

## **SUBMISSION BY INDIA**

### **INDIA'S SUBMISSION ON WORK PLAN OF THE AD HOC WORKING GROUP ON THE DURBAN PLATFORM FOR ENHANCED ACTION INCLUDING, INTER ALIA, MITIGATION, ADAPTATION, FINANCE, TECHNOLOGY DEVELOPMENT AND TRANSFER, TRANSPARENCY OF ACTIONS, SUPPORT AND CAPACITY BUILDING**

1. India welcomes the opportunity provided by the updated communication from the UNFCCC Secretariat vide ODES/CoP 17/11 of January 20, 2012 to express its views on the work of the Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP).
2. India notes that the CoP 17 decision on **DURBAN PLATFORM FOR ENHANCED ACTION** did not mandate submission of specific views of parties on this matter at this stage. However, taking cognizance of item no 19 of Secretariat communication, India would like to submit the following views on the Work Plan for Enhanced Action under the Durban Platform, which may be read together with its first submission concerning the Durban Platform process, made on 28.2.2012 (and annexed as Annexure I of this submission for convenience) :-

#### **BACKGROUND OF THE DURBAN PLATFORM DECISION, 2011**

3. India is fully committed to strengthening the multilateral rules-based regime under the Convention, and believes that such strengthening must be directed towards achieving the ultimate objective of the Convention, contained in Article 2 and be anchored in the principles of the Convention.
4. It was in this context that India agreed to the CoP decision to launch a process of negotiations under the Durban Platform. The decision was a result of mutual reassurance exchanged between parties with a view to raise their ambition for implementation of their commitments and actions under the Convention. Successful and ambitious outcomes in the LCA and KP tracks of negotiations are part of these mutual reassurances.
5. Accordingly, India is committed to addressing the challenge of climate change through enhanced international cooperative actions of all parties under the DP in accordance with the principles of the UNFCCC and in light of the outcomes/results of the negotiations in the LCA and KP tracks.

#### **Form of outcome under the Durban Platform**

6. Paragraph 2 of the Durban Platform, 2011 makes it clear that there are at least three distinct options for the legal form of the Durban outcome i.e. a protocol, another legal instrument or an agreed outcome with legal force. Because all the

three forms of outcomes are *under the Convention*, they need fully to comply with the principles of the Convention.

7. 'A protocol' and 'another legal instrument', (reminiscent of the Berlin Mandate language) concern legally binding instruments under the Convention. A protocol or legal instrument refers to an instrument or agreement that has to be ratified by the Parties. On the other hand, 'an agreed outcome with legal force' need not have the legal form of a protocol or a legal instrument; it could be an outcome that derives legal force from municipal or international law. In view of this, an agreed outcome of ADP may include aspirational CoP decisions, binding CoP decisions, setting up of institutions and bodies covering various aspects of Bali Action Plan and Cancun Agreements with differing degrees of binding-ness under the provisions of domestic and international law under the UNFCCC.
8. The legal shape of post 2020 arrangements cannot be pre-judged. India is open to exploring any and all options, including a combination of these options, at the appropriate juncture in the negotiations, when the substantive content of the arrangements have been agreed.

## **Principles of Durban Platform**

9. Whatever be the eventual legal form of the Durban outcome, the Durban Platform clearly envisages that such an outcome must be 'under the Convention.' This phrase finds expression both in paragraph 2 as well as in the third pre-ambular recital to the Durban Platform. The phrase 'under the Convention' includes not just the text of the Convention, but also all COP decisions that are taken to form the 'acqui' of the climate change regime.
10. The Convention is built on the principles of equity and common but differentiated responsibility. Hence, the phrase 'under the Convention' implicitly recognizes all the principles and provisions of the Convention, including, in particular the principles of 'equity' and 'common but differentiated responsibilities'.
11. India firmly believes that the principles of equity and common but differentiated responsibilities form the bedrock of parties' efforts to address climate change. These principles have guided these efforts since the inception of the climate negotiations. The fact that CoP 17 decisions regarding the LCA matters recognize the principles of equity and CBDR in various sections, particularly, in the sections relating to the 'shared vision' (Para 4 of LCA outcome) and 'review' (Para 160 of LCA outcome) corroborates this view.
12. The term 'applicable to all Parties' that follows the phrase 'under the Convention' in the decision relating to the DP merely restates the obvious – that any outcome that emerges from the ADP process must be one that is

applicable to all parties, as the Convention and the Kyoto protocol are applicable to all Parties.

13. The term 'applicable to all Parties' does not signal, therefore, as some have suggested, a dilution of differentiation, or a move away from the balance of responsibilities as established in the Convention. Both the Convention and the Kyoto Protocol that are applicable to all Parties authorize and indeed require differentiation between Parties. Universality of application does not translate into uniformity of application.
14. India is willing to engage in a discussion on how the principles of equity and common but differentiated responsibilities are to be operationalized and how the precise nature of differentiation is to be articulated in the arrangements to be evolved. However, in the ADP process, there can be no departure from the current Schema of the Convention. A successful outcome on Durban Platform must be built on equity and duly incorporate requirements of common but differentiated responsibilities. This is necessary not only to raise the level of ambition of parties to the common goal of climate stabilization but also to ensure that the goal of social and economic development and poverty eradication in developing countries is not compromised.

### **Goal of Ad Hoc Working Group on Durban Platform**

15. Paragraph 6 identifies the goal of the ADP process as raising the 'level of ambition.' India is fully committed to an ambitious and equitable climate regime.
16. The 'range of actions' that can close the ambition gap, in India's view, is not limited to mitigation actions alone. Closing the ambition gap, therefore, requires not just actions on mitigation but also on enablement and support in terms of finance, technology and capacity building. It is only when such a wide range of actions are initiated, in particular those supporting and enabling developing countries to maximize their mitigation potential, that all Parties can engage in the highest possible mitigation efforts.
17. Similarly, it is also India's view that the 'ambition gap' refers not just to the shortfall in ambition relating to mitigation but also refers to the shortfall relating to enablement and support regarding finance, technology and capacity building. Again, it is only when ambition is construed in this expansive and holistic fashion that developing country Parties will be enabled to engage in the highest possible mitigation efforts.
18. As mentioned earlier, India has already submitted its views on this issue on paragraphs 7 and 8 of the decision on Durban Platform which launch a work plan on enhancing mitigation ambition.

19. India would also like to note that the work plan is directed at closing the ambition gap 'with a view to' ensuring the highest possible 'mitigation efforts.' The choice of the word 'efforts' implicitly incorporates an understanding that the benchmarks for assessing compliance or non-compliance in contributions to closing the mitigation gap will vary across Parties. These will be dependent on national circumstances, priorities and potential, and most importantly, will depend on the ability of developed countries to close the ambition gap on finance, technology and capacity-building. This is not to suggest that India will not take progressively ambitious mitigation actions domestically, but rather that the scale and effectiveness of these mitigation efforts will depend on the ability of the international community to enable India, among other developing countries, to take these mitigation actions. India will shortly be submitting its second National Communication and first Biennial Update Report in pursuance of these voluntary ambitious efforts.

20. India shares the concern that there is a significant gap between the aggregate effect of Parties' mitigation pledges in terms of global annual emissions of greenhouse gases by 2020 and the aggregate emissions reductions suggested by the Fourth Assessment Report of the IPCC. This issue should, therefore, be given the most urgent consideration by parties while trying to raise ambition of the Parties. The second commitment period of the Kyoto Protocol is a key determinant, and progress in this regard must be factored into any discussions on ambition (or lack thereof) in the pre-2020 timeframe.

21. As regards the perceived gap between the pledges made till 2020 and the required long term pathways consistent with having a likely chance of holding the average increase in global average temperature below 2°C or 1.5°C above pre-industrial levels', it is notable that this emissions gap is a cumulative one, and that the origins of the gap can be sourced to insufficiently ambitious actions and inadequate leadership from developed countries.

22. Equally importantly, raising ambition level should not be a political process. It should be based on robust scientific inputs and the review of actions taken by parties in accordance with their commitments. Ambition should be decided in the light of the results of ICA and IAR of biennial reports/updates that will be due in 2014, and the findings of IPCC in AR5 will help us in conducting the Review of global goal and action in 2015.

## **Outcome under the Durban Platform**

23. India would like the post 2020 arrangements to resemble Kyoto type arrangements. Under the Kyoto Protocol, developed countries have binding emission cuts in absolute terms which have to be fulfilled at economy wide level and there is a compliance regime for verifying and enforcing the achievement of targets. A comparable basis of verification and compliance

with such targets through a common accounting system for all developed countries needs to be negotiated under the DP.

24. The responsibilities/obligations of developing countries in a post 2020 arrangement will clearly need to be built on the principles of equity and CBDR. Irrespective of the legal form of the final arrangements, the developing country targets under such arrangements cannot be binding until the principle of differentiation based on equity is defined and the conditions implicit in such definition of equity are met. The principle of equity will need to be elaborated through negotiations.
25. Developing country targets under these arrangements will be determined on the basis of voluntary choice and with a guarantee that there will be no punitive consequences of shortfall in these domestic targets even if they are inscribed in an international document. There will be mutually agreed arrangements for verification (international consultation and analysis) of the domestic goals but the objective of such arrangements will be only to increase transparency and build confidence in mutual actions. The post-2020 arrangements must include not only binding emission reduction commitments for developed countries but also a mandate that there will be no unilateral measures taken by any country in the name of climate change.
26. Besides above, the post 2020 arrangements must include commitments of developed countries in quantified and specific terms to provide financing and technology enablement and support to developing countries. Further, the arrangements should provide for a facilitative regime that ensures access to IPRs and transfer of climate friendly technologies. These arrangements could take the shape of a protocol or legal instrument, provided the above imperatives are met.

### **Scope of Durban Platform**

27. As indicated earlier, ambition under the Durban Platform is related not just to mitigation but to other pillars of climate action decided upon in the Bali Action Plan and Cancun Agreements. Paragraph 5 of the Durban Platform prescribes broad thematic areas that the ADP must cover. These include 'mitigation, adaptation, finance, technology development and transfer, transparency of action, and support and capacity building.'
28. Post 2020 arrangements to be evolved under the Durban Platform must, inter alia, address the issues of equity, unilateral measures and technology related IPRs sufficiently and adequately.
29. As regards mitigation, it is India's view that distinction enshrined in the Convention between Annex I and non-Annex I Parties must be maintained in accordance with the principles of the Convention. Any other approach would

involve re-interpretation of the Convention and will necessarily mandate a revisit of all categorization and classification of Parties under the Convention.

30. In Cancun, developed and developing countries had indicated their pledges for mitigation targets and actions. For effective and ambitious mitigation, Annex I Parties must continue to take quantified emission limitation and reduction objectives, while non-Annex I Parties will take nationally appropriate mitigation actions enabled by finance and technology transfer. The work under the mitigation pillar must address adequately and with due priority the issue of response measures, inter alia, discouraging Parties from taking unilateral trade and other measures in the garb of climate protection.
31. Work under the adaptation pillar must draw upon work already done in the AWG-LCA. There must be predictable and adequate Annex II funding for adaptation, and the means must be put in place to ensure this. The Cancun Adaptation Framework, including the work program on 'loss and damage', must be carried forward and implemented.
32. Work under the finance pillar must build on existing promises and institutions. In particular it must ensure that the agreed full incremental costs of meeting enhanced non-Annex I reporting obligations is met through additional funding. Overall, there is a need for an increase in the quantum of financing provided by Annex II Parties. The ADP process must encourage and generate such increased levels of financing by the developed countries.
33. Work under the technology development and transfer pillar must extend existing institutions and commitments. In particular it must operationalize technology transfer to developing countries, ensure Annex II financing for technology development, remove obstacles to and provide financing and incentives for transfer of technology, and facilitate R & D cooperation in climate technology. This pillar must also address the issue of intellectual property rights (IPRs). Many of the technologies that can help India and other developing countries to move towards a lower emissions path are out of their reach due to IPRs and their costs. India strongly supports a facilitative IPRs regime that balances rewards for the innovators with the common good of humankind and thereby enables developing countries to take early and effective mitigation and adaptation actions at the national level. In the absence of such a facilitative IPRs regime, the objective of advancing nationally appropriate mitigation and adaptation actions at the scale and speed warranted by the Convention will not be achievable.
34. Work under the transparency of action pillar must extend the Cancun Agreements, in particular by further fleshing out measurement, reporting and verification (MRV) requirements in relation to Annex I mitigation, Annex II provision of finance and technology, and non-Annex I mitigation. In Durban,

the Cancun decisions on transparency were further supplemented by agreed guidelines for transparency.

35. For such arrangements to be effective and inspire confidence, it is important to have common accounting rules for MRV of developed country mitigation targets. MRV of the flow of finance as per Convention obligations should also be an important part of the IAR.

36. In addition, India supports the creation of a compliance system as part of the ADP outcome. This system must build on the existing Kyoto compliance system, one of the most evolved and sophisticated compliance systems among multilateral environmental agreements. In particular this compliance system must contain a differentiated structure for Annex I and non-Annex I Parties, such that the former are subject to compliance and consequences for the breach of their obligations, and the latter are encouraged to remain in compliance through a set of incentives.

### **Process under Durban Platform**

37. Paragraphs 3 and 4 of the Durban Platform, 2011, prescribe a timeline for the work of the ADP process. The ADP process is expected to complete its work by 2015, so that the agreed arrangements emerging from this process are implemented from 2020. At the same time, paragraph 6 lists in an illustrative manner the inputs which are needed to complete the ADP process.

38. India would like to clarify that the ADP process, and the paragraphs that indicate its timeline, coverage and input, are to be treated parts of a composite whole. While the work plan on mitigation ambition must be carried out in parallel, it must not be allowed to detract from the existing work in the process, including that in the ADP and AWG-LCA.

### **Inputs to Ad Hoc Working Group on Durban Platform**

39. The work under the Durban Platform should draw upon the work done under the Ad Hoc Working Group on Long term Cooperative Action (AWG-LCA) and should have a synergistic relationship with the implementation of its mandate. In its five years of operation, AWG-LCA has made significant progress in enhancing actions of parties under the Bali Action Plan. While some items on the AWG-LCA's agenda have been addressed, several items/issues on its agenda have remained unresolved.

40. It was in recognition of this fact that the CoP 17 decided that the AWG-LCA will complete its work satisfactorily before it is terminated. If the work of the AWG-LCA remains unfinished, and, if there are particular items, in particular, from the agreed mandate of the AWG-LCA that have not been satisfactorily addressed, the substantive unresolved issues relating to the

mandate must be transferred seamlessly to the ADP. In this way, the work of the ADP should be seen to be a logical evolution of the work of the AWG-LCA.

41. It is clear from the text of paragraph 6 that increasing the level of ambition through the ADP process has to follow the availability of final inputs to this process, namely, the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, the outcomes of the 2013-2015 review and the work of the subsidiary bodies. India is of the view that the ambition in the pre-2020 period and its legal form can be discussed and finalized only after these inputs are integrated into the process through deliberation and a final decision in the relevant subsidiary bodies of the Convention. Further, as pointed out earlier, this work of increasing the level of ambition must include in its scope not only mitigation but all other aspects of adaptation, finance, technology development and transfer and capacity building.

42. India would like to underscore that the work of the subsidiary bodies includes the work of *all* subsidiary bodies. This includes in particular the work of the AWG-LCA, Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice. This will also include, for instance, the work conducted in workshops under these Subsidiary Bodies. India views the ADP process as forming a complementary part of the whole, rather than it's working in isolation, or as constituting in any respect a break from the rest.

43. India would also like to note that although the list of inputs is an illustrative rather than exhaustive one, as suggested by the use of the term 'inter alia,' it is only those inputs recognized and mandated by Parties that must be taken into account. Reports by international or other organizations may have persuasive value, but as their objectivity and also veracity, could be in doubt, these must not feed directly into the ADP process to determine its outcomes.

### **Contextualizing the Work of ADP**

44. India firmly believes that the work of ADP must be viewed synergistically with the work of all the subsidiary bodies, including the AWG-LCA and AWG-KP. The first order of business of the ADP must be to determine collectively how the ADP can build on rather than replace, replicate or modify the work already done in the AWG-LCA and AWG-KP. India believes that no issue currently covered by the AWG-LCA and AWG-KP should fall between the cracks if and when these processes are brought to an end. The ADP is the logical home for most of the remaining substantive issues on their respective agendas.

45. India believes that there must be a seamless transition from the work of the AWG-LCA to the work of the ADP. There is nothing in the text of the Durban Platform to justify a reading that the ADP constitutes a departure from

the premises of the Convention and of the Bali Action Plan. On the contrary, the use of the phrase 'under the Convention' implicitly engages the Convention and all COP decisions under it. Therefore issues that are not satisfactorily resolved by the AWG-LCA must be parceled forward to the ADP. This may include, for instance, the long-term global goal, equitable access to sustainable development, and issues that feature in FCCC/AWGLCA/2011/CRP.39. Unresolved issues of purely technical nature may, after due deliberations, be sent to the relevant Subsidiary Bodies.

46. There must also, in India's view, be strong linkage between the work of the AWG-KP and that of the ADP. The work of the ADP hinges on the fulfillment of the Durban promise of a second commitment period under the Kyoto Protocol.
47. India is of the view that the presentation by May 2012 of QELROs by Kyoto Parties is an 'important and necessary first step for the success of the process agreed to at Durban. In addition, India believes that Parties must determine how the Kyoto Protocol, the extensive rules negotiated under it, and the work of the AWG-KP is to be preserved and extended. Although COP-17 did offer the Kyoto Protocol a fresh lease of life, it did not address its future post-2018 or post-2020. Parties need to address this, as well as ensure that if indeed there is to be a single overarching framework post-2020, that the agenda of the ADP is designed to ensure that key elements of the Kyoto Protocol are built into this new framework. In the meantime, however, the work of the AWG-KP must continue. The life of the AWG-KP, in India's view, is tied to the life of the ADP process. Both processes must conclude on a positive, ambitious and equitable note.
48. Last but not the least, India is of the view that, in the year 2012, the work of parties should focus on brainstorming on the principles, content and scope of the Durban Platform. Other consequential issues such as legal form, time-lines and milestones relating to the completion of the process should be addressed only after these substantive issues are decided.

**Annexure I to India's submission on ADP  
(Submission made by India on February 28, 2012)**

**Increasing Ambition Level under Durban Platform for Enhanced  
Actions**

1. The CoP 17 decided at Durban to launch a process to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties through an Ad Hoc Working Group on the Durban Platform for Enhanced Action. The CoP 17, inter alia, requested the Parties to submit their views by February 28, 2012 on 'options and ways for further increasing the level of ambition and possible further actions'. India welcomes this opportunity.
2. As the outcome of the process under Durban platform is to be applicable to all Parties and this outcome is to be reached under the Convention, all principles and provisions of the Convention will apply in totality to both the process and its results. Accordingly, the efforts for increase in the level of ambition must be made, inter alia, in accordance with the principle of equity and the principle of Common But Differentiated Responsibilities of the Parties.
3. India believes that question of 'the highest possible mitigation efforts by all parties' has to be addressed in the light of the decisions of CoP 16 at Cancun on 'Enhanced action on mitigation' relating to 'nationally appropriate mitigation commitments or actions by developed country parties' and 'nationally appropriate mitigations actions by developing country parties'.
4. The above CoP decisions on mitigation taken at Cancun recognize that developing country Parties are already contributing and will continue to contribute to a global mitigation effort in accordance with the principles and provisions of the Convention and could enhance their mitigation actions, depending upon provision of finance, technology and capacity building support by developed countries Parties.
5. Developing country Parties including India have already put forward their domestic mitigation goal in accordance with the principles and provisions of the UNFCCC, particularly its article 4, Paragraph 7 which is being implemented accordingly. This can be achieved as envisaged, on provision of support and enablement in terms of finance and technology as per the principles and provisions of the Convention, like Article 4, paragraph 3.
6. Besides, the question of raising the ambition level has to be understood in the context of the paragraph 6 of the decision relating to the establishment of the Durban Platform which states that the process of raising the ambition level will be informed, inter-alia, by the 5<sup>th</sup> assessment report of the IPCC, the outcomes of the 2013-2015 review and the work of the subsidiary bodies.
7. Paragraph 5 of the decision on Durban Platform, envisaging the work of increase in ambition level based on the work of the subsidiary bodies is also very relevant. The

work of subsidiary bodies includes the work done by the Subsidiary Body on Implementation, Subsidiary Body on Scientific and Technical Advice (SBSTA), as also the two Ad Hoc Working Groups under the Convention and its Kyoto protocol in relation to the various pillars as enumerated in paragraph 5 of the decision.

8. Having regard to the fact that the work plan envisaged in paragraph 7 of the decision on Durban Platform follows the work envisaged/done under paragraph 5 and 6 of the decision, India is of the view that the work plan for enhancing mitigation ambition of Parties relates to the post-2020 period.

9. Considering the fact that the results of the peer-reviewed comprehensive scientific assessments under AR5 and the work of 2013-15 review will be available only in the time frame of 2015, and the work of the AWG-LCA for enhancing the long term cooperation of the Parties under the Convention will not be completed before CoP 18, the only available time frame for making scientific assessment of the 'mitigation efforts by all Parties' is the post-2020 period.

10. To the extent that the decision, in its preambular recital, makes a reference to the gap between the mitigation pledges until 2020 and emissions pathways consistent with achieving the 2°C goal, the question of ambition in the time frame of 2012-2020 under the Durban platform relates to the commitments of Annex I Parties who have an obligation to take deep and ambitious emission reduction targets consistent with science and the principles of equity and CBDR.

11. It is notable that the paragraphs 7 and 8 of the decision (relating to the Durban Platform) are derived from the text under negotiation in the AWG-LCA relating to the mitigation commitments of the Annex I parties. These paragraphs are now part of the decision on Durban Platform applicable to all parties and have been placed sequentially after the paragraphs 5 and 6, whose import is described above. This confirms the conclusion that the increase in ambition level in the short term is based on the actions of the Annex I country Parties.

12. As the work plan relating to the increase in ambition level mentioned under the Durban Platform is directed at closing the ambition gap with a view to ensuring the highest possible 'mitigation efforts,' and not mitigation results, the increase in ambition levels of Annex-I Parties should be consistent with the findings of science, and the corresponding levels of emission reduction targets needed to stabilize the climate, especially in accordance with the principles of equity and CBDR.

13. In view of the fact that the only accepted scientific basis for determining the level of ambitious actions in the short term is the AR4, the work of the Annex I Parties for increasing the level of ambition in the time frame of 2012-2020 should be informed by the IPCC assessments under AR4. AR4 has recommended that Annex I Parties should reduce their emissions at least by of 25-40% in the short term by 2020. As the current pledges made by Annex I Parties fall short of the required emission reduction levels, they should raise, in the minimum, their ambition to the level indicated by the AR4. This should be indicated timely and a decision taken thereupon at Doha (CoP 18).

14. Further, the increase in ambition level can be achieved only if the Annex I countries clarify that their commitments/targets in the time-frame of 2012-2020 are without any conditions. This is important to ensure that the pledged actions are clear, ambitious and effective.

15. To facilitate the process of assessing the implementation of commitments of Annex-I Parties towards closing the mitigation gap in the time frame of 2012-2020 in accordance with the findings of science, and the principles of equity and CBDR, a review of the adequacy of the mitigation commitments during this time frame should be launched in accordance with Article 4, paragraph 2(d) of the Convention. The review should be carried out in the light of the best available scientific information and assessment on climate change and its impact as well as relevant technical social and economic information. The results of such review should be an essential part of the 2013-2015 review of implementation of the Convention. The assessed gap in the efforts as compared with the results/assessment of the Annex-I Parties under Article 4, paragraph 2(d) should be the basis for increasing the level of ambition.

16. In case of Annex-I Parties that are Party to KP, a parallel process should be initiated to determine compliance with their commitments to achieve the economy wide emission reduction targets. The assessed gap in achieving their targets under the first commitment period should be added to their targets in light of above submissions, under the relevant rules applicable to KP Parties. This should apply to all developed country Kyoto Protocol Parties including those that have announced that they will not participate in the second commitment period of the Kyoto Protocol. Similarly, non-KP Parties would also need to increase their targets/actions in light of the review/assessment of their commitments/targets.

17. The Secretariat, in its message vide ODES/CoP17/11 of January 20, 2012 has indicated April 16, 2012 as the date for submission of views of Parties on 'work plan of the Ad Hoc Working Group on Enhanced Actions including, inter alia, on mitigation, adaptation, finance, technology development and transfer, transparency of actions and support, and capacity building. India's submission thereto will contain further elaboration and/or clarification of the submissions made above.