

Developing countries call for resolution of outstanding issues under Bali Action Plan

Bangkok, 10 September (Hilary Chiew and Meena Raman) – An agreed outcome at the 18th meeting of the Conference of the Parties (COP) of the United Nations Framework Convention on Climate Change (UNFCCC) can only be achieved by respecting the Durban package which contained the “mutual assurances” that all elements of the Bali Action Plan (BAP) will be fulfilled before transiting to the Ad Hoc Working Group on Durban Platform for Enhanced Action (ADP). The ADP is tasked with developing a new agreement to be effective in 2020.

Stressing the importance of a balanced outcome at the closing plenary of the session in Bangkok on 5 September, developing countries said outstanding issues in the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) must be resolved with clear direction on how to address them.

Developing countries including Algeria, Argentina, Bolivia, China, Cuba, Democratic Republic of Congo, Dominica, Ecuador, Egypt, El Salvador, India, Iran, Iran, Kuwait, Malaysia, Mali, Nicaragua, Pakistan, Philippines, Saudi Arabia, Sri Lanka, Sudan, Thailand and Venezuela, as well as the ALBA countries (Bolivarian Alliance for the Peoples of our Americas) and countries in the Central America Integration System (SICA) called on the Chair of the AWG-LCA, Aysar Tayeb (Saudi Arabia) to draft texts on the relevant issues to advance the negotiations in Doha.

China said that to have a meaningful and successful conclusion in Doha, Parties could not go to Doha empty-handed and wanted the AWG-LCA Chair to prepare draft texts to assist Parties. It referred to a Chinese saying that “no matter how wise a housewife is, she could not cook a rice meal without rice”. China urged the Chair to get

the ‘rice’ ready by Doha so that the Chair will not be a “desperate housewife”.

Gambia, for the Least Developed Countries called for the extension of the mandate of the AWG-LCA for another year to reach an agreed outcome, as there were many issues that were yet to be resolved.

Developing countries also stressed that the Doha outcomes must be carefully balanced, reflecting the Durban package. A number of them could not see the closure of the working groups (referring to the AWG-LCA, and the working group under the Kyoto Protocol tasked with finalising the second commitment period of emissions cuts by developed country Parties) if they had not finished their work. Many developing countries also said that they could not in good conscience accept unambitious outcomes that would place the world almost irrevocably on the path for warming that is dangerous.

The Group of 77 and China expressed concern over the slow progress of work in Bangkok and called on Parties to move into areas of convergence and minimise divergence.

In response to developed countries who were reluctant to engage on the issues of importance to developing countries, the African Group said there could not be a situation in which Parties unpack the Durban package and pick-and-choose only their favoured elements, and then expect success in Doha. Movement in the process is predicated on balanced progress in all of the mandates (of the working groups), further stressed the African Group.

The ALBA group said that the agreed outcome of the AWG-LCA should be expressed in substantive decisions, and in areas where Parties are not able to finalise an agreement, the COP should take procedural decisions signaling the

next steps to continue consideration of those issues.

India said that Parties cannot simply let the unresolved issues fall off the table because Parties did not reach agreement even though the BAP mandated them. While technical issues can go to the relevant UNFCCC Subsidiary Bodies for further work, the unresolved issues, which involve commitments and which require broad political consideration and direction must be taken on board by the ADP, which will be the only political forum for future work after the AWG-LCA and AWG-KP are successfully closed, added India further.

Chair Tayeb at the closing plenary of the AWG-LCA circulated an informal overview note of 35 pages, which he had prepared. The note states that it "... brings together the work of the informal additional session of the AWG-LCA held in Bangkok ... It reflects the exchanges on the various topics on the AWG-LCA agenda and possible ways of how issues may be addressed. It does not represent consensus by Parties regarding the content, form or way forward, including on possible decision text. The note draws from views, interventions and options presented by Parties, including submissions and written inputs in their consideration of the various agenda items. It is intended to assist Parties in their reflection on progress made and remaining challenges."

Developed countries raised objections to the informal overview note prepared by Chair Tayeb, saying that it did not reflect their views and was not balanced. They wanted closure of the AWG-LCA following the consideration of the limited issues mandated from Durban. There was reluctance to deal with issues raised by developing countries which were still outstanding from the BAP and that were not covered by the Cancun or Durban decisions.

These issues include emission reductions of developed countries up to 2020, finance, technology transfer, capacity building, and adaptation support. (See TWN Bangkok News Update #18, 'Don't block progress for success of talks, says South').

Representing the **Group of 77 and China, Algeria** said to achieve a successful outcome for the AWG-LCA in Doha, substantial work must be achieved in the areas of adaptation, finance, technology transfer and capacity building. The funding gap between 2013 and 2020 as well as all aspects related to finance, the arrangements

between the COP and the Green Climate Fund (GCF), MRV (monitoring, reporting and verifying) of financial support, technology transfer, capacity building, adaptation in the light of new obligations agreed in Cancun (COP 16) and Durban (COP 17) are yet to be addressed. It expressed concern over the slow progress in the negotiations and called on Parties to move into areas of convergence and minimise divergence. It called for a fair, equitable and comprehensive outcome in Doha, taking into account the BAP and substantive progress made in Cancun and Durban.

Bolivia spoke on behalf of a group of developing country Parties comprising of **Algeria, Argentina, China, Cuba, Democratic Republic of Congo, Dominica, Ecuador, Egypt, El Salvador, India, Iran, Iran, Kuwait, Malaysia, Mali, Nicaragua, Pakistan, Philippines, Saudi Arabia, Sri Lanka, Sudan, Thailand and Venezuela**. It said an outcome under the AWG-LCA must be ambitious and equitable and must effectively address all of the elements of the BAP in an operational manner that also reflects the framework and balance of commitments of Parties under the Convention. It said that in Bangkok, developing countries were faced with a consistent and across-the-board refusal by some developed country Partners to discuss and arrive at such ambitious and equitable outcomes on the very issues, such as the emission reductions of developed countries up to 2020, finance, technology transfer, capacity building, and adaptation support.

As a result of the decisions that have been taken in Cancun and Durban, developing countries will be contributing more in terms of overall emissions reductions than developed countries, despite having less in the way of financial and technological resources from developed countries. Some developed countries are increasingly relieving themselves of their treaty obligations to take the lead in reducing their emissions and to provide finance and technology to developing countries under the Convention.

Bolivia pointed out that there continues to be many outstanding issues that need to be resolved and concluded by the AWG-LCA in accordance with its mandate. Developing countries have put forward submissions and proposed draft decision texts that reflect high levels of ambition and the application of equity on virtually all elements of the BAP.

There is a call on developed countries to reduce their emissions by 40-50% below 1990 levels by 2020 in a comparable manner and have also proposed texts that would provide further operational detail and modalities with respect to the provision of climate financing, technology transfer, adaptation support, and capacity building from developed to developing countries.

The AWG-LCA, in order for it to reach an agreed outcome in accordance with its mandate under the BAP and subsequent decisions that would allow it to close, depends on reaching agreement on ambitious and equitable results on all elements of the BAP. It is a complex task indeed to complete the work of AWG-LCA successfully.

Bolivia requested the Chair to give a listing of what issues were mandated by the BAP, which issues were successfully concluded, and which issues are still outstanding. To assist in the work, it requested the Chair to draft texts on relevant issues that can help in our negotiations in Doha.

Success in Doha requires three elements: (1) An ambitious and legally binding second commitment period that includes a fair and science-based contribution by Annex I Parties towards closing the ambition gap; (2) an ambitious agreed outcome under the BAP that includes comparable mitigation efforts by Annex I non-Kyoto Parties and clear commitments for finance for 2013 and through to 2020, the other aspects of financing including institutional arrangements between the COP and Green Climate Fund, long-term finance and MRV of financial support, as well as progress on other unfinished business from the BAP and (3) greater clarity over the role and mandate of the working group under the Durban Platform, including the discussions on ambition and on negotiations towards a 2015 outcome to come into effect in 2020. In the absence of these elements, Parties must continue work under the current AWGs, it added.

Bolivia said these outcomes must be carefully balanced, reflecting the careful balance struck in the Durban package. It could not see the closure of working groups if they have not finished their work. Nor can Parties, in good conscience, accept un-ambitious outcomes that would place us almost irrevocably on path for warming that is dangerous.

Swaziland on behalf of the **African Group** expressed concerns about the procedural engagements and challenges developing countries have continuously experienced from developed

countries on issues of importance. It saw the need for important decisions on adaptation and means of implementation including finance, technology development and transfer and capacity building as a critical part of the Doha package of decisions under the LCA.

It was specifically concerned over the lack of clarity and the potential financial gap between 2012-2020 period and looked forward to clear decisions in this regard. Doha must deliver a clear commitment relating to finance for 2013, and a roadmap through to 2020. As regards the mitigation by developed countries, it was very concerned over the low level of ambition in pledges and lack common accounting rules which intern sends a bad signal to the future regime.

On 'shared vision', Swaziland maintained that shared vision cannot be simply defined as an emission reduction target for keeping warming way below 1.5°C and a peaking year, but should also include critical pillars that will take us to the target including: a global cuts in emissions in which developed countries should take the lead coupled with provision of enabling means of implementation to developing countries including finance, capacity and technology to take actions. It is essential that the global goal is defined in the context of equitable access to sustainable development and atmospheric space.

It supported a comprehensive review under the Convention. The adequacy of the long-term global goal and overall progress towards it is intrinsically linked to the adequacy of adaptation and means of implementation. On new mechanisms and a framework for various approaches, environmental integrity of the regime should be safeguarded through establishment of robust common accounting rules for developed countries under the convention.

Swaziland said the African Group had tabled concrete proposals on various aspects of issues during this session. It said there is still a substantial amount of unfinished business under the AWG-LCA. This must be addressed if we are to complete our work and so terminate the work of the LCA as agreed in Durban.

Swaziland said that the Durban outcome was a package. We cannot have a situation in which Parties unpack that package and pick-and-choose only their favoured elements, and then expect success in Doha. Movement on each of our mandates is predicated on balanced progress on all of our mandates. It stressed that for the LCA

to terminate its work at Doha, there is need for an ambitious and comprehensive outcome addressing all outstanding issues with the aim of enhancing effective implementation under the convention from 2012 to 2020 and beyond.

Speaking for the **Least Developed Countries (LDC)**, **Gambia** reminded Parties that the AWG-LCA was extended for another year because there is work to be done. The list of unresolved issues is long and the time available (until Doha) is short, and was concerned with the lack of progress in the Bangkok session. It called for the extension of the mandate of the AWG-LCA for another year to reach an agreed outcome. The year 2012 is likely to go down in history as the year when the Bali mandate concludes by reaching a balanced agreed outcome. It fully agreed (with other developing countries) on the importance of completing the work under the Bali roadmap (which includes the work of the AWG-KP), which is essential to lay a strong ground for the work of the ADP.

Representing the **Alliance of Small Island States (AOSIS)**, **Nauru** said it is disappointed on the slow progress towards achieving a critical outcome in Doha. Our people demand the urgent addressing of the challenges of climate change but the progress of the past week was anything but urgent. If Doha is to be a success, this has to change.

It lamented that Parties continue to ignore scientific in terms of the global goal for emission reduction and global peaking time frame, which are critical to prevent dangerous climate change. In terms of emission reduction, it said Parties need to be clear on the necessary follow-up on the findings of the in-session workshop on the mitigation targets and pledges of countries. On finance, it expressed disappointment with developed country Parties, which expect developing countries to address climate change with new obligations from the Cancun and Durban decisions without clarity on finance after the fast-start finance period ends in 2012.

Venezuela, speaking for the **ALBA** countries said the AWG-LCA has been tasked to conclude its work at COP18 but it is clear that the mandate from Durban is to produce an agreed outcome that encompasses all the issues where resolution has not yet been reached, and also reflect all the building blocks of the BAP as a coherent and integrated package.

To bring the AWG-LCA to a successful closure, efforts should primarily be directed to crystallise concrete results in, inter alia: - identifying a global goal for substantially reducing global greenhouse gas emissions as well as a time frame for global peaking of emissions based on historical responsibility; address the most important questions related to 'means of implementation' for developing countries; the core elements of both finance and technology transfer in order to give real and meaningful substance to the institutions created in Cancun. Otherwise, they will just be empty boxes; devising a concrete compliance system for developed country Parties and establishing clear rules and methodologies to promote environmental integrity

It also said the agreed outcome should be expressed in substantive decisions, and in areas where Parties are not able to finalise an agreement, the COP should take procedural decisions signalling the next steps to continue consideration of those issues. It supported the informal overview note of the Chair and also asked him to prepare draft texts on the way forward to Doha with a view to assist Parties. In doing so, it is important to acknowledge that a number of Parties have presented written contributions to the outcome of the AWG-LCA on several issues.

Egypt, representing the **Arab Group**, stressed the need for the full and faithful implementation of the delicate Durban package. It said a key component of that package is the successful closure of the AWG-LCA upon reaching an agreed outcome pursuant to the Bali decision. Building on the concrete submissions of all Parties, as well as the efforts of the Chair and Secretariat to compile them, Egypt said that the AWG-LCA was well placed to arrive at the kind of agreed outcome in these negotiations that everyone feels ownership of and that contributes to building the much needed trust and confidence necessary for the ADP collective journey in which we will all be engaged for the coming years.

The Arab Group reaffirmed its call for the full operationalisation of the mechanisms created in Durban, and for ambition across all the building blocks of the AWG-LCA, including comparable mitigation efforts by Annex I non-Kyoto Protocol Parties and clear commitments for finance for 2013 and through to 2020, as well as progress on other unfinished business from the BAP. It emphasised in this regard the critical importance of adaptation, economic and social consequences

of response measures, finance, technology, and capacity building.

Nicaragua, representing the **Central America Integration System (SICA)** said it is disappointed and frustrated by the lack of progress in the AWG-LCA, particularly, as it saw the persistent denial of some Parties to accept texts or draft decisions on issues that would have allowed us to advance our work towards a successful COP18. In this regard, in order to advance our work, it requested the Chair and would appreciate receiving a draft text between now and Doha.

It reiterated that there are important elements of the work of the AWG- LCA which have yet to be completed in accordance with the principles of equity and common but differentiated responsibilities, and it is crucial that all such elements could have the proper allocation of time in Doha for their due consideration.

It further said it is imperative to have a greater clarity on what is going to happen with all those unresolved and pending issues in the AWG-LCA and to agree, once and for all, on the proper and adequate place where all these issues will be addressed. Parties must solve this before taking a final decision on the future of the LCA.

India said Parties must leave Bangkok bearing in mind that the AWG-LCA must fulfil its mandate in Doha by delivering an agreed outcome that comprehensively addresses all the elements contained in the BAP in a balanced manner. This is an essential element of the Durban package that our Ministers had agreed in Durban. It reiterated that the spirit of the Durban package must be fully respected as any imbalance in progress under different AWGs will adversely impact the confidence of Parties and future climate change talks.

While Parties should fully aim to resolve all outstanding issues and reach agreed outcomes in Doha, it may be necessary, as a practical approach, to start considering, as to how some of the issues that may perhaps remain unresolved would be addressed. It said Parties cannot simply let these issues fall off the table because the Parties did not reach agreement even though BAP mandated them. While technical issues can go to the relevant Subsidiary Bodies for further work, the unresolved issues, which involve commitments and which require broad political consideration and direction must be taken on board by the ADP, which will be the only political forum for

future work after the AWG-LCA and AWG-KP are successfully closed.

At Doha, it said, Parties need a process-based decision to carry these issues forward and welcomed the informal overview note by the Chair which will enable Parties to reflect on and see how it can help us to conclude the work in Doha, on the pending issues as per the agreed agenda of the AWG-LCA.

China pointed out that all Parties wish for the AWG-LCA to reach an agreed outcome as quickly as possible as this was supposed to happen since 2009. It's head of delegation Mr Su Wei, said the Durban outcome is a package which contained the "mutual assurances" on various streams of work. The most important outcomes are to have the second commitment period (under the KP), to meet the objectives in accordance with the BAP and to launch a process to be completed by 2015 for enhanced action to be implemented from 2020 (referring to ADP).

He urged Parties to read carefully decision 1/CP.17 where the AWG-LCA was extended for a year is so that it could continue its work in order to reach an agreed outcome pursuant to the BAP, at which time the AWG-LCA shall be terminated.

On the Chair's informal overview note, he said although it is not a negotiation text, it was useful for moving forward the work. To have meaningful, successful conclusion, Parties need to do work and not go to Doha empty-handed. Referring to a Chinese saying that "no matter how wise a housewife is, she could not cook a rice meal without rice." He, therefore, urged the Chair to get his 'rice' ready by Doha so that he will not be a "desperate housewife".

Singapore said it was clear that from the session in Bangkok that there were issues of divergence and convergence. It said for such a process, it is important that these are reflected as accurately as possible and only then can Parties start dealing with options that hopefully will lead to a common solution and consensus in Doha. It had concerns with the Chair's informal overview note as it did not reflect accurately the various topics of the agenda. It pointed out that on the issue of trade, the proposal by Singapore in CRP 39 was seriously misrepresented. It therefore reserved its rights to come back to its proposal. It acknowledged that the note is an informal one in an informal session and therefore it has no formal status.

Switzerland, speaking for the **Environmental Integrity Group** said that the AWG-LCA has delivered outstanding contribution to strengthening the global climate regime post-2012. It said the AWG-LCA decisions from Cancun and Durban constituted an essential part of the BAP. It is important to underline that concluding the AWG-LCA in Doha will not conclude the work in financing and adaptation. On the contrary, the full use of the institutions created through the AWG-LCA will help give attention needed for these issues, it added.

On the informal overview note prepared by the Chair, Switzerland said the note did not reflect the views achieved here in Bangkok. It would like to continue by working in the spin-off groups to further strengthen and complement the work.

Cyprus speaking on behalf of the **European Union** said that as part of the politically balanced Durban package, the AWG-LCA should be closed in Doha. The focus on the AWG-LCA should be the issues from Durban which was addressed in the spin-off groups. Referring to other concerns raised by developing countries, the EU said that important issues will proceed under the relevant institutions, ensuring 'homes' for these issues. Depending on progress in Doha, it said further discussion and implementation (of these outstanding issues) will be carried forward in other bodies. It said Parties should be able to proudly say we reached an agreed outcome in Doha by closing the AWG-LCA and are transitioning from talking to doing.

Australia, representing the **Umbrella Group** (Canada, Japan, Kazakhstan, New Zealand, Norway, Russia, Ukraine and the United States) said useful progress had been made on most of the Durban mandated issues such as 'various approaches' and 'new market mechanisms'. There were emerging areas of commonality and there is need to build on this momentum.

On mitigation, it said that there is lack of clarity on the pledges of developing countries. It wanted focus and how to advance the work on transparency and clarity of the pledges of all countries. On 'shared vision', it highlighted the need to set the long-term global goal and the time frame for the peaking of emissions. The context for this should be discussed.

It said that significant progress had been made under the AWG-LCA with the creation of permanent channels. It said that Parties were enhancing implementation from the temporary body of the AWG-LCA to the permanent bodies of the UNFCCC.

Australia said that Parties did not have a shared understanding in the contact group on the issues. It noted the Chair's informal overview note but said that it did not fully reflect the divergent views of Parties. There was no understanding on the need for the consideration of additional issues apart from the limited issues mandated from Durban. The AWG-LCA must focus time on the specific issues mandated from Durban and the working group should not be extended.

The **United States** expressed concerns about the Bangkok session as it came into discussion with the understanding that the process would be simple, focusing on areas agreed in Durban and Bonn (in May) that there might be consensus on the issues of shared vision, review, REDD plus financing and new market mechanisms. On other issues, it was clear that there is no agreement to see if convergence is possible. The decision in Durban was to close the AWG-LCA. The 35 page informal overview note is not helpful in closing the working group.

It lamented that in a number of areas, the informal note did not reflect issues raised by some Parties made including comments made by the US. It said there was a lack of balance and this was disturbing. It stressed that the closing of the AWG-LCA was not a reflection of a lack of progress but a reflection that that a new ad hoc body would continue work (referring to the ADP). It was committed to reducing emissions and on finance under the new agreement with a new legal character. It said there is need to conclude this phase of the process and move on to the next.

Chair Tayeb appealed to all Parties to look carefully at how far Parties have come and in the short time remaining to complete the work, and bring the AWG-LCA to a successful closure in Doha so that Parties could close this rich and interesting chapter and move on to the next phase.