gas emissions and climate-resilient development” consistent with the objectives of the Paris Agreement and the UNFCCC.

## Capacity Building

23. Means of implementation includes not only support directly associated with specific mitigation and adaptation actions, but also the support necessary to establish within society the underlying mitigative capacity<sup>2</sup> and adaptive capacity<sup>3</sup> required to undertake effective implementation.

24. Mitigative capacity and adaptive capacity involve a range of competences, at the societal, community, and individual levels. Best available science highlights the importance of both generic and specific capacities, and thus a needs-based approach would entail assessing both these capacities and the support required to build them. Needs-based assessment of generic capacities would include attention to foundational systems such as education, public health, energy access, and governance institutions. It shares, notionally, commonalities with the concept of “human capabilities” put forward by Sen and Nussbaum.

25. Establishing mitigative and adaptive capacity entails a careful assessment of those constraints that prevent a society from taking effective action. For example, macro-economically oppressive debt, or lack of policy space owing to onerous trade, investment, or TRIPS-related restrictions.

## Finance

26. Assessing finance needs for a transition to a low greenhouse-gas emissions and climate-resilient development - including building the necessary adaptive and mitigative capacity to do so - differs fundamentally from the much more restricted process of calculating the finance associated with individual project-based mitigation or adaptation activities, which are associated with marginal shifts, not transformation. Though obvious, it is worth stressing that it is also distinct from the political assertion of an arbitrary finance goal, such as \$100 billion/yr, that is unconnected to a needs-assessment of any sort.

27. A needs-based approach to finance requires an understanding not only of the specific actions and their finance implications, but also of the appropriate institutions and mechanisms by which delivery and use of finance could be effectively carried out. As a starting point, an understanding of the required finance consistent with the 1.5°C mitigation pathway, and the associated costs for achieving resilience at that temperature goal, would not only be relevant for the GST but also for the ongoing discussion on setting a new quantified collective goal. It would also help calibrate efforts to envision the

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2 See <https://doi.org/10.1016/j.enpol.2006.01.009>.

3 See <https://www.weadapt.org/knowledge-base/vulnerability/adaptive-capacity-an-introduction>



institutional arrangements suitable for channelling the appropriate scale of finance and effectively and equitably achieve transformative outcomes.

28. Understanding of finance needs however goes beyond purely financial needs. It encompasses non-financial needs as well, and how they can be mutually supportive, e.g., finance for investment in capital alongside creation of institutions for fostering community-based investments. Whilst also considering the type of finance instruments in relation to the sustainable development context, such as indebtedness, inequality, civil and political rights, etc.

29. A needs-based approach requires access to finance to be sufficiently straightforward and efficient to prevent prohibitive barriers to deployment. It would also entail prioritizing capacity building to ensure that actors are able to access finance. This would include ensuring that community-based institutions responsible for implementing adaptation would be able to access finance. A country-driven needs-based approach will focus on outcomes over outputs.

### Technology

30. The UNFCCC commits developed countries to providing technological support to developing countries. Thus far, technological support has been primarily focused on market-based deployment, within the broader context of a global regime on Trade Related Intellectual Property Rights (TRIPs) that aims to establish, formalize, and enforce legal protections for patent rights, ostensibly to create a strong financial incentive for profit-driven innovation. This is so far not proven a sufficient way to provide technological support to developing countries and marginalized communities.

31. Indeed, in many technological domains, the TRIPS regime increases the cost of technology transfer, acquisition and dissemination for poor countries, particularly those without innovation capacity. Licensing and other patent-related payments constitute a significant resource outflow from developing to developed countries. Where necessary to enable climate action, sufficient technological support may be available only under the granting of TRIPS waiver for relevant technologies.

32. Rather, it is necessary to establish capacities for developing countries to develop, adapt, adopt and deploy technologies required for climate action. This is especially true for technologies that are not geared toward large and profitable markets, and those relevant to adaptation actions in particular are not fostered by this framework for technological innovation.

33. Approaches to technological support that consist of assessing capacities across the entire chain of innovation and building the needed indigenous institutions and skills are an essential part of a needs-based assessment of technological support needs.



#### Contact Us:

This brief is intended to contribute to ongoing learning-by-doing efforts to conduct the Global Stocktake in the manner most effective for generating its mandated outcome, to help Parties in updating and enhancing, in a nationally determined manner, their action and support, while at the same time foregrounding the needs of Parties and communities.

Please do not hesitate to contact us for further discussion of these ideas, including at COP27. All errors and omissions are the authors' responsibility.

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