

Durban should not be burial ground of Kyoto Protocol- say G77/China

Durban, 29 Nov (Meena Raman) – Durban must not be the burial ground of the Kyoto Protocol (KP) but must be the birth-place for agreement on the second commitment period for emissions reductions by developed countries who are Parties to the KP, said the Chair of G77 and China, Ambassador Silvia Meregá of Argentina at the opening plenary of the 7th session of the Conference of Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP 7) which commenced on 28 November.

Apart from the opening of the CMP, the first day of the Durban climate talks also saw the opening of the 17th session of the Conference of Parties (COP 17) under the UNFCCC, which was officiated by President Jacob Zuma of South Africa. South Africa took over from Mexico as the President of CMP 7 and COP 17, with Ms. Maite Nkoana-Mashabane, Minister of International Relations and Co-operation assuming the role. A welcoming ceremony was also held at the start of the meetings which also saw the participation of the President of Chad and the Vice-President the Republic of Angola.

CMP (Kyoto Protocol)

At CMP 7, Ambassador Meregá, speaking for the **G77 and China**, called on Parties to work with a renewed sense of urgency and common purpose, to deliver the mandate of Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWGKP), which was constituted five and half years ago, in time to ensure that there is no gap between the first and second commitment periods. (The first commitment period of the KP ends in December 2012).

The G77 and China expected the AWG-KP to put forward ambitious quantified emission reduction commitments for Annex 1 Parties for the second commitment period. “A higher level of ambition in the scale of emission reductions in aggregate as well as joint and individual contributions of Annex I Parties must be ensured in order to overcome the wide gap between the unacceptable and insufficient

pledges that are currently on the table and what is required by science, equity and historical responsibility,” said Meregá.

Reiterating that the KP is the cornerstone of the multilateral climate change regime, she said that the Protocol is the only international instrument that sets forth the legally binding obligation for Annex 1 Parties to reduce their emissions. “It must be preserved and strengthened if we are to ensure any meaningful multilateral response to the issue of climate change,” she stressed further.

Referring to pre-conditions expressed by developed countries before making further commitments for emissions reductions, Meregá said that “we cannot lower the bar for negotiations in Durban neither keep shifting goal posts. Durban should not be the burial ground for the Kyoto Protocol - rather, it should be the birthplace of the second commitment period under the KP.”

Venezuela, speaking the members of the Bolivarian Alliance of the Peoples of Our America (**ALBA**), said that the KP is a legally binding instrument that is being openly breached by developed countries. Instead of increasing their level of commitments under the Protocol in order to put pressure on the only Party that is not a Party to the Kyoto Protocol referring to the US, Venezuela said that developed countries have created conditions to compare their efforts with efforts outside the Protocol under a new scenario where each Party will do what it wishes, when it wishes and how it wished. (Venezuela was referring to a “pledge and review” approach being advocated by the US under the Convention). With this low level of ambition scenario, the second commitment period of the Kyoto Protocol is being held to ransom. Venezuela said that developing countries were being forced to legalise a flexible regime that as stated by a recently published UNEP report “*Bridging the emissions Gap*”, would take the

world to a temperature increase of at least 4 degrees C.

The ALBA Group urged developed countries to stop disguising their intentions to blackmail and destroy the Kyoto Protocol under the cover of environmental arguments. Many of those that say that Kyoto is not enough and that a new more ambitious agreement is needed have not even met their own obligations under the first commitment period of that very protocol. Countries that do not subscribe to a second commitment period, should not be able to make use of the flexibility mechanisms of the KP. Durban must adopt a decision for a second commitment period of the Kyoto Protocol.

The **Democratic Republic of Congo**, for the **African Group** said that second commitment period of the KP was absolutely crucial and Annex 1 emission reduction commitments must be enhanced. The Group expressed concern with the visible sign of lack of political will on the part of Annex 1 Parties and this was totally unacceptable. The Group called for developed countries to reduce their emissions by at least 45 % by 2020 compared by 1990 levels and at least 80-95 % by 2050.

Grenada for the **Alliance of Small Island States (AOSIS)** said that KP is central to the future climate regime and was the only legally binding agreement on emissions reductions. The KP was much more than just targets, with systems and rules on monitoring, reporting etc. AOSIS called for all Annex 1 Parties to raise their ambition quickly and significantly and expressed concern that Parties. The CMP must adopt a second commitment period of emissions reductions for the period 2013 to 2017 and it must have a single common legally binding base year, with developed countries targets converted to a quantified emissions reductions commitment. There must also be robust rules to ensure environmental integrity.

Gambia, speaking for **Least Developed Countries (LDCs)**, stressed that there should be no transition away from the KP and reiterated that the use of market mechanisms are conditional on Annex I commitments to the KP and those that fail to commit to the second commitment period should not benefit from them. Emphasizing the importance of the second commitment period, Gambia said that there was no plan B.

Saudi Arabia for the **Arab Group**, affirmed that the KP is one of the main building blocks dealing with the climate change regime and was the only legal agreement on emissions reductions for developed countries. It also safeguards the market mechanisms and provides for financing mechanisms

aimed at supporting developing countries in adaptation, through the Adaptation Fund. It urged Parties to work to avoid gaps between the first and second commitment periods of the KP. Saudi Arabia stressed that the second commitment period was an indispensable pre-condition for the success of the negotiations. It could not accept attempts to marginalize the KP or to substitute it.

China speaking for the **BASIC** group of countries of Brazil, South Africa, India and China, said that KP is the cornerstone of the climate change regime and underlined that the continuation of the flexible mechanisms under the KP is contingent of there being a second commitment period with quantified emission reductions commitment by Annex 1 Parties. China emphasized the need to address emissions related to aviation and maritime in line with the principle of common but differentiated responsibilities and in a multilateral context. Unilateral measures such as the EU levies on aviation emissions in the EU Emissions Trading Scheme violate the Convention and jeopardize international cooperation efforts on climate change.

Switzerland for the **Environmental Integrity Group** said that the KP was not sufficient and there was need for clarity on the process in the Convention track (referring to the work in the Ad-hoc Working Group on Long-term Cooperative Action). It said that there was need to maintain the rules and agree on key parameters on land-use and land use change and forestry and flexibility mechanisms. It also called for the need to raise the level of ambition and streamline new market-based mechanisms under the Convention.

Australia for the **Umbrella Group** the KP alone was not enough to address climate change wanted a new comprehensive regime from Durban that builds on the KP and the Cancun agreements and corresponds to environmental integrity. It said that rapid industrialization in large developing countries had lifted many out of poverty but had also raised emissions in these countries.

European Union said that it was open to the second commitment period of KP as part of a transition to a new legally binding agreement binding on all Parties and that also ensures new market mechanisms. A KP with only a limited number of Parties was not sufficient and is politically unacceptable to EU leaders. The second commitment period of KP should not go beyond 2020 and there was need for a new agreement which was legally binding for all Parties.

COP 17 (UNFCCC)

In her opening remarks as President of COP 17, Ms. Maite Nkoana-Mashabane said that she intended to

follow a transparent, inclusive process for a balanced, fair and credible outcome in Durban that promoted multilateralism and environmental integrity, while respecting the principle of common but differentiated responsibilities and respective capabilities and the honoring of all international commitments under the climate change process.

She said that the fate of the second commitment period under the KP was dependent on the legal nature and outcome under the Convention, as this question (of the legal nature of the Bali Action Plan) was left unanswered in Bali. The Minister also stressed the need to operationalise the Cancun decisions on the Green Climate Fund and adaptation.

Speaking at the welcoming ceremony held during the COP session, Ms. Christiana Figueres, the Executive Secretary of the UNFCCC said that as Parties needed to seek ways forward on the KP, the emerging mitigation framework and long-term funding. She said that it was clear that the second commitment period of the KP is linked to launching a process towards a broader multilateral rules-based system under the Convention providing greater rigour and structure to the global effort to tackle climate change. This may only be possible if it was both fair, grounded on the principle of common but differentiated responsibilities and respective capabilities and responsible in enabling Parties to tackle the gap in the level of ambition needed to limit the global average temperature increases to below 2 degree C. Figueres said that it was critical to build trust that funds will continue to be scaled up post 2012 and urged Parties to decide on a pathway to secure mid and long-term sources of finance, including innovative sources.

The President of Chad, who also spoke at the welcoming ceremony as Chair of the Economic Community of Central African States, recalled that the climate talks in Cancun revived hope in the multilateral process with “a minimum agreement” that was “face-saving” but was not a solution. He said that the industrial countries behavior imperiled the entire world and called for more robust solutions, especially in protecting the forests of the Congo Basin and for the survival of Lake Chad. He said that if the lake was allowed to disappear, it would be “collective suicide” as millions of Africans depended on it both directly and indirectly for their survival.

Following the conclusion of the welcoming ceremony, the Parties proceeded to deal with organizational matters. When it came to the adoption of the provisional agenda for the COP, the COP President recommended to Parties for work to

proceed on the basis of the provisional agenda in the usual fashion. She said that she will be holding consultations in respect of items 11, 12 and 13 with a view to formally adopting the agenda as soon as possible. Although this was not a method of work for the future, Mashabane proposed that work continue on the basis of her proposal which was accepted by Parties.

[The provisional agenda is therefore pending adoption. Items 11, 12 and 13 relate to the issues raised by India consideration of the COP. These agenda items were for the inclusion of the following issues viz. (i) accelerated access to critical mitigation and adaptation technologies and related intellectual property rights (IPRs), (ii) equitable access to sustainable development and (iii) unilateral trade measures (UTMs)].

While Syria supported the issues raised by India to be on the agenda, Singapore intervened to say that while it accepted the ruling of the COP President, it wanted to place its concerns on record. It said that the provisional application of the agenda was unhealthy for the future as every Party could propose their own priority issues which will result in the COP agenda being overloaded. It said that including difficult issues where there has been no sufficient consideration would result in a delay. Since consultations were being undertaken on the issues, it said that no substantive decisions on these issues can be arrived at until Parties agree if the provisional agenda could be adopted.

Speaking for the **G77 and China**, Ambassador Meregá of Argentina referred to the Summary for Policy Makers from the Special Report on Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation (SREX) that was adopted by IPCC member governments. She said that the report highlights that there is high confidence that both maximum and minimum daily temperatures have increased on a global scale due to the increase of greenhouse gases" and studies show that it is virtually certain that -on a global scale- hot days become even hotter and occur more often. Moreover, fatality rates and economic losses expressed as a proportion of GDP are higher in developing countries. This confirms that high ambition of emission reductions of GHG is urgently needed.

She stressed that the Convention and the Kyoto Protocol must be preserved and that the Bali Road Map and the two-track negotiation are to be followed, and the Cancun decision rendered operational. The Group expects in Durban decisions regarding the Adaptation Committee, the Standing Committee and for the Green Climate Fund and the

Technology Mechanism to be fully operationalized. She urged developed countries to show their commitment to these mechanisms in concrete terms, and to capitalize the Green Climate Fund from their public financial resources as soon as possible.

The **Democratic Republic of Congo** for the **African Group** stressed the importance of adaptation. It was also concerned with the low ambition level of developed countries in relation to mitigation and called for increase in ambition. It wanted urgent support for the capitalization of the Green Climate Fund.

Grenada for the **AOSIS** also stressed the need to address the ambition gap in mitigation pledges. It called for a process to scale up the ambition of the pledges, saying that a review of the global goal is not a substitute for increasing ambition. While stressing the importance of the second commitment period under the KP for emissions reductions, it also wanted a Durban mandate to capture the work of the AWGLCA.

Gambia for the **LDCs** said that Durban must deliver on a set of COP decisions to operationalise the Cancun agreement without prejudice to a future legally binding agreement. It lamented that the LCD Special Fund continues to be underfunded. It was committed to a two track process outcome and said that those who were not ready should not sink the ship to save tomorrow today.

Cuba speaking for the **ALBA Group** said that developed countries must undertake binding emission reduction commitments that are comparable, ambitious and quantifiable and stressed the importance of the KP. On the Green Climate Fund, it said that no consensus was reached on the draft instrument and the expectations of the group was not met.

Egypt for the **Arab Group** stressed the importance of the Bali Road map, the principles of common but differentiated responsibilities, equity and historical responsibilities. It said that the participation of developing countries in mitigation and adaptation depended on predictable and adequate financial resources.

China speaking for the **BASIC (Brazil, South Africa, India and China)** countries sustainable development and poverty eradication are overriding priorities for developing countries. It said that they have pledged ambitious actions to reduce emissions at substantial costs to their economies. It called on all developed countries to rise up to their historical responsibilities and take the lead in undertaking

ambitious and robust mitigation actions, consistent with science. Deliberations for further implementation of the Convention must be firmly based on the Convention and the Durban outcome must accomplish the work under the Bali Action Plan. It also said that the review process which is to be completed by 2015 will provide a key input and the review must include a review of the adequacy of the long term goal and effectiveness of the quantified emission reduction commitments by Annex 1 and the provision of finance and technology to developing countries. It also stressed the need to address the issue of IPRs in relation to the Technology Mechanism. It also wanted adequate treatment of the issues of equity, trade and IPRs for a comprehensive and balanced outcome in Durban.

El Salvador speaking for the **SICA** (Central American Integration System) countries emphasized the importance of adaptation and for its financing. It wanted the Green Climate Fund to be operationalised with legal status and legal capacity.

The **EU** said there was need to address the gap in the global level of ambition on mitigation. It said that it was in Durban that Parties must initiate a new global comprehensive framework guaranteeing legal certainty and predictability. It wanted a process to be agreed to which will build on the KP, the elements of the Bali Action Plan and the decision reached in Cancun, including the application of the principle of common but differentiated responsibilities and respective capabilities as applied in “today’s realities and respective capacities”. It wanted the negotiations to be completed by 2015 so that it can be in force by 2020. The EU also wanted Durban to address new market mechanisms, agriculture and the maritime sector. On the issues raised by India for the COP agenda, it hoped that there was space in the current negotiations to deal with the issues as is necessary

Australia, speaking for the **Umbrella Group** wanted a new roadmap for future action. It said that since the Rio Convention in 1992, different countries have suffered different impacts and have different capacities the future climate framework needs to take into account the changes in the global balance of power and capacities of countries. There was need to transition to a framework with major economies taking into account their contributions to emissions. Australia said that it was committed to the goal of mobilizing long term finance in the context of transparency in mitigation and emphasized the role of the private sector in this regard.