

## Wish list for Durban Climate Conference

Bonn, 13 June (Meena Raman) – Developing and developed countries have presented their wish list of expectations for the meeting of the Conference of Parties (COP) of the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol to be held in Durban, South Africa in late November this year.

While all Parties stressed the need for a balanced outcome, there were divergences among developed and developing countries on what the meaning of balance was and on how to address the issue of mitigation under the UNFCCC and the Kyoto Protocol (KP) tracks. Developing countries want to see developed countries commit to targets for emissions reductions in the second commitment period under the KP, with some stressing this as an essential pre-condition for outcomes under the UNFCCC. On the other hand most developed countries predicate their commitments under the KP on there being a new legally-binding agreement for all “major emitters” under the UNFCCC process, in an apparent reference to the United States and China as well as other “advanced developing countries”.

South Africa is the incoming President of the 17<sup>th</sup> meeting of the COP (COP 17) and the 7<sup>th</sup> meeting of the KP Parties (CMP 7), and its **Ambassador Nozipho Joyce Mxakato-Diseko** held an open-ended informal consultation with Parties on their expectations for Durban on Saturday, 11 June. Ambassador Diseko sought the advice of Parties on what issues require technical work and what required political guidance.

**Argentina** for the **G77 and China** said that for the Group that there must be balanced outcomes in the both the two tracks of the KP and the Ad-hoc Working Group on Long-term Cooperation (AWG-LCA) under the Convention. Under the AWG-LCA, the outcome is for the full, effective

and sustained implementation of the Convention now, up to and beyond 2012 under the Bali Action Plan (BAP) adopted by COP 13. In the Ad-hoc Working Group on Further Commitments of Annex 1 Parties under the KP (AWG-KP), the primary objective is to ensure the second commitment period of the KP and to avoid a gap between the first and the second commitment periods, said Argentina.

(The first commitment period ends in 2012.)

The **Democratic Republic of Congo for the African Group** echoed the **G77 and China** for outcomes on the two tracks – one to implement the KP and another to ensure the implementation of the Convention and for a balanced outcome under both tracks of the negotiations. On the KP, it reiterated that developed countries should understand that without the second commitment period, there is no legally binding instrument for the reduction of emissions of Annex I Parties. Referring to the recent UNEP Emissions Gap Report, it said that there is a growing gulf between what Parties have pledged to do and what must be done to create a safe world for our children. The pledges by developed countries are a mere 3 to 3.7 gigatonnes of reductions by 2020 (based on 1990 levels), when the world faces a gap of more than 14 gigatonnes. Inadequate ambition, and the absence of legally binding targets, is together an unacceptable result for the future of the multilateral climate change process. It reiterated the call from the African Heads of States and Governments for developed countries to take on an ambitious and binding second commitment period commencing in 2013.

On the negotiations under the AWG-LCA, on the mitigation commitments by developed countries, the (2010) Cancun decision agreed on MRV and added international assessment and review, but was

very weak on comparability (between developed country Parties and non-Parties, i.e. the US) and silent on compliance. International assessment and review must be fully defined at COP-17, said the African Group.

On finance, Africa emphasized the importance of the operationalisation of the Standing Committee on finance to provide regular support to the COP in exercising its functions with respect to the financial mechanism of the UNFCCC and also proposed the addition of an agenda item on long-term sources of finance. It is of crucial importance that sources of finance are addressed in Durban, it stressed.

On technology, there has to be a decision to make the Technology Mechanism fully operational in 2012, according to the African Group. On adaptation, it expected a Durban decision that “kick-starts” the effective implementation of adaptation actions through the Cancun Adaptation Framework with the required financial, technical and capacity building support from developed countries Parties.

**Cape Verde** for the **Alliance of Small Island States (AOSIS)** also stressed the importance of having agreement on a second commitment period of the KP and to avoid the gap between the first and second commitment periods. The KP it said was the only legal framework to address greenhouse gases. It also wanted the operationalisation of the Cancun decisions which include: raising the ambition level in mitigation to limit temperature rise to below 1.5 degree C; agreement on a work programme for loss and damage; develop and agree to a robust review of the long-term global goal to keep temperature levels below 1.5 degree C; institutionalize the Green Climate Fund and agree on long term sources of funding by 2020; institutionalize the Adaptation Committee and for a legally binding agreement under the AWG-LCA that will provide balance to the KP.

**Saudi Arabia**, speaking for the **Arab Group** also stressed the need for a balanced package on all the elements of the BAP and for a second commitment period under the KP and called for setting targets for emissions reductions now. The second commitment period under the KP is a pre-condition for any outcome in Durban.

It also wanted the operationalisation of many decisions as in the Adaptation Committee; forum

on the impact of response measures; the Green Climate Fund and the Standing Committee on finance; and a clear decision for carbon capture and storage (CCS) to be eligible for support under the Clean Development Mechanism.

It cautioned against some Parties re-defining the Convention for some developing countries to “graduate” in taking emissions reductions commitments and in not providing finance to all developing countries and this undermined the principle of common but differentiated responsibilities. Parties should not be changing the rules of the game for this was a recipe for failure. On the legal form under the AWG-LCA, this will follow after the content is known.

**India** recalled Durban as a special place where Mahatma Gandhi started his journey from Durban as a young lawyer who went on to become the leader of its nation. India recalled the Bali Road Map and the Bali Action Plan and focused on the concept of balance, which it said is at the heart of any successful outcome in Durban. For India, there are four specific elements for the balance: balance in the progress on the AWG-KP and AWG-LCA tracks; balance in KP track between political decisions and technical decisions; balance within the AWG-LCA track with equal emphasis on the four Bali Pillars and balance in the operationalization of the Cancun Agreement. In addition, it said that Parties had to be mindful that other issues which are of interest to many of the Parties are not allowed to fall off the table.

(The four Bali Pillars are: Enhanced national/international action on mitigation of climate change; enhanced action on adaptation; enhanced action on technology development and transfer to support action on mitigation and adaptation; and enhanced action on the provision of financial resources and investment to support action on mitigation and adaptation and technology cooperation.)

On India’s do-able wish-list for Durban, India stressed the following: the 2nd commitment period of the KP must be concluded; under the Cancun Agreements, we must operationalize the Adaptation Framework; constitute the Board of the Green Climate Fund and Standing Committee on finance; conclude the work on the Technology Executive Committee; and concerning mitigation, put in place transparency arrangements, clear accounting rules for the developed country Parties

and the registry for the developing countries.

On process, it said that we must make sure that the consultations are conducted in an atmosphere of trust, and be free of pre-conditions. The consultations have to be transparent and inclusive and need to be held both at the political as well as negotiator level. It also called for an additional meeting session later this year, for otherwise, it was concerned that the work may not be concluded for Durban.

**China** wanted decisions for a comprehensive and balanced outcome referring to the Bali Road Map with a two-track approach. One key deliverable was to have targets for the Annex 1 Parties for the second commitment period of the KP. As part of the balanced approach under the BAP, developed countries who are not party to the KP must undertake comparable efforts (referring to the US) including MRV and ensure compliance. Developing countries mitigation actions are in the context of sustainable development and have to be supported with finance, technology and capacity building.

On adaptation, it said that institutional arrangements must be in place for the Adaptation Committee, as must be the case for the Green Climate Fund, the Standing Committee on finance and the Technology Mechanism. The purpose is not to only establish the structures but to ensure technology transfer including to address the issue of intellectual property rights.

It also called for another session prior to Durban.

**Bolivia** supported the European Union in its call for closing the mitigation gap (see below) and said that this was a central issue for Durban. The gap must be closed in the KP negotiations. The legal group under the AWG-KP must also address what legal action can be taken against those who do not comply with their legal obligations under the KP. (Canada, Japan and Russia have said that they will not make any commitments under the second commitment period of the KP.)

On the issue of new market mechanisms, Bolivia said there is need for clarity as to what has been the value of existing mechanisms and how they have reduced GHGs and it did not support market-mechanisms in forests and oceans. It said that South Africa is the place to fight against the new apartheid against Mother Earth and its vital systems.

**Venezuela** said that there was need to ensure a

balanced package. There must be agreement on the long-term global goal by 2050 for emissions reductions. The KP gap must be avoided and a decision is needed on the second commitment period with no time to lose. Operationalisation of the Cancun decision is needed, it also said. Referring to the huge tasks ahead in Durban, Venezuela reminded Parties of what South Africa's former President Nelson Mandela said, that, "it looks impossible until it is done".

**Singapore** wanted progress on the institutional frameworks as regards the Adaptation Committee, the Green Climate Fund, the Standing Committee on finance and the Technology Mechanism. On mitigation, it wanted a decision to operationalise MRV for both developed and developing countries. On the legal options under the AWG-LCA, it said a decision on a legally binding treaty was not possible in Durban. The second commitment period of the KP was essential for a rules-based multilateral system, stressed Singapore.

**Colombia** speaking also for **Costa Rica, Chile** and **Panama** wanted an outcome under the AWG-LCA on the legal form with rules for mitigation, with reporting guidelines for biennial reports, rules for international consultations and analysis (ICA) and international assessment and review (IAR). It wanted new market mechanisms and non-market mechanisms. For the second commitment under the KP, it said there is need to address the legal issues for the developed countries to meet their ambition.

**Switzerland** for the **Environmental Integrity Group** wanted an agreement under the AWG-LCA process and the continuation of the KP to avoid the gap between the first and second commitment periods and for clarity on the rules on land-use, land use change and forestry (LULUCF) and the use of markets. It wanted a regime on measuring, reporting and verification (MRV) with guidelines and ICA and IAR. It also wanted progress on long-term finance. On the process it wanted technical and political level meetings for a good balance.

**Japan** wanted the operationalisation of the Cancun Agreement and called for concentration on the practical and technical work needed.

The **United States** also stressed the need for technical discussions to progress work. Building off from the Cancun decision, it wanted decisions on the Green Climate Fund and Standing Committee on finance, the Technology Executive Committee

and the Climate Technology Centre and Network; elaboration of the Adaptation Committee; and the anchoring of the mitigation pledges with robust transparency regime. It stressed that no individual element can move without all elements moving together. The transparency element needed more time with detailed technical components.

The **European Union** raised these issues: (1) Raising the ambition gap in mitigation as the overall ambition was not sufficient to limit temperature rise to 2 degree C but could lead to a rise of 4 to 6 degrees C. There must be agreement on the peaking of emissions and the long-term global goal; comparable mitigation efforts by all major economies with a legally-binding framework for all major emitters with compliance for a post 2012 framework; (2) Mitigation pledges and a robust MRV system; (3) On the future of the KP, the EU is prepared for the second commitment period only in the context of a balanced package for Durban (referring to outcomes in the AWG-LCA for a legally-binding framework for all major emitters).

**Australia** wanted a decision on the legal form for a legally binding outcome for all major emitters which would not yet be a treaty but a step towards one. Having just a second commitment period under the KP would not do. It also wanted an MRV programme in mitigation; progress on the Adaptation Framework to also address agriculture, food security, land and water use. It also wanted outcomes on the Green Climate Fund, REDD-plus; new market mechanisms and the Technology Mechanism.

**New Zealand** wanted the Green Climate Fund launched, mitigation pledges discussed and assumptions negotiated in a common format and a process converting the pledges to commitments describing this as to “bank-and-build”. It wanted the MRV guidelines to be elaborated including the ICA and IAR and a timetable for biennial reports. It also wanted an international carbon market and for progress for new market mechanisms.

It said that under the KP, for the second commitment period, rules have to be advanced and if the rules were not “cooked”, there could be no

possibility for amendments to the KP (the second commitment period targets). For progress on the KP second commitment period, it needed to see all major emitters undertaking binding commitments under a comprehensive and legally-binding outcome.

**Russia** said that no one should be under the illusion that Durban is only about the second commitment period of the KP. It wanted a comprehensive and single treaty outcome with ambition.

Following the comments from Parties, Alf Wills of South Africa made some remarks on the way forward. He said that the mandate of the AWGs and the Subsidiary bodies (Subsidiary Body on Implementation and Subsidiary Body on Scientific and Technological Advice) was to conduct technical work under their control so that the political elements can be removed from the technical work. He proposed consultations at three levels with stakeholders, negotiators and experts feeding into the political level. The consultations will be held with one meeting per month, with the meeting in June focusing on mitigation, MRV and the second commitment period of the KP (the mitigation package); the July meeting will follow up with the mitigation package; the August session will be on finance issues; the September meeting will deal with technology-transfer and capacity-building; the October meeting on provision for political level engagement and in November, the focus will be on shared-vision and legal options. The stakeholder, experts sessions will be conducted together with Mexico (as the current COP 16 President).

The consultations will feed into a ministerial process with 3 meetings under the topic on the ‘*Durban Package*’ to get the Ministers to know each other and to find compromised solutions. The first Ministerial meeting will be Germany on 2-3 July, with a September Ministerial and a pre-COP session in November. There could be a possible Heads of State meeting in September during the session of the United Nations General Assembly (in New York) with the collaboration of Mexico, said Wills.