

Developing countries unhappy over low ambition in Doha outcomes

Doha, 11 December (Fauwaz Abdul Aziz and Meena Raman) – At the closing plenary of the UNFCCC's 18th Conference of the Parties (COP 18) and the 8th Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP 8) held in Doha on 8 December, 2012, developing countries expressed unhappiness over what they saw as low-ambition outcomes.

There were particularly upset over a lack of ambition on the part of developed countries to commit to ambitious mitigation reduction targets under the second commitment period of the Kyoto Protocol (2CP) and under the Convention and a lack of clear commitments on finance to support efforts of developing countries in mitigation and adaptation.

In an apparent reference to the lack of political will from developed countries, Philippines, speaking for the Like-minded developing countries said that Doha was not the place where Parties found the courage and the will to address the climate crisis.

Nauru for the Alliance of Small Island States said that “much more is needed to save this process from being simply a process for sake of process; a process that simply provides the talk with no action; a process that locks in the death of our nation, people and our children. Much more is need if we are really going to address climate change and reduce emissions.”

The views of developing countries were echoed by civil society organizations who rejected the adopted decisions as being “a gateway to a warming of 4 degree Celsius”, that is likely to lead to “climate inaction, deaths and climate injustice.”

Commenting on the process of negotiations in Doha, many developing countries did however stress that it was the place where “the world found that flicker of hope” and “the will to

restore the balance in the process”, in an obvious reference to previous COPs from Copenhagen, Cancun and Durban.

Following two-week-long negotiations that were slated to end on the afternoon of Friday, 7 December, but concluded after two sleepless days of negotiations, tough talk and horse-trading among negotiators from 194 countries, Qatari COP 18 President, Abdullah bin Hamad al-Attiyah declared on the night of Saturday, 8 December, that a package of eight decisions had been reached.

These decisions were gavelled in rapid succession, one after another when the formal plenary meetings of COP 18 and CMP8 were convened. The key decisions of the Doha package were (1) amendments to the Kyoto Protocol (KP) pursuant to its Article 3(9) on the second commitment period (2CP); (2) the agreed outcome pursuant to the Bali Action Plan which was the work done under the Ad Hoc Working Group on Long-Term Cooperative Action (AWG-LCA) (3) work programme on Long-term Finance; (4) report of the Standing Committee (on Finance); (5) the report of the Green Climate Fund (GCF) to the COP and guidance to the GCF; (6) arrangements between the COP and the GCF; (7) a COP decision on loss and damage; and (8) a decision to advance further work of Ad Hoc Working Group on the Durban Platform for Enhanced Action (ADP).

“I thank you all for your goodwill and hardwork that allowed us to reach our goals and moving the process forward providing a gateway for future work,” al-Attiyah told the nearly 2,000 UNFCCC participants that had packed the Plenary 2 hall of the Qatar National Convention Centre to witness the closing plenary session. He declared the Doha

package of decisions as the “Doha Climate Gateway”.

Before the convening of the formal plenary in the afternoon of Dec. 8, al-Attiyah convened an informal stocktaking session at 8 am that morning, to announce the draft decision documents to be adopted. He gave Parties time to read them before the formal plenary of COP 18 and CMP8 were convened. During the stock-take session, he said that the draft decisions were presented “not on a take it or leave it” basis but he did indicate to Parties that the draft texts were the result of consultations and formed a delicate balance.

In the afternoon at around 2.30 pm, al-Attiyah convened an informal plenary session of both the COP and CMP. He referred to the draft decisions presented to Parties in the morning and said that he had heard the views of all groups and that everyone was not happy with the texts. He appealed to Parties not to open the “Pandora’s box”. He added that the texts were not perfect but it was the best he could offer. When he opened the floor for feedback, the plenary hall was completely silent. The COP President took this as a sign of agreement to present the draft decisions for adoption at the formal plenary session of the COP and CMP.

The first matter that al-Attiyah indicated he would consider at the formal plenary was the adoption of amendments to the Kyoto Protocol in relation to the 2CP. At this stage, the UNFCCC legal officer informed Parties that several developed countries who are Annex 1 Parties to the KP had not given their written consent to be included in Annex B of the Protocol and these included Australia, Austria, Cyprus, Estonia, the European Union, Finland, Lichtenstein, Monaco, Netherlands, Poland, Portugal, Slovenia, Switzerland, the United Kingdom and Northern Ireland. The legal officer said that the written consent was needed before the amendments to the KP could be adopted.

It took more than 4 hours to get the written consent of these Parties to enable the formal plenary to begin. In the meanwhile, the plenary hall was abound with whispers that the Russian Federation was unhappy with the KP text which limited the carry-over of carbon credits or surplus allowances which it had accumulated during the Protocol’s first commitment period. Russian chief negotiator, Oleg Shamanov was seen in deep conversation with the COP President and the

UNFCCC Secretariat before the formal plenary resumed close to 7 pm in the evening of Saturday.

Following the adoption of the decisions, during the formal joint COP/CMP plenary, **Russia** speaking also for **Ukraine and Belarus**, registered its protest over the KP decision particularly over the carry-over of surplus allowances from the first commitment period (1CP), as well as the process by which the decisions were agreed upon.

Apparently, in the din and celebratory applause that met al-Attiyah’s gavelling through the decisions, Russia’s calls to intervene and discuss the draft decisions were not heard or noticed by the COP President. When the noise had died down, the Russian delegate spoke, visibly and audibly unhappy

: “It is difficult for me to imagine that from the height of your podium, ..., Mr President, ...it is hard not to notice that Russia had raised its name plate on the way that the work was carried out before you began adopting the documents contained in the package...It is difficult for me to believe that you didn’t hear the sound of the name plate when I banged it on the table, which is not in line with the style of Russian diplomacy.”

Russia’s objections centered in particular around the contents of the KP decision, and it wanted the CMP to request the Subsidiary Body for Scientific and Technological Advice (SBSTA) to explore options on the matter of carry-over and surplus assigned amount units (AAUs) in the 2CP with a view to identifying approaches which it said would be “fair, legally consistent and environmentally sound and to develop recommendations on this matter for further consideration by CMP9.” Russia questioned the legitimacy of the decisions adopted, which “will have the most serious consequences for the national process.” (Russia did not make a commitment under the 2CP).

The COP President, in reply, expressed thanks to his “good friend from Russia”, and noted its statement on behalf of the Ukraine and Belarus, which would be reflected in the report of the session along with their proposal. However, said al-Attiyah, the decisions adopted today reflected the will of the Parties to mark the result of Doha.

Key among the results of CMP8 was the amendment of the KP, under which developed countries committed to reducing their emissions of greenhouse gases from 1 January 2013 to 31 December, 2020.

It was decided that the length of the 2CP would be 8 years; that Parties may provisionally apply the amendment pending its entry into force and those who do not provisionally apply the amendment, will implement their commitments in a manner consistent with their national legislation or domestic processes as of 1 Jan 2013 and pending entry into force of the amendment; that those countries taking on commitments in the 2CP will revisit their commitments by 2014 in line with an aggregate reduction of at least 25 to 40% below 1990 levels by 2020; that Annex 1 Parties will ensure that their aggregate emissions in Annex B of the KP will be reduced by at least 18% below 1990 levels in the 2CP; and that the KP's flexibility mechanisms [Clean Development Mechanism (CDM), Joint Implementation (JI) and International Emissions Trading (IET)] would continue, and access to the mechanisms will be uninterrupted to Annex 1 Parties that have accepted to undertake 2CP targets; and as part of the accounting rules, there is a limit to the carry-over of AAUs from the 1CP to the 2CP (maximum of 2.5%) of surplus emissions units and a cap of 2% on the ability to purchase such surplus units.

Soon after the adoption of the decisions, **Australia, the European Union (EU), Japan, Lichtenstein, Monaco and Switzerland** announced that they would not carry over any surplus emissions trading credits in the form of AAUs into the 2CP of the KP.

Australia added that while it is important that countries receive recognition for achieving on their targets (1CP), the volume of surplus carbon credits carried over to the 2CP could be as high as 7 billion tons. The unrestricted use of the surplus credits risks meaningful climate change efforts to 2020. We will help ensure the environmental integrity of the KP and countries emission reductions objectives by restricting demand for the 1CP AAUs through nationally-appropriate arrangements, it said further.

The **EU**, in its statement, said it also had passed legislation on its climate energy package for implementation of its emission reduction objectives for the 2013-2020, which does not allow the use of surplus AUUs carried over from the 1CP to meet those objectives. Doha has also helped to achieve modest but essential steps forward on the path towards achieving the objectives, it added.

Switzerland also said under Swiss domestic legislation it could not use carried over AAUs transferred from other Parties for compliance under Article 3 of the KP for the 2CP. According to Switzerland, the existence of comparable emission reduction commitments from developed countries and adequate contribution from developing countries according to their responsibilities and capabilities is a condition for Switzerland to increase its ambition.

Algeria, on behalf of the Group of 77 and China, said Doha will be seen as a milestone for the implementation of the climate regime post-2020 (under the Durban Platform). It also said that the G77 and China had demonstrated during the negotiations a great sense of responsibility and flexibility from the beginning. The Doha package, with its shortcomings, should take into account the delicate balance between interdependent elements that it believed should be considered in their entirety.

The **Philippines**, speaking on behalf of the group of **Like Minded Developing Countries (LMDCs)** which include **Algeria, Argentina, Bolivia, China, Cuba, Democratic Republic of the Congo, Dominica, Ecuador, Egypt, El Salvador, India, Iran, Iraq, Kuwait, Malaysia, Mali, Nicaragua, Pakistan, Saudi Arabia, Sri Lanka, Thailand, Venezuela**, and the **Philippines** said significant steps have been taken in Doha that might allow some to say that Doha was the place where “the world found that flicker of hope” and “the will to restore the balance in the process”.

However, the decision texts contain an unbalanced set of outcomes and do not address LMDCs' concerns, said the Philippines, citing the almost complete lack of ambition in the 2CP of the KP, the lack of flexibility of developed countries in inscribing ambitious pledges into the amendments for the KP, and the failure of the developed countries to take the lead in addressing climate change and refused to acknowledge their responsibility. The LMDC was deeply disappointed that finance remains an empty shell. There are also major deficiencies in the LCA text, with the treatment of issues on developed country mitigation, comparability of action, response measures, adaptation, finance and the absence of text on sectoral approaches.

Speaking of the process of negotiations, the Philippines said the LMDC members had consistently and constructively engaged with their

partners throughout COP8 in an effort to find compromise, presenting text after text, recognizing each other's concerns and finding a middle way, without losing sight of what needs to be done. However, it said further, it has only seen reluctance from developed country partners to do what needs to be done, to open their eyes to the stark realities of climate change, and to make the session anything but difficult. And while Doha may be the place for hope, it was not the place where the climate change process led to any drastic and positive turn of developments; and while 2012 was the year that some may have found the will to restore the balance in the process, it was not the year to find the courage and the will to address the climate crisis, said the Philippines.

Nauru on behalf of the **AOSIS** sees the package as being deeply deficient in mitigation ambition and finance. The package does not close the ambition gap and is likely to lock in the trajectory to an increase of over 3 to 4 or 5 degrees Celsius in global temperature. There is some tightening of the KP rules, but there has not been any increase in the commitments needed to achieve the global temperature goal and to meet the ultimate objective of the Convention, keep global average temperature below 1.5 degrees and ensure the survival of all islands. In addition to no new finance, in light of the inadequate mitigation ambition, the need for a loss and damage mechanism is even more urgent. Yet, Nauru looked forward to discussions next year to enhance the pre-2020 mitigation work plan and ensure a clear link to means of implementation.

Nauru said that in the future, we need to come to these gatherings knowing that explicit and concrete actions will be delivered. Those who are indifferent need to open their eyes. Those who are obstructive and self-serving need to realize we're not talking about impacts on how comfortable your people may live, but whether or not our people will live. How can we weigh the value of matters such as (carbon) units versus the existence of our island nations. Much more is needed to save this process from being simply a process for sake of process, a process that simply provides the talk with no action, a process that locks in the death of our nation, people and our children. Much more is need if we are really going to address climate change and reduce emissions. We need outcomes from process that protects the most vulnerable among us. The outcome today provides little more than a gateway in a long path.

There's a fork in that path. We need to take a correct turn as we walk this path, or else this process will collapse and our nations will disappear, it added.

Swaziland, speaking for the African Group of Parties, made similar remarks about the weakness of the KP, but noted that it at least provides a legal framework. It said further that developing countries generally came to Doha to agree on better terms for the 2CP, and therefore believed that the decisions made in Doha are in the right direction, and that future generations will judge its participants as having taken wise decisions that protect the rules-based system. Despite deep concerns about finance commitments to implement the decisions from now until 2020, the Africa Group said it welcomed the amendments to the Annex B of the KP and the associated implementing decisions as well as the decisions under the AWG-LCA and ADP and look forward to the implementation of the Convention beyond 2020.

Similar expressions were made by **Gambia on behalf of the LDCs** and **Saudi Arabia** on behalf of the **Arab Group**.

Gambia said while it welcomed the package, there remained concerns about the lack of ambition, particularly in relation to mitigation and finance. It expected Parties to come back no later than 2014 with significant ambition to close the pre-2020 ambition gap and a stronger agreement to be adopted in 2015 under the ADP. Substantial financial resources "is absolutely fundamental" and urged all developed country Parties to increase their pledges and deliver. In addition to the adoption of the amendments to the KP, it also welcomed and acknowledged the political declarations made by Parties related to the AAUs carried over from this 1CP of the KP.

China on behalf of the **BASIC (Brazil, India, South Africa and China)** said while a number of decisions were disappointing in certain respects, they were ready to accept the package of decisions adopted at this meeting as it proved that the multilateral process to deal with climate change is making progress. China also said it will maintain its pro-active approach to further promote the process to deal with climate change around the world.

India said it was not completely happy with the whole Doha package, as some aspects are "extremely problematic" and many of its issues have not been addressed. It noted that there is

also no framework for sectoral measures in the decision, while unilateral measures have been dealt with “almost as an after-thought.” In addition, there is a weak reference to technology-related IPR issues, there is no concrete commitment on financing. However, there is overall progress made in the negotiations here, as well as focus on equity and CBDR in the context of shared vision. The KP text is also not perfect, said India. Despite its weaknesses, we think the KP decision reflects the will of the parties as at present. The decision on ADP and its plan of work is also of a similar nature. It accepted the entire Doha package outcomes as the basis for our future work, provided the entire package is treated as a composite one and is not violated either in spirit or letter.

Brazil saw the agreement on the 2CP of the KP as its main concern in Doha and this represented its key success. The KP is more than a document. It expressed the conviction that climate change demands a multilateral rules-based approach. The KP is the standard of environmental integrity, even for those who decided not to join it, or to leave it. It also commended those Annex 1 Parties that ascribed to 2CP, and congratulated all partners for achieving the “historic result” which was a key success for Doha.

In the LCA, Brazil said it was not able to achieve the desired balance. Developing countries did not find willingness from developed countries, and this resulted in the poor showing on finance. Concerns over intellectual property rights (IPRs) were not clearly addressed, and comparability of mitigation efforts of developed countries remained elusive. It noted that Annex 1 Parties were gradually moving away from their obligations under the Convention. They are not taking the lead. Three signs of these are quite clear: They are not leading in mitigation. Their lack of ambition is undeniable; they are not supporting developing countries in their efforts to fight climate change; and they are shifting the burden, suggesting that developing countries should take the lead. This is unacceptable.

Nicaragua expressed reservations with regard to the amendment to the 2CP of the KP, which it considers to be low in ambition, and said it cannot be complicit with decisions that do not take into account the fact that previous objective of 1.5 degree C has already been missed and that Parties were moving towards an increase of 3.5 to 6 degree C. With regard to financing under the

LCA, it regards the economic and financial crisis which EU countries are undergoing as comparable to the crisis in climate change – a crisis that was not caused by developing countries despite being made to suffer their consequences. The deeper roots of these crises is the productive and consumption patterns of savage capitalism. We also understand that financial resources are based on decisions which have been prioritized. The main unquestionable priority should be that of Mother Earth instead of putting the priority on war and military preparations and saving banks and institutions and investors and speculators, which hold sovereign debt, it added.

Before the final meeting of the LCA, Nicaragua said there was a draft without a text on finance. Now we have a text without finance. There has been no clear demonstration that the 100 billion will be provided. Without any strong recognition of the particular needs of the developing countries, this must be seen as the lack of political will. On its “interpretive declaration” of the 2CP, Nicaragua said it does not contribute to the central objective of the KP to stabilize the concentration of atmospheric gases and greenhouse gases. With regard to finance, the idea contained in the document does not lead to compliance of the legal obligations of the developed countries and Article 4.4 of the Convention with regard to attaining the objective of providing financial resources which are new.

Bolivia pointed out the achievements of the Doha package as being (1) the prevention of access by developed countries not committed to the 2CP of the KP to the use of market mechanisms established under the Protocol. This is laudable, said Bolivia, as one cannot reward those who do not accept obligations, who seek to escape the rules and have an irresponsible attitude that jeopardizes the environmental integrity of Mother Earth; (2) the establishment of the rule that Parties to the 2CP can use the carry over or cumulated carbon credits in the 2CP of the KP on the condition that such use is limited to a maximum of 2.5% for the strict use of the Parties to the 2CP.

Countries who will not be in the 2CP have made the wrong decision and it will be the history and peoples of the world who will judge them. On the LCA, Bolivia said it recognizes that the decision text has incorporated the elements of equity and common but differentiated responsibilities, and protection of the integrity of Mother Earth into

the shared vision so that future work in relation to climate change is assured and is oriented by this vision. It added that some countries try to convince us that the markets are a panacea for tackling climate change. Bolivia rejected the implementation of new carbon market mechanisms under the UNFCCC as these run contrary to the objective of the Convention and the protection of the integrity of Mother Earth. There are dangers of action related to the design, development and implementation of carbon markets in any approach to work, including approaches on issues relating to reducing emissions from deforestation and forest degradation in developing countries.

Venezuela said it's sad that it has had to accept the lack of ambition and an empty 2CP. The decision on the KP was difficult for all the talk on carbon markets, saying it cannot accept the link between ambition and carbon market demand.

The **United States** with respect to paragraph 2 of the AWG-LCA decision (on shared vision) made clear that it did not accept the paragraph to the extent that it would be read inconsistently with the Convention and the Cancun Agreements. The US also said that it interprets the words 'of concern' in Paragraph 54 of Article 3.5, which address the issue of trade measures, to refer to the concern of the particular party that raises an issue. The US also said in connection to the last preambular paragraph of the decision on the ADP, which references the principles of the Convention, that it views this reference as "having no effect whatsoever on the mandate for the negotiations that was agreed last year in Durban."

Canada and **Japan** made similar comments as the US in relation to the AWG-LCA and ADP decisions. The strongest words against the Doha outcomes were expressed by civil society organisations at the closing plenary.

Friends of the Earth International said on three questions, the Doha outcome had failed: "Will Doha deliver any real emission reductions? The answer is no. Will Doha deliver the public finance desperately needed for those affected by climate change and to help the transformation in developing countries? The answer is no. Will Doha ensure that future global climate agreements ambitious and equitable? The answer is no." FOEI said civil society had come here to save the planet and its people, not just to save a process

that locks in a decade of inaction. Attacking the Doha Gateway, it said that it's merely gateway to 4 degree C warming, to climate inaction, to climate deaths, and to climate injustice. We will not be complicit with this text. We reject this text. Civil society groups and social movements are now sending a strong and clear message to all governments: deliver for the people and the planet, or we will name and shame. It is absolutely clear that our only hope is mobilizing in our millions across the world, transforming our energy and food systems, challenging the power of dirty industry, and building a powerful climate justice movement, to hold our politicians accountable, and prevent a planetary crisis, said FOEI.

Climate Action Network, similarly, said it had "had enough!" We will not achieve what is desperately needed unless Parties find political will, in particular, countries like US and friends along with Poland and Russia who continually block the process, (and who) need to start leading to end this global crisis. Your behavior and attitude must change if we are to secure a fair, ambitious and binding deal by 2015. Hard work by governments and the people, not the polluters, are urgently needed.

The Trade Union NGO, on its part, expressed its disappointment that the message going to workers from Doha is that green and decent jobs will have to wait until real ambition comes back to this process. We do not see any ambition in the text, and it seems that some countries want even less. There will be no jobs in a dead planet. There will not be a just transition with this outcome.

The **Arab Youth Climate Movement** said forcefully that the deal struck "is an insult to the world's most vulnerable and to future generations. The Doha gateway leaves the door wide open to irreversible climate change and slams the door shut on equity. You have failed to deliver in providing adequate financing, ambitious mitigation targets and an international mechanism that addresses compensation for loss and damages. Your decisions here, will affect the lives of millions. Speaking to the developed world, the Movement asked: "How many people are going to have to die before you take this seriously?" Business as usual is no longer an option when it comes to both the climate and this decision-making process. No justice, no deal, exclaimed the youth representative.