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AWG-LCA: Developing countries outraged over lack of text in key areas

Doha, 3 December (Hilary Chiew and Meena Raman) – At the informal plenary of the Ad Hoc Working Group on Long-term Cooperative Action (AWG- LCA) under the UNFCCC, developing countries expressed outrage over a document reflecting the status of work, at the start of the mid-point in the two-week negotiations in Doha.

Developing countries, led by the G77 and China, could not accept the document which was prepared by the AWG-LCA Chair, Aysar Tayeb (Saudi Arabia) and presented to them on Monday, 3 December.

They said that the document did not reflect any text (as it contained blank pages) on the issues that are crucial for them and accused developed countries of blocking progress in the negotiations with many declaring that "no text is not an option". Developing countries urged the Chair to produce a text which addressed all the elements of the Bali Action Plan (BAP) in a balanced and comprehensive way.

Philippines (who is the AWG-LCA finance coordinator for the G77 and China), said it could not let the position of developed countries to prevail when they had offered nothing on mitigation commitments and nothing on finance. In reference to COP 18 being a paperless conference, it said "paperless did not mean no text", drawing loud applause from the floor.

It referred to developed countries as "blockers and deniers who are refusing to show commitments and push obligations onto developing countries."

The controversial document, entitled "*Inputs to the informal consultation on the agreed outcome – status of work on the agenda item 3 – 5*" was issued late Sunday night on 2 December.

Delegates and observer organisations packed the meeting room at the Qatar National Convention Centre on Monday morning, expecting a big clash of views among developed and developing countries to take place at the informal consultations of the AWG-LCA held by the Chair.

In his initial remarks, Tayeb, reflecting on the status of work, said Parties made good progress in various agenda items through the spin-off groups and informal meetings. He said that he also received submissions for draft decisions from Parties on various elements on the agenda.

Tayeb explained that he compiled the document to reflect the status of work after the first week to provide inputs for consultation for the informal plenary, adding that it contained nothing new but provided a recollection of where Parties stood at the end of first week.

He said in areas where there were still divergences in views on whether an outcome is needed, there was no text. In the 28-page status of work document, in key areas of major concerns to developing countries especially on the means of implementation, there were blank pages (5 pages) with no texts under the headings, which prompted a massive outcry from developing countries led by the G77 and China, and followed by other developing country groupings and countries.

Guatemala asked the AWG-LCA Chair for an explanation if this was a "technical omission" and Tayeb replied that it was not. Where agreements could not be reached in these areas, there were not texts, explained the Chair.

There were blank pages under the following issues – adaptation; technology development and transfer (which includes the issues of intellectual property rights and technology assessment), finance, capacity-building and economic and social consequences of response measures (which includes the issue of unilateral measures).

Developed countries have been blocking texts on these issues, saying that no further decisions were needed on them as this was not mandated in Durban at COP 17. They also stressed that institutions and processes are in place to deal with these issues and no further decisions are needed and the AWG-LCA should terminate its work in Doha.

In response, developing countries stressed that the AWG-LCA could not close until it fulfilled the mandate of the Bali Action Plan and decisions were needed to address the uncompleted work.

(At the opening plenary of the AWG-LCA on Tuesday, November 27, Tayeb had presented an informal overview text to facilitate discussions (CRP 3), which reflected the various submissions by Parties including a "no-text" option. This overview text was rejected by developed countries as a basis for discussions.)

Algeria speaking for G77 and China said that Parties would not be able to achieve the full, effective and sustained implementation of the Convention without a balanced and successful outcome of the AWG-LCA.

It expressed concern that the AWG-LCA has seen limited progress for the past one week, with developed countries blocking discussions on key issues for developing countries in the area of adaptation, finance, technology transfer and capacity-building which must be concluded before a successful closure of the AWG-LCA and Parties must work on a text to reach decisions in Doha.

Echoing the G77-China, the **Philippines** in a very strong and impassioned response, said that it was absolutely unacceptable that the submissions by the G77-China, Least Developed Countries (LDC) and African Group were not reflected in the Chair's document. It said with the remaining gaps in the BAP, it will not be possible to come to an agreed outcome in Doha as these texts are crucial for developing countries if there is to be movement in the other process (referring to the Ad Hoc Working Group on the Durban Platform).

It refuted claims of the developed countries that the outstanding issues are taken care by the setting up of several institutions as totally inaccurate; there are gaps and it can prove that the financial support is inadequate. The oft-cited Green Climate Fund (GCF), is an empty shell.

The Philippines said it could not let the position of developed countries prevail when they had offered nothing on mitigation commitments and nothing on finance. In reference to COP 18 being a paperless conference, it said "paperless does not mean no text", drawing loud applause from the floor.

In an obvious reference to developed countries, it asked who were the blockers of the negotiations and deniers, refusing to show commitments, while pushing the commitments onto developing countries.

Venezuela said a text that made every single Annex I country happy and every non-Annex I country unhappy cannot be a basis for negotiation. It stressed that whenever Parties could not reach agreement, they have to continue discussing the issues. In this case, texts were deleted, it added in alarm.

India said that no agreement on the issues did not mean there is no mandate.

Concurring with the G77/China, **Nicaragua** representing the **Like-Minded Developing Countries** said that is a matter of concern that procedural debates have been used to stall meaningful discussion on matters of substance and many Parties have failed to engage in deliberations in good faith. A meaningful conclusion of LCA was one of the main components of the Durban Package. The AWG-LCA's mandate was extended not merely to close it, but to do meaningful work on all the unresolved issues to reach a comprehensive agreed outcome under the AWG-LCA. This must remain our objective in this session.

All the elements under the AWG-LCA must be addressed in a balanced manner. Nothing less would do. Nicaragua was against a selective pick and choose exercise when it came to addressing issues, and this is not acceptable. Text-based discussion on all issues in a balanced manner is important. No-text option cannot be an option, it added.

Not having a text on adaptation, transfer of technologies, finance, capacity building and response measures is unacceptable, as we need a negotiating basis to resolve these issues for a successful conclusion of the AWG-LCA in Doha. Therefore, we ask you to produce a text on all the elements of the BAP, on the basis of Parties' submissions and presentations, as soon as possible in order to reach an agreed outcome in Doha, in accordance with the BAP.

Kenya speaking for the African Group said no text on the features of BAP is not acceptable, adding that there is no reason why some elements are included but others are left out.

Barbados for the **Alliance of Small Island States (AOSIS)** said that the AWG-LCA can be closed but it must give the assurance to all Parties that their issues have been addressed in a satisfactory manner. Important issues have not been sufficiently addressed. On the issue of finance, in reference to claims by developed countries that these are being dealt with elsewhere, it asked where the 2013-2020 finance gap is addressed. It is not being addressed by any other body and all the institutions are empty. The GCF is an empty shell. There is need to focus on real action.

Egypt for the **Arab Group** said there needed to be successful and meaningful closure of the AWG-LCA and all the elements of the BAP must be given balanced treatment. There cannot be a pick and choose approach. Having no text is not an option.

Bolivia, Malaysia, China, Guatemala, Colombia, Cuba, Tanzania, Egypt, Brazil, Venezuela, Bangladesh, India, Democratic Republic of Congo, Argentina, South Africa, Papua New Guinea, Mali, United Arab Emirates and Saudi Arabia were among many developing countries who spoke, supporting the G77/China statements. Many of them stressed the importance of a balanced and comprehensive outcome of all the BAP elements and not to adopt a "pick and choose" approach.

Bolivia expressed concern about what was happening not only in the AWG-LCA but also the Ad Hoc Working Group on the Kyoto Protocol (AWG-KP). It said that it is clear that the negotiations are not advancing as it is not in the interest of developed country Parties to address means of implementation expressed in finance, technology transfer etc except to promote the use of market mechanisms.

It said the document is clearly market-oriented, pointing out that on the item about various approaches, the market orientation prevails. It decried the imposition of market mechanisms as a condition for financial assistance which is against the Convention's provisions. It further said the facilitator of the various approaches group had produced a document without considering the submissions of developing country Parties. On a sarcastic note, it said instead of calling the agenda item "various approaches including markets", the item should be renamed "various approaches to promote market mechanism."

China said it shared the concerns of many developing countries over the lack of progress of the work in the AWG-LCA and expressed deep disappointment. It said it understood that we cannot solve many issues but many of the issues can go into substantive discussions to find further solutions.

Cuba expressed surprise that some Parties said there was no time to introduce new issues when the G77/China is referred to issues that had been on the table for a long time and urged Parties to work productively for a balanced outcome.

Brazil and Papua New Guinea sympathised with the Chair who was being "grilled" by his own group. Brazil was against a pick and choose approach, stressing that the mandate from Bali is a global package and there cannot be a wrap-up of only some parts and not the whole.

Venezuela said a text that made every single Annex I countries happy and every non-Annex I country unhappy cannot be a basis for negotiation. It also said that if negotiations are about making developed countries happy, then we should propose that they set up their own process and this did not need to include developing countries. It stressed that whenever Parties could not reach agreement, they have to continue discussing the issues. In this case, texts were deleted! Developed countries cannot impose conditions.

It pointed out that item 1b(v) (on various approaches, including markets) was rejected as an it does not contain any of the developing country proposals. Hence, the text in the document in this regard cannot be the basis for the negotiations.

Venezuela urged Parties to get to work for a balanced agreed outcome that is not imposed by the views of developed countries

India noted that all developing countries had spoken with one voice and they don't want to leave Doha without addressing all the outstanding issues. No agreement on the issues did not mean there is no mandate. It reminded Parties that the issues of transparency in mitigation, legal form and review were all new issues since the BAP and these were worked on in good faith. Issues like unilateral measures and equity are inherent issues under the Convention. It said there is need to identify issues that can be resolved and if not, to take it to the appropriate bodies for further work.

Developed countries such as the United States, Switzerland, New Zealand, Australia, Japan and the European Union said that Parties had made significant achievements on the issues under the AWG-LCA, citing the establishment of institutions to address adaptation, finance, technology transfer and capacity building.

The United States said that much progress has been made under the AWG-LCA and decisions have been taken. Referring to the Chair's status of work document, it said that facilitators had done a good job. In some areas there can be agreement (referring to the Durban mandated issues) but if there is no agreement, those issues must be put aside.

Japan said despite diverging views on some issues, Parties need to close the AWG-LCA according to the Durban mandate and that Japan has no intention to block discussion but insisted that in areas where there is no consensus there is no need for negotiating text. It said it is saddened that throughout the first week discussion, it can hardly remember developing countries welcoming the US $33billion fast-start-finance.

The EU echoed similar sentiments as the US and Japan, as did **Switzerland for the Environmental Integrity Group**. The EU added that if there is no progress on the issue of market mechanisms, it will not derive any comfort from the package.

Mexico wished that the Chair's text can bring Parties closer instead of the current situation where Parties are polarised, which it said is unproductive.

Chair Tayeb then engaged Parties in deliberating on how to make progress on each of the issues. Informal consultations in smaller groups, (closed to observers) were conducted on 'review: further definition of its scope and development of its modalities'; shared vision, mitigation by developed country Parties and mitigation by developing countries.

Another informal consultation in the bigger group (opened to observers) was held in the evening, during which time, smaller informal consultations were launched on forest-related issues (REDD-plus) and various approaches including the opportunity for using markets.

On the issue of capacity building and finance, intense and protracted discussions continued for more than 3 hours which ended at around 1.30 am on Tuesday, 4 December with no conclusions on how to move forward, as developed countries resisted any engagement on the submissions of developing countries including the G77 and China, Africa Group, the LDCs and like-minded countries for draft decisions.

Developed countries continued to insist that much progress has already been achieved on capacity building and finance with various institutions set up and no further decisions were needed. This led to the Philippines, representing the G77 and China on the issue of finance to express in frustration that the Chair should put the submissions of the developing countries on the table as basis for negotiations and if the developed countries do not want to engage, these draft decisions should be adopted.

In response, the EU appealed to the Chair of the AWG-LCA to help find a way forward.

The AWG-LCA resumed informal consultations (which were open to observers) at 10 am on 4 December. The remaining issues being considered are sectoral approaches, economic and social consequences of response measures, adaptation and technology transfer.

At the time of writing, impasse continues on the issues of sectoral approaches, economic and social consequences of response measures and adaptation. The same is expected on the issue of technology transfer.

With less than 4 days remaining, there is no resolution in sight on key concerns of developing countries.