

AWG-LCA session ends with calls for Party-driven text

Bonn, 9 August (Meena Raman) – At the closing plenary of the Ad Hoc Working Group on Long-term Cooperative Action (AWG-LCA) at the UNFCCC talks in Bonn on 6 August, developing countries stressed the importance that future drafts of texts for an outcome be driven by Parties.

They were alluding to the need for Parties to negotiate among themselves and to produce texts, and not to rely on the working group's Chair to come up with further texts which would be the basis for future negotiations.

The Chair had produced three versions of a “facilitating text” on 17 May, 10 June and 9 July, and the third version had been used in the Bonn session of the AWG-LCA on 2-6 August. Much of the week saw Parties engaging in textual negotiations on various issues in what has been termed “spin-off groups” for some issues and “drafting groups” for other issues.

According to many delegates, the meetings of the groups had seen several Members proposing additions and changes to the 9 July text. This has resulted in expanded texts on the various issues which include more of the language that countries had earlier proposed but had been left out in the 9 July text.

The G77 and China emphasised its understanding that the text, as worked on during the week's negotiations, will be “sacrosanct” until the Parties recommence negotiations in Tianjin, China from 4-9 October.

All countries called for progress in the negotiations to move with urgency.

Margaret Mukahana-Sangarwe of Zimbabwe, the Chair of the AWG-LCA said that the work of the Parties in the various drafting groups (on shared vision, mitigation, adaptation, finance, technology and capacity building) has given rise to a negotiating text which has grown from her text of 9 July but this was to be expected and that Parties had assumed ownership of the text. She said that the text has become “richer in substance and reflects the positions of Parties on issues which are important to

them”. She said that efforts now had to be redoubled to bridge the differences among Parties.

In the preparation for the next session of the AWG-LCA in Tianjin, China (in the first week of October), Sangarwe said that the draft text produced at the session in Bonn would be the official document. She will also provide a scenario note on the organisation of work and also a note of the Chair's analysis of the text and possible solutions on specific issues.

Several developing countries including India, Malaysia and Singapore also stressed the importance of the negotiations to focus on the mandate of the AWG-LCA to ensure the implementation of the Convention and not deviate with proposals by developed countries that would violate the Convention. They were referring to proposals that called for developing countries, especially “major emitters” to take on new obligations in reducing emissions.

On the other hand, many developed countries (the United States and Japan and the Umbrella Group to which they belong) called during the closing plenary for the operationalising of the Copenhagen Accord.

However, some developing countries do not want the AWG-LCA process to adopt or legitimise the Copenhagen Accord, the controversial political document that was not adopted by the last meeting of the Conference of Parties in December 2009 due to lack of consensus. The Accord was a document that was the result of an exclusive meeting of selected heads of states, and it was only “taken note of” by the Conference of Parties in Copenhagen.

Ambassador Abdullah M. Alsaidi, of Yemen, for the Group of 77 and China said that the Group at the opening of the AWG-LCA argued for change in the methodology of work and emphasized the urgent need to immediately engage in Party-driven negotiations on the basis of the Chair's text of 9 July 2010. He thanked the Chair for “guiding our work” in this respect.

“It is vitally important, however, to continue our work in a negotiating mode if we are to achieve the desired outcome in Cancun,” said Alsaïdi. The Group stressed the fact that an outcome to be obtained from Party-driven negotiations is an outcome that will not be contested. “All of us, including our partners, must bear this in mind,” emphasized Alsaïdi.

Referring to several meetings organized by Mexico and other Parties outside the UNFCCC process, Alsaïdi said that the “plethora of initiatives, seemingly meant to enhance the negotiations, is a tactic that is inconsistent with the aim of the UNFCCC. The urgency of the climatic situation dictates that we move expeditiously to contain an ever-growing menace that will overwhelm us all”.

“It is incumbent upon all of us, Parties to the Convention, to act and fulfill the mandate of the process we launched in Bali, to enable the full, effective and sustained implementation of the Convention through long-term cooperative action, now, up to and beyond 2012. This would be consummated by adhering to the provisions and principles of the Convention, in particular the principles of equity and common but differentiated responsibilities and respective capabilities”.

The Chair of G77 and China reaffirmed the centrality of the UNFCCC in addressing climate change, and stressed the fact that the work process must be open, Party-driven and transparent.

Alsaïdi reconfirmed the Group’s understanding that the text, as worked on during the week’s negotiations, will be sacrosanct until the Parties recommence negotiations in China in October.

“The Group of 77 and China will diligently work toward reaching an agreement to address the global climatic change. We obviously expect no less from our partners,” he said.

The Democratic Republic of Congo, speaking on behalf of the African Group said that on shared vision, it had become apparent in the discussions that at present there is no common vision and that if Parties continue to emphasise the areas of divergence, rather than building on areas of convergence, it will not be possible to achieve a common vision.

On mitigation the African Group expressed concern that many Parties re-introduced pre-Copenhagen positions, which has resulted in a dramatic expansion of Chapter 1 (of the negotiation text). It added that Parties have introduced levels of detail in Chapter 1 that creates a

complete imbalance with the treatment of other equally important issues – like adaptation.

It also expressed extreme concern about the U-Turn taken in the REDD-plus (in relation to reducing emissions from deforestation, degradation, forest conservation etc.) negotiations. It said that the REDD-plus was largely unchanged from where the Parties signed off in December last year and was ripe for negotiations. The introduction of new texts was disconcerting, said the African Group.

It was disappointed with the slow progress made on adaptation during this session. Africa saw the Adaptation Committee as an institution that will provide coherence in the implementation of enhanced action on adaptation under the Convention. It saw the Committee giving guidance and providing technical support for implementing these actions.

On finance, Africa was of the view that while the establishment of the new Fund was very important, it was more important to ensure the sustainability and adequacy of its resource base. It further stressed the need to identify the various mechanisms and institutional arrangements, such as a finance committee under the COP that would address the MRV (measurement, reporting and verification) of the financial commitments by developed country Parties.

It also registered disappointment on the little time afforded to the subject of technology transfer at the Bonn session and at the lack of progress made on the issue of capacity building.

Lesotho, on behalf of the Least Developed Countries said that what was most worrying is that Parties are still grappling with mechanisms that would stop the advance of climate change for a future that would be less affected by monsoons, hurricanes, temperature rise, extreme drought etc.

It said that the progress achieved in the Bonn session has been inadequate, characterized by lack of seriousness and focus by Parties. It also saw deliberate delaying tactics. There has been robust discussion but there was still need to restore trust among Parties.

The LDCs expressed disappointment at the apparent perception that LDCs aim to earn more than they deserve out of the UNFCCC process to an extent that many proposals by the LDCs attract unfavourable reactions from some Parties. The vulnerability of LDCs has even been questioned.

Grenada, speaking for the Alliance of Small Island States (AOSIS) said that there has been insufficient progress in Bonn in the negotiations. There was need for ambitious targets in adaptation, mitigation, finance, technology transfer and capacity building. It was important to move into drafting mode in China. Facilitators should be empowered to explore all means to arrive at a consensus text.

On the form of the legal outcome for Cancun (whether there be a set of COP decisions or a legally-binding treaty), it said that informal consultations held in this regard in Bonn had not achieved any consensus. It said that there was need for detailed elaboration of different positions and their implications and this could be contained in the Chair's scenario note or separate document as there was need for an informed decision on the matter.

India said that the Bonn session has marked a significant step forward in our negotiations. After the disappointment at Copenhagen, it was happy that the discussions are firmly back on the multilateral track. India thanked the Chair for coming up with a draft that has paved the way for the text-based negotiations to recommence. The process has become Party-driven, as it should rightly be, said India.

The text with which we will go to Tianjin may not be in the best of shape, but it does instill confidence in the process and gives hope for a comprehensive outcome at Cancun that provides a balanced treatment to all the pillars of the Bali Action Plan, it added.

Parties had been able to have the first reading of a sizeable part of the draft text in an inclusive and transparent manner. It is imperative that the first reading of the remaining portions of the draft be completed as soon as discussions begin in Tianjin.

India stressed that the mandate of the AWG-LCA is very clear - to ensure sustained, effective and comprehensive implementation of the Framework Convention (UNFCCC). Parties must not, therefore, weaken this mandate by deliberating on elements that diminish the implementation of the principles and provisions of the Convention.

It said that Parties must remain focused on the fulfillment of commitments by the Parties to the Convention in accordance with the principles of equity and common but differentiated responsibility. Absence of an equitable access to global atmospheric resources and protection of the developmental needs of the developing countries will impede our progress, it added.

India said that the outcomes in Cancun have to be a part of a comprehensive package and that cherry-picking of ideas will create confusion and distract attention from central issues. A regime for MRV of developing country actions cannot be pushed to the exclusion of enhanced commitments of developed country commitments and progress on other elements of the Bali Action Plan. There has to be a balance on all elements of the Bali Action Plan in the package of negotiations.

In a very moving statement, **Pakistan's** delegate Mr. Farrukh Khan drew attention to the intense suffering of his people due to (recent) torrential rains that have not only disrupted the economy but also has led to great loss of lives and has affected more than 12 million people. He said that climate change was a reality for his country exacerbated by economic and security challenges.

He said that what Pakistan is facing bears testimony to its vulnerability to climate change. He said that Pakistan has endeavoured to include vulnerability to monsoons in the negotiations. He called on Parties to avoid a repeat of Copenhagen and said that urgent action was imperative as climate change did not wait for "political wrestling" to finish and hinges on the need for greater political will on the part of Parties to act.

Malaysia expressed dismay that developed country Parties persist in inserting text that was clearly at odds with the principles enshrined in the Convention. Such text had no place in the document and any voluntary removal of such text by Parties who had proposed them cannot be regarded as a concession in good faith. It believed that in Bali, a critical mandate had been given to enable the full, effective and sustained implementation of the Convention. Any deviation from this would be viewed as an irresponsible abdication of duties.

Bolivia was of the view that there was now a text for negotiations that even if it had some failures and shortcomings, it reflected the positions of all Parties in some way. It felt that it was now possible to say that various proposals from the World People's Conference on Climate Change and Mother Earth's Rights, which was held in Cochabamba in April this year, were expressed as options in the negotiation text.

Venezuela reminded Parties of its objection to the adoption of the Copenhagen Accord in December last year. It said that there had been some progress here in Bonn and in order to have effective negotiations at the 16th meeting of the Conference of Parties in Cancun, there was need for a transparent, effective and efficient process. It said that at the next session in China, there was need to work towards language that will unite Parties

Ecuador said that the drafting of the text had gone forward as it was Party-led. It also called for greater political willingness from developed countries. It also further drew attention to its initiative together with the United Nations Development Programme on the Yasuni National Park, where Ecuador has committed to keeping the oil in the ground.

[The Ecuadorian government and the UNDP signed an agreement on 3 August that creates a trust fund for managing international contributions to the Yasuni-Ishpingo Tambococha Tiputuni (ITT) initiative. The initiative is to keep crude oil in the ITT field underground in order to preserve the environment. The ITT is part of the Yasuni National Park, the country's largest nature reserve and also a UNESCO biosphere reserve].

Ecuador said that it was the main contributor to the fund and called on developed countries to support such initiatives.

Singapore said that while progress is slow, no matter how imperfect the text was, it was a text produced by the Parties for the Parties. It expressed great concern that some Annex 1 Parties have made proposals which are not in accordance with the mandate of the UNFCCC, the AWG-LCA and the Bali Action Plan.

It said there were many examples of this and referred to one proposal for the reclassification of Non-Annex 1 Parties. Singapore said that it rejected such proposals and that this did not advance negotiations and are counter productive and divert attention from the fundamental issue of long-term cooperative action to implement the Convention. The Bali Action Plan provides a clear mandate and these rules and agreement must be respected and applied. All countries, both developed and developing countries, do their part according to their common but differentiated responsibility.

Bangladesh said progress in the negotiations was slow. It said that while there is a differentiation between developed and developing countries, the Convention also distinguishes the special circumstances of the LDCs and the small-island states. It expressed dismay that some Parties are undermining this. It also said that the promised fast-start finance of USD 30 billion by developed countries under the Copenhagen Accord had yet to be mobilised and disbursed. It also called on the secretariat to come up with a 'vulnerability' criteria.

Maldives referred to a meeting of 28 countries under what is termed the 'Cartagena Group'. It said that the group is made up of like-minded 'progressive' countries. They were for an ambitious, comprehensive, fair and legally-binding agreement. Its purpose was to identify

middle-ground and build bridges and identify solutions where positions are far apart.

Australia on behalf of the Umbrella Group with regard to the text said that it supported a balanced and effective package covering all the major elements. In particular, it wanted more time for discussion on MRV (of mitigation actions) for both developed and developing countries. It said that the group had provided (as regards the text) 'international consultations and analysis' (ICA of mitigation actions of developing countries which are not enabled and supported) as a means for Parties to take ownership and showcase their actions and to provide transparency to enable and facilitate dialogue. It added that this was an elaboration of what leaders agreed to in Copenhagen (referring to the Accord that was "taken note of" but not adopted by the Conference of Parties due to lack of consensus). It wanted to engage more in-depth in further discussions.

The Umbrella Group said that it was committed to a durable, fair and environmentally effective and legally binding agreement that provided for mitigation actions for all economies with a robust framework that ensures transparency. It was also concerned about the pace of negotiations.

Belgium speaking for the European Union said that the Bonn session did not live up to its expectations in terms of progress. It had hoped to find convergence on some issues for ambitious results in Cancun. It did see some convergence emerging in a few areas but this was becoming more and more of a challenge. The EU said that Cancun should put in place the key institutional and architectural arrangements for the comprehensive and ambitious legally binding outcome on issues such as mitigation, MRV, financial architecture, REDD-plus, technology, adaptation, capacity building and market mechanisms.

It said that the Kyoto track (referring to the working group under the Kyoto Protocol) has made considerable progress but it had concerns. The EU did not see equivalent progress under the Convention track. It called for negotiations to be put on 'fast track'. In order to engage in a discussion on how to raise the level of ambition, there was need to bring commitments put forward by developed countries and the nationally appropriate mitigation actions of developing countries into the formal negotiating process. It encouraged Parties to put forward their proposals before the meeting in Tianjin and said that this was not a stepping stone for a pledge and review approach.

On the form of the legal outcome, while reiterating its preference for a single legally binding instrument that

would include all essential elements of the Kyoto Protocol, the EU said that it was flexible regarding the legal form, as long as it was binding. It was open to considering a second commitment period under the Kyoto Protocol as part of a wider approach in which a binding instrument capturing the outcome of the LCA process would complement and work in parallel with an improved Kyoto Protocol. Such an approach should ensure that other major emitters take on their fair share of the global emission reduction effort and that environmental integrity is improved.

(The United States is not a Party to the Kyoto Protocol but as an Annex 1 Party under the UNFCCC it has a legally binding commitment to reduce greenhouse gases emissions.)

The **United States** said that Parties were now in the midst of critical negotiations. There was need to be ambitious and to move forward. The US drew attention to the record temperatures and fires in Russia and to the floods in Pakistan and said that these were consistent with climate change and cautioned that the situation would get worse.

The US then stressed the need for a significant operational outcome in Cancun that will enhance the

Copenhagen Accord. It said that leaders had struck a balance under the Accord towards a clear path forward that required developed countries taking on economy-wide targets and for major developing countries to take robust mitigation action. The US said that it was implausible that Parties would now change the balance (reached under the Accord). The agreement must be robust, flexible, durable and capable of adapting to national and global changes. It expressed concern with the pace of negotiations.

Referring to the statement by the EU, the US said that some Parties were talking about reaching a deal in South Africa. It said that delay is not the answer and there was need for an outcome this year, which was the speedy conclusion of the Copenhagen Accord. It asked Parties to continue negotiations and not debate on process.

Japan said that there was need to adopt a comprehensive legally binding document based on the Copenhagen Accord which establishes a fair and equitable framework with the participation of all major emitters. It said that a substantial set of decisions was needed to set up a robust system of MRV and ICA (“international consultations and analysis”, a term introduced in the Accord) to realise an environmentally effective framework.