

Developing countries form solid front to advance Kyoto Protocol

Bonn, 8 June (Lim Li Lin) – The developing countries formed a solid front to advance the Kyoto Protocol when the opening session of the KP working group took place on 7 June morning. It was clear that a second KP period has become a rallying point for these countries as an essential component for a successful Durban climate conference in December.

The many groupings of the developing countries, led by the G77 and China, and supported by the groups representing Africa, LDCs, small island developing states, ALBA, and Arab countries, insisted that the Durban conference achieve a finalization of the negotiations for the KP's second commitment period for emission reductions. The Durban meeting is the last chance to try and ensure there is continuity after the first commitment period ends in 2012, and that there is no gap between the first and second periods.

They warned that failure to agree to a second period in Durban would put the international climate regime at risk, with serious consequences for developing countries already suffering from the effects of climate change. They called on developed countries which are KP members to show the political will needed to make the second period a reality.

Many developing countries also insisted that there should be no conditionalities set by developed countries for them to commit to a second period. In any case, discussions on such conditionalities should only be with developed countries that have signaled their willingness to enter into a second phase of commitments.

The G77 and China expressed concern at the slow progress of the KP talks and at attempts to erode the relevance of the KP as a key cornerstone of the climate regime. It stressed the need to avoid a gap between the commitment periods, and to overcome the wide gap between the Annex I pledges and what is required. **The Africa Group** decried the lack of political will by developed countries, which could

result in no legally binding instrument, which unacceptable to the future of the multilateral climate change process.

The LDC Group was disappointed with the three countries that did not support a second period and said "history will not look favourably upon them". Small island states said the threshold for a 1.5 degree target may already be crossed, there is thus no room for delay, or on reliance on a pledge and review system for emission reductions.

The Arab Group criticized some developed countries' attempts to avoid a second period by imposing conditionalities, as a refusal to accept legally binding commitments and disrespecting the negotiating process. **ALBA** stressed that aggregate and individual targets must be the central mitigation obligation; Cancun was a step backward that challenged this objective and the climate regime cannot be a weaker, voluntary regime.

In contrast to the strong developing-country statements, **the Umbrella Group** (which comprises Australia, Japan, Russia and Canada among others) indicated that they want a new agreement to replace the Kyoto Protocol. **The European Union** said committing to a second period was a "very difficult decision" for the EU and reiterated it can consider such a commitment only if its conditions are met, mentioning the need for all major economies to take ambitious actions.

Argentina, speaking on behalf of the Group of 77 and China, reiterated its serious concerns with respect to the slow progress of the Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) in completing the milestones of its work programme. (Among others, this includes adopting conclusions on the aggregate scale of emission reductions by Annex I Parties (developed countries) by April 2009 and on the contribution of Annex I Parties, individually or

jointly, to the aggregate scale by June 2009.)

It said that the primary objective is to reach a second commitment period for Annex I Parties' emission reductions under the Kyoto Protocol, to avoid any gap between the first and second commitment periods. (The first commitment period ends in 2012.) In the meantime, developing countries are experiencing the adverse effects of climate change, including increasing frequency and intensity of extreme weather events, and face challenges from the impact of response measures, it said. Developing countries are the most affected, and have contributed less to the creation of the climate change problem. "Historical responsibilities cannot be disregarded", it said.

It expressed concern at attempts to erode the relevance of the Kyoto Protocol as a key cornerstone of the multilateral climate change regime. Substantive discussions on the scale of emission reductions must be concluded to overcome the wide gap between the Annex I pledges and what is required by science, equity and historical responsibility. It said that the Group was willing to engage in a discussion of the (accounting) rules, but it is clear that political will to have a second commitment period is key for the technical issues (on the rules) to go forward productively. A second commitment period for the Kyoto Protocol must be reached as part of a balanced and comprehensive outcome in Durban (where the 7th Conference of the Parties serving as the meeting of the Parties (CMP) will be held in December 2011), it said.

Australia, on behalf of the Umbrella Group, said that it is committed to building a new and effective global climate regime. It looks forward to progressing the discussion on how the Kyoto Protocol can contribute to that regime, as it has elements that it wants in the global regime, for example quantitative commitments, coherent MRV (measurement, reporting and verification) and flexible mechanisms. It said that the Kyoto Protocol is only part of our work, as it captures only 27% of global emissions and this is falling. This alone will never be effective, and an agreement with all major economies is needed, it said.

Australia said that Cancun moved us towards this outcome, and all countries have put forward targets, and are committed to achieving these targets even if there is no treaty. A more comprehensive regime remains somewhat off. However progress can still be made to improve and enhance Kyoto Protocol rules, as part of implementing the Cancun agreements, and moving towards a new treaty, it said. It said that there

was no point in a new agreement that Parties cannot sign up to, and it would be better to have one that Parties can agree and improve.

Hungary, speaking for the European Union, said that it would like to build on the discussions in Bangkok (the previous session in April), and continue exploring the overarching political questions, as clarity is needed on the future of the Kyoto Protocol. It said that the EU was willing to consider a second commitment period in the context of conditions that are genuine, challenging but not impossible to meet. Solving the issue of the second commitment period alone, especially with limited participation of Parties with commitments, cannot keep the 2 degree objective within reach, it said. Committing to a second commitment period is a very difficult decision for the EU and will not be taken lightly. We need to ensure that all major economies take ambitious mitigation actions. We need assurances that the overall level of ambition will reach an adequate level, it said.

It said that spin-off groups are needed to continue working on the rules without delay. As many of the outstanding technical issues need to be resolved as soon as possible, and political questions framed for Ministers' considerations. It said that the rules should also serve as the basis for parallel work under the Ad hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA).

Grenada, speaking for the Alliance of Small Island States (AOSIS), said that every single Party has agreed in CMP decisions that the AWG-KP shall aim to complete its work and have its results adopted as early as possible and in time to ensure that there is no gap between the first and second commitment periods. This means that in Durban there should be a decision to finalise, and emission reduction numbers to lock in. Its position that temperature increase should be limited to 1.5 degrees Celsius is at risk if we do not take action now, and the threshold may already be crossed. There is no room for delay, or on reliance on a pledge and review system for emission reductions, it said.

It said that in Durban, there should be agreement on the second commitment period under the Kyoto Protocol from 2013-2017 based on a single legally binding base year of 1990, as part of the two-track outcome. In addition, loopholes relating to land use, land use change and forestry (LULUCF) and surplus assigned amount units (AAUs) should be closed, market mechanisms improved, and new gases included. There should also be provisional application

of new ambitious targets pending the entry into force of the second commitment period.

Grenada proposed to (1) focus on working only with those Parties who have expressed willingness to enter into a second commitment period, (2) clearly identify and assess whether conditionalities for Parties to enter a second commitment period have been met or can be met, (3) agree on the process and timing for political decisions between now and Durban, (4) make as much progress as possible on technical issues so that the remaining political issues can be addressed in Durban, and (5) establish a spin-off group on legal issues to discuss the full range of legal options available to ensure no gap between the commitment periods.

Democratic Republic of Congo, on behalf of the African Group, said that they wanted to make the upcoming African CMP a meeting that delivers the mandate that its people have been waiting for. "The message from the millions of African people is clear and loud. It is neither ambiguous nor complicated. The voice from Africa and other poor countries is calling for humanity to save the planet. The voice of our people speak in unison in reaffirming its full confidence in the ability of the Kyoto Protocol Parties to deliver the deal that is essential to ensure their survival," it said.

It said that the long-term solution to the climate crisis is an effective and ambitious global effort to mitigate emissions of greenhouse gasses. In this regard, it reasserted that agreement to a second commitment period under the Kyoto Protocol is absolutely essential. Africa requires a strengthened international climate regime that ensures ambitious reductions in greenhouse gas emissions from Annex I Parties in order to ensure that the impacts of climate change do not undermine its development goals.

It said that the most visible obstacle is the lack of political will by developed countries to meet their legal obligations under the Kyoto Protocol, which could result in no legally binding instrument for Annex I Parties' emission reductions. This is unacceptable to the future of the multilateral climate change process, it said. In this regard, it confirmed that developed countries must reduce their emissions by at least 40% below 1990 levels in the second commitment period and at least 95% below 1990 levels by 2050. It reiterated that there should be full separation between the two negotiating tracks and stressed that the AWG-LCA should not be used as a way to delay negotiations on the second commitment period.

It strongly opposed attempts to link technical and political decisions under the AWG-KP in order to create a gap between the first and the second commitment period, and emphasized the elaboration of a detailed and clear work programme for the Kyoto Protocol in order to ensure the adoption of a final decision on the second commitment period in Durban. This must include a formal meeting under the CMP of high level decision makers and/or politically mandated representatives of Kyoto Protocol Parties.

In Durban, the international community must have a precise strategy for adopting an amendment to the Kyoto Protocol for the second commitment period. This amendment must contain deep economy-wide quantified emission reduction and limitation targets for all developed countries for the period 2013-2017. This requires, in accordance with the science and in line with their historical responsibility for emissions, all developed countries to commit to deep and ambitious emission reduction targets, it said.

Papua New Guinea, on behalf of the Coalition of Rainforest Nations, said that there should be ambitious targets to reduce emissions under the second commitment period for the Kyoto Protocol. It called for the introduction of a new REDD (reducing emissions from deforestation and forest degradation in developing countries) mechanism under the Kyoto Protocol, with national accounting systems and MRV at the national level in order to ensure environmental integrity. It said that loopholes relating to LULUCF and the carry over of surplus AAUs should be closed.

Mexico, for the Environmental Integrity Group, supported continuing the political discussions from Bangkok, and making progress on technical issues. It said that the commitments of Annex I Parties should be strengthened and not weakened, and that there should be no gap between the commitment periods. These efforts alone will not attain the ultimate objective of the Convention, and a global agreement for all countries is necessary, it said. It urged for the inter-linkage between the two negotiating tracks to be duly accounted for in the negotiations.

Gambia, on behalf of the least developed countries (LDCs), said that all outstanding issues should be resolved in Bonn, and the necessary amendments to the Kyoto Protocol for the second commitment period presented in Durban. It said that it was important to continue discussions on political conditionalities, to understand them. There should be no conditionalities in order to advance for the second

commitment period, it said. It expressed disappointment that three countries have said that they will not support a second commitment period. History will not look favourably upon them, it said. We need to have focused discussion with those who are willing to enter a second commitment period, and cannot be distracted by those who are no longer interested, it said. The legal group should discuss ensuring that there is no gap between the commitment periods, it said.

Egypt, for the Arab Group, said that in Durban, there must be a second commitment period to avoid a gap between the commitment periods. The attempts by some Annex I Parties to avoid a second commitment period by imposing conditionalities represents a refusal to accept legally binding commitments. This was not respecting the negotiating process, and was not in harmony with the international system seeking to lower emissions to limit global warming, it said. The Kyoto Protocol is the most important legal instrument that exists, with effective monitoring mechanisms. It is a cornerstone of the international framework for climate change, it said.

Bolivia, speaking for the Bolivarian Alliance for the Peoples of Our America (ALBA) said that the road to Durban now is far from the joint objectives agreed to so long ago. The principle of common but differentiated responsibilities and obligations for aggregate and individual targets must be the starting point for any agreement on mitigation, and is its central obligation. Without this, all the rest is irrelevant, it said. Cancun was not progress, it was a step backward and a challenge to our objectives. The climate regime cannot be a weaker, voluntary regime without any advantages. Durban is the last chance to avoid a gap between the commitment periods, it said, and Annex I parties must assume commitments to stabilize temperature increase to 1-1.5 degrees Celsius.

Mexico, speaking as the (Conference of the Parties) COP Presidency, said that Durban should remove doubts with regards to the Kyoto Protocol and the future of the climate change regime, and that there should be no gap between the commitment periods. Both negotiating tracks are part of the

approach, it said. It said that it would continue consulting throughout this year.

South Africa, speaking as the incoming COP Presidency said that the Durban COP is not going to be easy, but that it is driven by its belief in multilateralism and a rules-based system. It reaffirmed the integrity of the UNFCCC multilateral process. It announced that it would conduct open-ended consultations on 11 June and invited all Parties to share their expectations. It will inform on the consultations that it intends to hold from Bonn onwards.

Tuvalu said that it was of great importance to reach a conclusion to our work in Durban. It said that the agenda of the AWG-KP in paragraph 15 refers to document FCCC/KP/AWG/2010/18/Add.1 as the basis for the work of the AWG-KP. This is not entirely correct as this document was introduced after the CMP, and is not the basis for our work. It said that document FCCC/KP/AWG/2010/CRP.4/Rev.4 was adopted as the basis of our work. It asked what was updated between those 2 documents? It expressed unhappiness with the form of document FCCC/KP/AWG/2010/CRP.4/Rev.4, in particular the three options in the LULUCF chapter, as this had not been agreed in Cancun and was not an appropriate way forward as the views of all Parties must be represented in a fair and balanced way. It said that it looked forward to negotiating the text so that we can have ownership over it. It said that only the views of Parties that intend to move forward with a second commitment period should be considered.

The Chair of the AWG-KP, Adrian Macey from New Zealand, said that the contact group/s for the following day would continue with the political discussion. He suggested that one cluster of issues could be the conditionalities or linkages made by Annex I Parties with regards to their pledges and the second commitment period, and what sort of package of outcomes for Durban there could be. He said that there was no clarity on whether there will be further meetings of the working group before Durban, and stressed that what we see at the end of this session, will be what we get in Durban.