

Negotiations intensify on Durban final outcomes

Durban, 9 Dec (Meena Raman) – On the final day of the climate negotiations in Durban, negotiations intensify over critical issues, which include the future shape of the climate regime as well as the outcome on the Green Climate Fund.

Green Climate Fund (GCF) – Disagreements over interim secretariat

According to sources, a draft decision on the GCF is close to agreement for Parties to adopt at the 17th meeting of the Conference of Parties (COP) to the UN Framework Convention on Climate Change (UNFCCC). However, a key issue that remains is the host of the interim secretariat of the GCF. The options are (i) the UNFCCC Secretariat, (ii) the Global Environment Facility (GEF) Secretariat, or (iii) the UN Office in Geneva, to take the administrative steps necessary to host the interim secretariat.

In Cancun last year, Parties agreed that the GCF would be supported by an independent secretariat.

It is learnt that the G77 and China in intense negotiations last night, rejected that GEF Secretariat as an option, while developed countries are insisting otherwise. Negotiations will continue on Friday morning to resolve matters.

Ministerial ‘Indaba’

In a Ministerial meeting convened late Thursday (8 December) night around 10 pm, the South African COP/CMP President Ms. Maite Nkoana-Mashabane, presented options in a table on the form of the legal outcome under the UNFCCC as well as another table on options relating to the second commitment period for greenhouse gases emissions reductions of Annex 1 (developed country) Parties under the Kyoto Protocol (KP).

(i) Under the Convention

Option 1 is for a new protocol under Article 17 of the Convention or another legally binding instrument. The forum under this option is a

proposal for a new Ad-hoc Working Group and the Ad-hoc Working Group on Long-term Cooperative Action under the Convention (AWGLCA) concluding at COP 17 or COP x. The timeline is to adopt a protocol at COP 18 or COP 21.

Option 2 (a) is to complete the Bali (Action Plan) agreed outcome through a protocol under Article 17 of the Convention or another legally binding instrument under the Convention. The forum under this option is the AWG-LCA through a refreshed mandate and the timeline is for adoption of a protocol at COP 18 or COP 21.

[The difference between Option 1 and 2(a) is that Option 1 is for a completely new treaty that is not based on the Bali outcomes, while Option 2(a) is based on the Bali outcomes.]

Option 2 (b) is to complete the Bali agreed outcome through a legal outcome while Option 2(c) is to complete the Bali agreed outcome through a series of decisions. The forum for both these options is the AWGLCA and the timeline is to adopt a legal outcome at COP18, COP 19 or COP 21.

Option 3 is to complete the Bali agreed outcome through a series of COP decisions, and begin a process on post-2020. The forum is the AWGLCA to complete the Bali agreed outcome, and a new Ad-hoc working group for post 2020. No timeline is specified.

According to sources, around 50 countries were present represented by their Ministers when the meeting first convened at around 10 pm, and there were general statements from Ministers. Following this, a smaller group setting for the process was convened at around 1 am on Friday morning, which had around 30 countries present to address matters at a “technical level” to identify which options could work and this was attended by some Ministers and lead negotiators.

It is learnt that the European Union expressed a preference for Option 1 while the Alliance of Small

Island States expressed a preference for Option 2(a). The Least Developing Countries were also in favour of Option 2(a).

Sources say that many developing countries preferred Option 3 with some expressing that the form should not prejudice the outcome. One developing country, while supporting the 3rd Option also suggested a 4th Option with the AWGLCA continuing its work.

The United States, it seems, was not prepared to commit to a legally binding outcome but expressed that there could be scope for a process under Option 3. It could not support options that are structured to reflect the Bali Action Plan categorization of countries (as developed and developing countries).

(ii) Second commitment period of the Kyoto Protocol

Options were also presented for discussions in relation to the Kyoto Protocol second commitment (2CP).

One option is for the numbers expressed as quantified emission limitation and reduction objective (QELROs) as single numbers in Durban with amendments to Annex B (of the Protocol) and provisional application and open for full ratification with rules for the 2CP to be decided in Durban.

Another option is for the numbers to be expressed as targets in percentage in Durban, QELROs as single numbers in 2012 and the form to ensure continuity by decisions on targets; finalise QELROS in 2012, with amendments at CMP 8 open for full ratification and for a decision in Durban on rules for the 2CP.

A further option was for the targets expressed as percentage in Durban, QELROs as single numbers in 2012, for the form to be a decision or declaration(s) in Durban, with no amendments and for the 2CP rules to be decided in Durban.

According to sources, some developing countries asked how the ambition level was going to be achieved in relation to the options proposed under the KP and if the declaration option was legally binding.

Following feedback from Parties, the COP Presidency informed Parties that she would advance further discussions with draft proposals in the form of decisions.

The meeting ended around 4 am and is expected to resume in the morning today.

Ministerial consultations

Meanwhile, following the appointment of some Ministers to lead ministerial consultations on a number of issues from the AWGLCA, according to sources, some of the Ministers have been having “bilateral consultations” with Parties on issues such as ‘shared-vision’ and ‘mitigation’. It seems that as of Thursday, consultations were yet to be held on the issue of ‘review’.

The Ministers who are assisting the COP Presidency on the various issues are as follows: Minister Onkokame Mokaila of Botswana for ‘shared vision’, Minister Tim Groser of New Zealand for ‘developed and developing country mitigation’, Minister Maria Fernanda Espinosa of Ecuador for the ‘Adaptation Committee’, Special Envoy Claudia Salerno of Venezuela for ‘response measures’, Minister Nathalie Kosciusko-Morizet of France for ‘sectoral approaches’, and Minister Chris Huhne of the UK for ‘review’.

Some developing country Parties were complaining in the corridors that they did not know what was going on and where the meetings were being held and who was being consulted.

AWGLCA

Meanwhile, huge disagreements continue to persist over issues in some of the informal groups.

In the technology transfer informal group, developed countries were united in firm opposition to a proposal by Bolivia (supported by the Philippines) to “request the Technology Executive Committee to consider issues related to intellectual property rights (IPRs) related to the development and transfer of technologies”.

The US said that there should be no language on IPRs as this was not the appropriate forum to discuss this topic. The EU and other developed countries echoed the US sentiment.

The Philippines also made a proposal on the need for the Climate Technology Center and Network (CTCN) to provide advice and support to developing countries on the conduct of technology assessments on new and emerging technologies subject to technology development and transfer on a needs basis. This was also resisted by developed countries.