

AWG-LCA: Disagreement over need for expert group on ‘review’

Doha, 29 November (Hilary Chiew) – Disagreement arose among Parties over a proposal to set up a ‘review expert group’ at an informal group meeting under the Ad-hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) to address the issue of ‘Review: further definition of its scope and development of its modalities.’

The informal group met on Wednesday, 28 November in Doha, Qatar, and spent most of the time deliberating on the setting up of a ‘review expert group’ (REG), instead of focusing on the further definition of the scope of the review.

In Durban, Parties reaffirmed that “the review should periodically assess the adequacy of the long-term global goal, in the light of the ultimate objective of the Convention, and the overall progress made towards achieving it, in accordance with the relevant principles and provisions of the Convention” and also confirmed that “the first review should start in 2013 and should be concluded by 2015”. They had also agreed that “Parties will continue working on the scope of the review and considering its further definition, with a view to taking a decision at the 18 session of the Conference of Parties” (which is the COP 18 in Doha).

Parties in Durban also decided that the review “will be conducted with the assistance of the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation, and that the work shall be supported by expert consideration of the inputs... inter alia, through workshops and other in-session and intersessional activities, as appropriate.”

They also agreed in Durban “to further define the expert consideration of inputs ...including the possible establishment of a review expert group, to provide technical support to the review;

In Doha, during the informal group discussions held on Wednesday, several developing countries were sceptical about the need for the REG when the job could be done by the Convention’s Subsidiary Bodies (SBs) as mandated by the Durban decision and expressed concern that the discussions on the REG will bog down negotiations on this agenda item.

It is the Alliance of Small Island States (AOSIS) that proposed the need for the REG. The facilitator of the informal group on this issue, Ms. Gertraud Wollansky (Austria) drew the attention of Parties to a submission from the AOSIS dated 26 November on the REG.

The AOSIS proposal called for the establishment of a REG “to provide technical support to the review in its technical assessment and preparation of synthesis reports phase, composed of 21 experts with recognised scientific and technical expertise...”

The proposal further states that the REG is to “commence its substantive work by no later than September 2013; provide an update report on its work to the 19th and 20th sessions of the COP; meet as many times as necessary, including intersessionally, in order to complete its work and to present its synthesis report(s) to the first negotiating session of the Ad-hoc Working Group on Durban Platform for Enhanced Actions (ADP) in 2015 in order to inform ‘appropriate action’ in the context of final negotiations on a new Protocol under the Convention applicable to all Parties.”

China asked when Parties could start discussions on the substantial issue (of the further definition and scope of the review and development of its modalities) instead of focusing on the AOSIS proposal. It wondered how the AOSIS proposal was consistent with the Durban decision which said that the review should be conducted with

assistance from the Subsidiary Bodies (SBs) which meant that all the work will be conducted by them. The AOSIS proposal had broadened the mandate (for the REG) to report to the COP and not to the SBs which will be contrary to the Durban decision, said China further.

In response, AOSIS said it believed the proposal was in line with the Durban decision. It saw a role for the REG from the beginning to gather information and allow for constant flow of information from the SBs to the REG to conduct technical and analytical review of the materials.

India said the review process is an important element with a specific mandate to start work next year. It wanted quick progress and it cannot begin before settling the outstanding tasks, referring to negotiations on the scope of the review. It was not convinced that the REG is needed when there is an expressed mandate for the SBs to carry out the work. It was concerned that Parties will be bogged down by including discussions on the REG.

It said that the SBs are expert groups in themselves and are party-driven so Parties must evaluate whether they need another body that does what the Subsidiary Body on Scientific and Technological Advice (SBSTA) is supposed to do. It did not want to create another level of work between the SBs and the COP. With regard to the REG providing inputs to the ADP as proposed by AOSIS, it felt that was premature and the task should be for the SBs to submit decisions to the COP for consideration.

South Africa also echoed similar sentiments as China and India. It said that the Durban decision outlines that the SBs will undertake the review.

AOSIS replied that Parties seemed to have issues with the interpretation of the Durban decision and noted that there is no inconsistency with the decisions to have the REG. The door, it said, was clearly open to provide technical support for the review and this is of extreme importance for AOSIS. It said the review must feed into the ADP. From its perspective, the timeline with the review and the conclusion of the work of the ADP make it imperative that the REG will feed into the ADP.

China referred to the BASIC (Brazil, South Africa, India and China) Ministers meeting which

expressed concerns over the importance of the review process with emphasis on defining the scope of review prior to its launch. It did not want to start the review process without further defining its scope.

Developed countries welcomed the AOSIS proposal with the United States saying that it was good to have substantial discussions on this before moving to the informal overview text (known as CRP 3) prepared by the AWG-LCA Chair, Aysar Tayeb (Saudi Arabia).

Mexico had posed a process question to Tayeb, asking him to clarify if the meeting is a 'spin-off group' instead of an 'informal group' as listed in the daily programme.

Tayeb said the meeting has always been called an 'informal group' since the beginning (this year) and nothing was new. He also said the section on 'Review' in the CRP3 document is not different from the note Parties had when they left the Bangkok session of the AWG-LCA in September this year. He suggested that it may be helpful for Parties to have a brief exchange before looking at the text to make the process faster and smoother.

Echoing Tayeb, the facilitator of the informal group on this issue, Ms. Gertraud Wollansky (Austria) noted that changes (referring to the Chair's informal overview text) are mostly editorial and did not change the substance of discussions held this year in Bonn (in May) and Bangkok. She urged Parties to use this slot to discuss where Parties stood on the issue and where there are new developments.

(On Tuesday 27 November, at the opening plenary of the AWG-LCA, developed countries rejected Tayeb's informal overview text as having any basis for further discussions.)

Following the facilitator's remarks during the present informal group meeting, the United States, Mexico, Japan, Switzerland and Canada reiterated that they are not using the Chair's informal overview text as the basis for negotiations.

Discussions on the review issue are expected to continue next week.