

Don't block progress for success of talks, says South

Bangkok, 4 September (Hilary Chiew) – Developing countries lamented the slow progress in the on-going meeting of the UNFCCC's Ad Hoc Working Group on Long-term Cooperative Action (AWG-LCA) and called on developed countries not to block progress in the negotiations to enable a successful outcome in Doha at the meeting of the Conference of Parties to the UN Framework Convention on Climate Change (26 November to 7 December).

Developing countries said decisions must be taken on several outstanding issues in the AWG-LCA before it is terminated in order to fulfill the mandate of the Bali Action Plan (BAP).

The Philippines, representing the Group of 77 and China, said that developing countries have put forward texts to focus discussion on various issues such as in the means of implementation that will allow Parties to reach an agreed outcome but developed countries are refusing to discuss them.

It said there cannot be closure of the AWG-LCA without clarity on the means of implementation. Giving an example, Philippines said that developed countries refused text on technology transfer without even listening to the developing countries. It said that work is not finished by establishing certain mechanisms (referring to the Technology Executive Committee and the Climate Technology Centre and Network) and this needed to be addressed.

Saudi Arabia said that Parties should stop blocking progress in the negotiations and allow the unresolved issues to be discussed. It said that Parties must find "homes" for those issues to be addressed and where there is no "home" (following the termination of the AWG-LCA), there must be a process to address them.

Parties to the Convention had agreed in Durban in December 2011 "to extend the AWG-LCA ...

for one year in order for it to continue its work and reach the agreed outcome pursuant to decision 1/CP.13 (Bali Action Plan) through decisions adopted by the 16th, 17th and 18th sessions of the COP, at which time the AWG-LCA ... shall be terminated."

Developed countries are insisting that the AWG-LCA's work must be terminated in Doha as agreed in Durban while developing countries say that such a closure can only be reached once the mandate of the BAP is achieved.

These divergences in views were expressed at the stock-taking session of the AWG-LCA on 3 September, chaired by Mr Aysar Tayeb of Saudi Arabia.

The AWG-LCA Chair expressed disappointment with the level of progress achieved so far in the days in Bangkok. With two days remaining for the Bangkok session (30 August to 5 September), the level of progress is still very limited on most of the issues, he said. While there were movements, these are not as far as had hoped for by this point in time.

He said that in some spin-off groups (informal consultations), Parties are already working on (text) formulation in a format that they can continue to discuss options, have exchanges and have real negotiations going on, but on a number of other issues there was no progress.

On substantive matters, Tayeb said divergent views remained on the content and how and if work under these matters is needed beyond Doha, and which bodies are suited for them.

However, he said Parties still have two days and hope that in these remaining hours, Parties can improve on the status and find ways to capture the moment and begin negotiations to reach closure on the different issues.

The Philippines speaking for the **G77 and China** said that Parties seem to have a different reading of the Durban decision. For developing countries, it was clear that the AWG-LCA was extended to fulfill the mandate of the BAP, following which it would be terminated. It would really like to close the AWG-LCA in Doha but the AWG must first fulfill the obligations under the BAP.

In all the discussions right now, the Philippines said, the developed countries are refusing to discuss the means of implementation, which are not new but are crucial before Parties move forward to any other platform (in reference to the Durban Platform).

It reminded Parties that the BAP is part of the Bali Roadmap, which is a two-track process where the AWG-KP (Ad Hoc Working Group on Further Commitments for Annex 1 Parties under the Kyoto Protocol) started 2 years, before the AWG-LCA and both mandates must be fulfilled in order to move forward in the process.

There cannot be closure of the AWG-LCA with all the new responsibilities placed on the developing countries without clarity on how these will be implemented through the means of implementation. It stressed that if developed countries want developing countries to do a host of new responsibilities, but these had to be financed. It called on Parties to have good faith in discussions as the work laid out in the BAP has yet to be finished. There were gaps in implementation and urged these to be addressed for a closure in Doha.

Malawi speaking for the Least Developed Countries (LDC) was disappointed with the developed countries' stance that there is no mandate to conclude the outstanding work of the AWG-LCA in Doha. While it can agree that the AWG-LCA is to be concluded in Doha, it asked how Parties are to achieve this if there is no negotiating text before them to enable a decision to be taken. It said the Durban decision specifically mentioned that the one-year extension of the AWG-LCA is to continue the work under the BAP through decisions of COP 16, 17 and 18 (in Doha). If Parties do not intend to have text for decision taking, then it should not have mentioned COP 18 and Doha will just be a meeting to say hello and goodbye.

Venezuela echoed the Philippines that Parties need outcomes (on unfinished issues) before

closing the AWG-LCA. Addressing the means of implementation is crucial for the developing countries to do the new obligations to raise the level of ambition.

China said it too is disappointed and concerned about the lack of progress at this session in Bangkok. Some Parties are keen to close the AWG-LCA but not keen to complete the mandate of the BAP.

It said the process was launched five years ago and Parties need to show the international community the work achieved as a matter of credibility. It does understand that there are some difficult issues but Parties cannot avoid them by forwarding them to another place. If solutions cannot be found here (in the AWG-LCA), it will be difficult to find them in another forum.

It urged Parties to make full use of the remaining two days and try to allocate more time in Doha to further discuss these issues such as level of ambition of Annex 1 countries, the comparability issue, common accounting rules, gap of mid-term finance and technology in terms of intellectual property rights becoming a barrier. It said countries' submissions need to focus on these issues to find a way forward.

Saudi Arabia said the way things are going is not promising. It said since its establishment at Bali and through the various COP decisions to enhance the Convention implementation to fight climate change, the AWG-LCA is set to be closed and replaced with a process for 2012 to 2020 despite the pledges out there being not up to the ambition that science is asking for.

It said there are issues among Parties with differing views but in the end if there is no satisfactory closure in Doha there can be no discussion on ambition. This is not the way to go and Parties should stop blocking to allow the good process to continue. We must find homes for those issues that need to be addressed and where there is no home, find a process to address them. There is a need to build confidence on how much can be gained out of these discussions and how to raise ambition.

Representing the African Group, Kenya said it is concerned with some procedural issues which are not in line with what Parties agreed to. It agreed that Parties do not reopen issues which were previously agreed but there are specific elements and issues that it felt need to be agreed upon through decisions in Doha. The African

Group has been constructive and provided specific views on finance and technology development and transfer where work is needed for a comprehensive decision coming from the AWG-LCA. It is disappointed with the debate on procedural matters under the Contact Group for agenda items 3 to 5.

India shared the sense of disappointment of the Chair as it is hoping to move on to decision text and hope to make some progress in the next two days.

It had listened carefully about the closure of the AWG-LCA but it is of the view that the extension of the mandate for a year is for it to do something and not merely to close it. Parties need to reach agreement pursuant to Decision 1/CP.13 (Bali COP) at which time the AWG-LCA must close. Successful closure is a key part of balance, which is very important for developing countries.

Given the short time in Doha, India foresees that not all the work will be finished. As such, Parties must identify the technical and political issues now and start looking at how and where to take these issues forward. Some of them would include a global goal and timeframe for peaking, long-term finance, equity, unilateral measures, trade and intellectual property rights.

Pakistan attached great importance to the work of (the AWG-LCA) on the achievement made and how to close the work to reach an agreed outcome. It supports concerns expressed by other developing countries. It warned that any effort to impose (a decision) will be contrary to the political agreement in Durban and will not be helpful. It believed that the Chair should create a space for negotiation on the text on his own responsibility which is based on vision and consultation with Parties. Flexibility on remaining issues on the table will help the work and is in everyone's interests. It called for moving ahead instead of moving backwards.

South Africa said some work can be resolved, some would be partially resolved with political guidance yet some will not be resolved but that does not exclude how Parties conclude their work in the AWG-LCA.

In Durban, the agreement for the Contact Group was to establish sufficient elements to implement fully the outcome but the reality is that there is no clarity on how to resolve the issue of comparability, means of implementation, finance etc.

There are some views that these issues are undertaken by institutions set up but again these institutions are not the platform to discuss commitments but are there to bring to effect what Parties agreed in the Convention. It would like Parties to engage in these substantive issues.

The **European Union** said it is essential to make a distinction between issues in the spin-off groups and other issues in the contact group of the AWG-LCA. It said there are issues discussed in the contact group, which already have homes in other bodies.

It said it would like to see progress in the AWG-LCA in Doha in terms of clarification of pledges and common accounting rules; understanding of scale and mitigation gap and its implementation. It wanted technical papers that clarify science-based assessment; procedures and modalities for new market mechanism; progress in long term goal and peaking; issue of bunker fuel and finance for REDD+ (Reducing Emission from Deforestation and Forest Degradation; conservation of forest, sustainable management of forest and enhancement of forest carbon stocks).

Switzerland speaking on behalf of the Environment Integrity Group (Liechtenstein, South Korea, Monaco and Mexico) and **Australia representing the Umbrella Group** insisted that the outstanding issues of the AWG-LCA are being dealt with under the institutions set up under the Cancun and Durban decisions.

Australia said significant progress has been made since Bali; building permanent homes for work but in the contact group divergence of views remained on some issues. It assured Parties that concluding the AWG-LCA is not concluding the work; it means the opposite where these issues are treated with seriousness with new, permanent channels. It said that the AWG-LCA will not be extended beyond Doha.

Singapore said the stock-taking gave a sobering reality of the progress in the AWG-LCA. It said the Chair seemed to have crystalised the areas of divergence. The fact that Parties had crystalised issues that divide them gave a sense where the gaps are. Parties need to realise that what they are engaging in is a confidence building process and it is important to give a sense that everyone has been heard and their concerns acknowledged, or else it will be difficult in Doha. For closure of the AWG-LCA in Doha, Parties have to think in terms of agreeing to agree and agreeing to

disagree. Parties have to accept that for certain issues, they have to agree to disagree.

In response to Singapore, the **United States** said Parties never agree to disagree; they agree where they can agree. Where there is disagreement, we seek to highlight but never assumed that the process continues to evolve. It said there appeared to be some convergence but cannot force agreement and conclude the work.

Saudi Arabia replied that Parties used to do exactly what the United States said, which is leaving out areas that Parties disagreed on. But we would see them coming back again and again. Sometimes this takes 20 years and it makes Parties realise that it is about time to have an innovative way to discuss them. Citing the example of the issue of economic and social impacts of the implementation of response measures, it took 20 years to establish a forum.

It asked if Parties want to do continue doing this. It said in those areas where Parties agreed to disagree, it will need to find a forum to discuss and finds ways and means to resolve the problem but just to ignore them will not make them go away.

Chair Tayeb concluded that no Parties said they do not want to close the AWG-LCA. He said he saw a path that can take Parties to a closure (of the AWG-LCA), closing each and every agenda item (as per the BAP mandate). He also noted that Parties said closing an agenda item does not mean the agenda ends and work cannot continue. He said he looked forward to Parties helping not to resist the route that he has developed but to work with him to find convergence, to crystalise the divergence, not to disagree for the sake of

disagreement, but to find what the disagreements are and what to do with them. He believed all is attainable as none of the proposals are new; there is need to look at content and ideas and see where the true convergence and divergence are and how to take them forward.

During the stock-take, reports on the progress in each agenda was provided either by Tayeb or the respective facilitators. The reports showed that the informal notes by the Chair helped to facilitate discussions and in some groups, the notes were revised as the meetings went along.

Most groups reported useful exchanges and clarifications to move discussions forward but differences remain on the development of negotiating text for decision-taking in Doha.

The most contentious areas were finance, technology development and transfer with regards to dealing with intellectual property rights, shared vision on long-term global goal for emission reduction by 2050 and a global peaking timeframe, unilateral measures of developed countries in combating climate change, the treatment of emissions from international bunker fuels in the maritime and aviation sectors, and the means of implementation.

On REDD+, Parties had exchanged views on institutional framework such as a REDD+ board, registry, review and regulatory bodies and the linkages with existing new institutions. A new proposal on non-market mechanism called joint mitigation and adaptation mechanism was included as an issue for further exploration beyond Doha and is to be taken up by the UNFCCC Subsidiary Bodies.