

COP President announces Ministerial inputs, assures transparent process

Cancun, 7 Dec (Chee Yoke Ling) – In announcing that newly arrived ministers will help to move the climate negotiations forward, Mexican Minister Patricia Espinosa, President of the Conference of Parties, also reassured Parties that the process will be transparent and inclusive.

She announced that she had asked some Ministers to help her in consultations in five areas – shared vision; adaptation; mitigation; finance, technology and capacity building; and items under the Kyoto Protocol, with two Ministers to assist in each issue. A stock-taking plenary will be held on Tuesday to review the situation.

Inclusiveness and transparency were central in the discussions at three informal meetings held over the weekend, with repeated assurances that there is “no hidden text and no secret negotiations.” These assurances were given by Patricia Espinosa, Minister of Foreign Affairs of Mexico who is President of the 16th session of the Conference of Parties (COP) to the UN Framework Convention on Climate Change (UNFCCC), and the 6th session of the COP acting as the Meeting of Parties to the Kyoto Protocol (CMP).

The lack of transparency and the manner in which the last COP and CMP sessions in 2009 was conducted, with the resulting controversial Copenhagen Accord that not negotiated by all UNFCCC Parties in accordance with UN rules and processes, has created mistrust among many developing countries.

Since then, key issues remain unresolved with divergent views in the two tracks of negotiations in the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) and the Ad Hoc Working Group on Further

Commitments for Annex 1 Parties under the Kyoto Protocol (AWG-KP).

The Mexican COP 16 Presidency has been holding a series of informal consultations over many months before the Cancun conference, and since COP 16 and CMP 6 sessions started on 29 November they have undertaken informal consultations on some issues too.

On Sunday morning (5 December) Minister Espinosa convened an informal stocktaking meeting that focused on the organization of work over the next few days. She stressed that the meeting was not about substance. Her statement was subsequently posted on the UNFCCC website entitled “Informal meeting of the President, Statement by Her Excellency, Mrs. Patricia Espinosa, COP 16/CMP 6 President.”

The day before she had presided over informal stocktaking meetings of the COP 16 and CMP 6 sessions to assess the progress of work after one week of negotiations and informal consultations. The UNFCCC’s subsidiary bodies – the Subsidiary Body on Implementation and the Subsidiary Body for Scientific and Technological Advice – concluded their work that same night and numerous decisions were adopted, marking welcome progress in the implementation of the Convention.

The stocktaking of the COP 16 and the CMP 6 also focused on assurances of transparency and inclusiveness by the COP President, with concerns voiced by some developing country Parties.

(A High Level Segment of COP16 and CMP 6 will begin on Tuesday afternoon and end on Friday afternoon, with some ministers already arriving over the weekend.)

Espinosa informed Parties at the Sunday informal meeting that she has invited some ministers to support the efforts of the Presidency and those of the two Working Groups, “to carry out consultations in order to help us identify the areas where solutions may lay, and thus to lead to further progress.”

In her statement read out at the beginning of the informal meeting, she said that “the scheme I will present follows what we have agreed upon with the Chairs of the Working Groups, after valuable conversations with the coordinators of the negotiating groups and in close consultation with the Secretariat.”

She reiterated that, “all of us are fully aware of and respect the fact that this is a two-track process and will continue to maintain balance within and between each of them.”

She said that, “No international conference can succeed without there being confidence among the parties and in the process itself. We believe that, after much hard work by all, current conditions should allow indeed must allow for the reaching of understandings. This is in no small measure due to a commitment by all to transparency and inclusiveness, principles that the Mexican Presidency will continue to honor throughout.”

She said that ministers are already in Cancun, and at a welcoming dinner for them on Saturday night, “no papers were distributed and no negotiations took place.”

(In Copenhagen last year, a welcoming dinner for selected heads of states was reportedly the beginning of the “secret negotiations resulting in the Copenhagen Accord.)

Espinosa went on to say, “Starting today, however, the presence of high-level officials must be capitalized, as they can provide the necessary political guidance to push forth on several key issues.”

On the consultative role of the selected ministers, she stressed that the Ministers “will contribute to the work that is already under way, in which we have made important progress but still require political decisions to be taken in order to forge ahead” (referring to the work of the two AWGs).

She emphasized that, “Ministers will not be expected to draft compromise language, but to help identify where balance is to be found. Ministers will not convene informal sessions of any sort, but will instead approach every delegation they believe ought to be consulted at each specific moment and remain

accessible to all.”

To concerns expressed informally over the past few days that many Ministers will be arriving later, and some delegations will not have ministerial level representation, Espinosa said, “Ministers will not limit their contacts to other ministers, but will be open to dialogue with all and they will reach out to the representatives that each party has decided to appoint.”

She also said that, “Ministers will not relieve the Chairs (of the AWGs) of their responsibilities in any way, but will support their efforts to resolve matters that have so far not advanced in a more formal setting.”

She then listed the pairs of Ministers (one from a developed country and another from a developing country for selected issues) who will be helping her in relation to the AWG-LCA work: Sweden and Grenada on matters related to shared vision; Spain and Algeria on adaptation; Australia and Bangladesh on finance, technology and capacity building; New Zealand and Indonesia on mitigation, including MRV (monitoring, reporting and verification).

On items under the Kyoto Protocol, the ministers from the United Kingdom and Brazil will be assisting.

She added that other ministers, among them those from Ecuador, Singapore, Norway and Switzerland could support on other specific issues as they arise.

She reiterated her statement made the day before at the informal stocktaking of COP 16 that, “there will be no separate or parallel Ministerial process, no selective segmentation of issues, and no duplication of negotiations.”

On the role of the Mexican Presidency, she said it “will help facilitate communication among ministers, through constant dialogue with all, with the Chairs (of the AWGs), with the groups (of Parties), and with individual delegations.”

“Once again, I must state that there is no hidden text and no secret negotiations,” she said. “The Mexican Presidency will continue to work with full transparency and according to established United Nations procedures.”

She concluded by saying that, “I believe we can complete the package, or at the very least to make significant advances, before the opening of the high-level segment on Tuesday afternoon.”

She expressed optimism that “we will move forward very quickly in the next two days” with the “positive

results ministerial participation can bring” and “the inclusiveness and technical capacity that the formal negotiating environment can provide.”

She said that she would fulfill her “responsibility of closely monitoring the state of our discussions and proposing the further steps that might be required so that we can reach our goals.”

Yemen on behalf of the Group of 77 and China said that the Group trusted the COP 16 President’s leadership which so far has been notable for its transparency. It stressed that the Group’s participation seeks to ensure that the inputs of the Group is reflected in the final product.

It emphasised that there must be transparency; the Group will not look favourably to parallel or shadow ministerial processes. Ministers have a pivotal role to play but it must be within the Working Group processes.

It said that the principle of the sovereign right of nations must be respected and adhered to, in functions and activities organized to advance the negotiations,

It also said that the two Ad Hoc Working Groups must continue their work in line with the Bali Roadmap (comprising the Bali Action Plan for enhanced implementation of the UNFCCC and the second commitment period for emission reductions by developed countries of the Kyoto Protocol).

The **European Commission** represented by Connie Hedegaard (Commissioner for Climate Action, former Danish Minister for Climate and Energy) supported the COP President’s next steps and welcomed the “early involvement of ministers.”

She also said that while the upgraded text has all the elements of a balanced package, it is also concerned that the text on the table are not ready for ministers to agree to a deal and are not of equal status. It said that the Kyoto Protocol text contains options on all issues, but the mitigation and MRV in the AWG-LCA text have mere options that still need to be in legal text.

She also said that, “we are here to negotiate and not to restate national positions.”

Venezuela’s Claudia Salerno spoke intensely about the state of emergency in her country due to floods, and called on Parties to rise to the multilateral and environmental challenge. She said that the UN system can generate appropriate responses in due time. There is no other alternative but to sit down

together and resolve the issues, adding that this will be a new historical responsibility for the Convention, needing all to sit together – negotiators, diplomats, professional bodies.

(Several Parties in their statements expressed sympathy and solidarity with Venezuela.)

Egypt on behalf of the Arab Group raised several questions on the procedures. Emphasising that there must be open, transparent and accessible consultations, it asked: How can we access these ministers, will they organise meetings? Or will they consult on their own?

On Espinosa’s statement regarding resolving issues before Tuesday when the High Level Segment starts, what is the status of the AWG-LCA and AWG-KP if these issues are not resolved, especially since they are the proper venue to resolve the issues that have not been resolved?

It disagreed with the EU on the balance between the AWG-KP and AWG-LCA text, saying that with regard to the former, it does not look like it will lead to a decision at this meeting.

Egypt cautioned that in Copenhagen we had a process that was a little similar to this – un-clarity of the AWGs process and inclusiveness of all Parties.

In response, Espinosa read from the relevant parts of her statement again saying that it would be made available to everyone. She added that before the opening of High Level Segment, they could meet again to assess progress. She will closely monitor the situation and propose further steps. She will hear stocktaking messages from the Working Group chairs, and then collectively take necessary action.

Grenada on behalf of AOSIS agreed with the call to treat discussions with urgency and decisiveness, supporting the principle of transparency and inclusiveness, and stressing that there can be no parallel processes.

Democratic Republic of Congo representing the African Group said that transparency is critical for the success of our work in Cancun and the longer term success of the multilateral system. Expressing trust in the COP president’s leadership it said it is also essential that work continues in the two AWGs and that the pace of negotiations should accelerate.

Cuba welcomed the assurances of the COP President regarding the procedures next week and that this reflects her work in restoring confidence in the negotiations. It stressed the importance of Parties

negotiating directly with Parties and not have facilitators (referring to the role of facilitators in the Tianjin, China meeting of the AWG-LCA in October).

Nigeria stressed that the key word is transparency. While we are dealing with process and procedures we must be very clear and be right on target, it said. Negotiations must be driven by Parties, and not facilitators coming up with text.

It said that negotiations must continue beyond Cancun, and it must be clearly understood that the two AWGs must continue. All the elements are not there so we must have a channel where negotiations will not cease but continue.

On role of ministers, it endorsed the words of the COP President – facilitation and guidance roles. But we must also be clear that work by ministers must not be selective, and all delegations, whether ministers or heads of delegations, have equal right to participate, it said.

Nigeria also expressed puzzlement over the EU's statement that ministers will finalise a deal. Reiterating that transparency is critical, it said that whatever we do with the Kyoto Protocol will determine the result.

Colombia said that the elephant in the room is Copenhagen – the ghost of Copenhagen. Saying that we have now managed to overcome what happened in Copenhagen we must support Mexican presidency and use all the tools that we have. It said Parties should not only drop extreme positions, but stop threatening to walk out or ask where text comes from.

Pakistan asked how the ministers (invited by the COP President to consult) are to report back to the AWGs.

The COP President replied that there will be communication permanently with the chairs of AWGs – particularly as all the issues are so interconnected.

Philippines also stressed the importance of a common understanding of inclusiveness, balance and transparency to move forward. It said that ministers only give political guidance to their own negotiators, not other sovereign nations, and that Parties must work within established UN procedures.

Malaysia expressed concerns over comments that Parties are taking national positions, saying that the principles of the UNFCCC and Kyoto Protocol are not national positions but that they represent negotiated and multilateral positions. These, it said, define the balance.

Bolivia said that all agreed that there should be negotiations among the Parties. What do we mean? That means that among us we must deal with all the questions – the crucial issue of numbers of the Kyoto Protocol (on emission reductions numbers) should be examined by all Parties, it explained. We cannot limit such consideration to a few and in informal consultations.

It said that we need several negotiation meetings among Parties and that the text should also be about text of the Parties, and not of facilitators, so that we do not duplicate the failure in Copenhagen; that is the only way we can put the ghost of Copenhagen behind us.

Bolivia said that consultations among ministers could serve to support the negotiations but cannot substitute them. The delegations that are us must find points of coming together. Welcoming the COP President's assurances, it said, "Let us definitively put this ghost behind us, the ghost of the Copenhagen Accord".

India said that work should continue in the AWG-LCA and AWG-KP tracks. It stressed that the clouds over the Kyoto Protocol must be dispelled and these must not handicap Cancun over balance. It reiterated that substance comes first and parties must figure out substance before we enter into questions over legal form.

Indonesia said that work should be done through the AWGs.

Switzerland on behalf of the Environmental Integrity Group supported the COP President's process but that this does not replace the Working Groups.

Australia on behalf of the Umbrella Group said that the views of Parties should be appropriately reflected and that there must be balance, of which MRV is an important part. It said that it is important to have ministerial influence in the decision-making.