



Third World Network Bonn Climate News Updates

(April 2010)

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NOTE

This is a collection of the seven News Updates prepared by the Third World Network for and during the United Nations Climate Change Talks (Ninth Session of the Ad Hoc Working Group on Long-term Cooperative Action under the UN Framework Convention on Climate Change – AWG-LCA 9, and Eleventh Session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol – AWG-KP 11) in Bonn, Germany, from 9 to 11 April 2010.

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Restore Trust and Confidence in Climate Negotiations – Says South

Bonn, 9 April (Meena Raman) – As climate talks resumed in Bonn, Germany on 9 April 2010, following the chaotic conclusion of the Copenhagen meetings in December last year, developing countries called for the rebuilding of trust and confidence.

The African Group, represented by the Democratic Republic of Congo, said that if “we are to avoid the repeat of what happened in Copenhagen and repair this damaged process, then we must learn from Copenhagen.”

The African Group, reflecting on what happened in Copenhagen, said that it saw “the sidelining of the two-track multilateral process, the emergence of a secret text put together by a selected few that later became known as the Copenhagen Accord and the blatant attempt to discard the Kyoto Protocol. These mistakes fundamentally broke the trust that is very necessary for any partnership that aspires to be successful and enduring to work.”

The ninth session of the Ad-hoc Working Group on Long-term Cooperative Action (AWG-LCA) under the UN Framework Convention on Climate Change (UNFCCC) and the eleventh session of the Ad-hoc Working Group on Further Commitments for Annex 1 Parties under the Kyoto Protocol (AWG-KP) are set for a brief session of three days which ends on 11 April, to mainly focus on the organization of work and organizational matters for the two working groups for agreed outcomes at the UN climate change conference to be held in Cancun, Mexico in December this year.

The first day of the Bonn session saw the opening of the two Ad-hoc Working Groups. The opening of the AWG-LCA took place in the morning, while the opening of the AWG-KP took place in the afternoon.

The Chair of the AWG-LCA, Margaret Mukahanana Sangarwe of Zimbabwe, in opening the

AWG-LCA session said that the principal objective of the ninth session was to agree on the organization and methods of work for 2010. She referred to an informal note that she had prepared for the meeting to facilitate the work of Parties which states that the organization and methods of work in 2010 could be addressed by the AWG-LCA agreeing to conduct its work in a single contact group on long-term cooperative action, addressing all issues before the working group in a balanced and integrated manner and that the working group could agree that the contact group will in its work deploy a diversity of working methods. She also said that the AWG-LCA could underline the importance of inclusiveness, transparency and efficiency and request the Chair to consult negotiating groups on ways and means to ensure efficient, inclusive and transparent negotiating settings based on principles and models within the United Nations.

The Chair also said the AWG-LCA should provide guidance on the documentation for its next session in June. She said that the AWG-LCA document relating to the negotiations from Copenhagen reflected different levels of maturity and that the texts are at different levels, while some texts are even confusing.

Sangarwe said that the report of the 15th meeting of the Conference of the Parties (COP) in Copenhagen had requested the AWG-LCA to continue its work drawing on the report of the AWG-LCA as well as the work undertaken by the COP on the basis of that report. She said that a number of Parties had also expressed interest in drawing on the points of convergence reflected in the Copenhagen Accord and utilizing them to advance the work of the AWG-LCA where appropriate. Sangarwe drew reference to her informal note where she had suggested that the AWG-LCA could invite its Chair

to prepare a document, including draft negotiating text for consideration by Parties at its next session in June.

She also said that another matter for consideration was the number and duration of meetings in 2010.

Sangarwe said that informal consultations will be held on these matters for conclusions to be presented on Sunday, 11 April.

Speaking for the G77 and China, Ambassador Abdullah M. Alsaïdi of Yemen said that the mandate of the AWG-LCA is to continue its work for an outcome in Mexico, and that the work process must be an open, democratic, party-driven, transparent, inclusive, legitimate and accountable one which centers around the implementation of the Bali Action Plan.

With respect to the organization and methods of work of the AWG-LCA in 2010, the G77 and China highlighted the following:

- The centrality of the UNFCCC must be preserved and respected i.e. that the only venue for climate change negotiations is the UNFCCC framework;
- The AWG-LCA must resume its work as soon as possible and make progress on the four building blocks of mitigation, adaptation, finance and technology as well as the shared vision, with the objective of the full, effective and sustained implementation of the Convention;
- Sufficient sessions for negotiations for the AWG-LCA are necessary and should be no less than three; likewise, the participation of the developing countries, especially from the least developed countries (LDCs) and small island states (SIDS), in these meetings must be supported. In this regard, the Group pointed out its preference to hold such meetings in New York or Geneva to ensure greater participation by developing countries.

The G77 and China reiterated its belief in the importance of maintaining the centrality of the multilateral process within the UNFCCC framework.

Speaking for the African Group, the Democratic Republic of Congo said that if “we are to avoid the repeat of what happened in Copenhagen and repair this damaged process, then we must learn from Copenhagen.”

The DRC said that in Copenhagen, “We saw the sidelining of the two-track multilateral process, the emergence of a secret text put together by a selected few that later became known as the Copenhagen Accord and the blatant attempt to discard the Kyoto Protocol. These mistakes fundamentally broke the trust that is very necessary for any partnership that aspires to be successful and enduring to work.” (The two tracks refer to the AWG-LCA and the AWG-KP).

The African Group said that the priority must therefore be to restore the trust, rebuild confidence and thereby salvage the process. This, it said, can be done by:

- Returning to the two-track multilateral negotiation process;
- Committing to the UNFCCC process as the only forum for the negotiation of a global and legally binding outcome;
- Working on the basis of the AWG documentation forwarded from COP 15 and the CMP 5 (referring to the meeting of Parties under the Kyoto Protocol); and
- Negotiating the terms of the second commitment period of the Kyoto Protocol.

The African Group said that strict adherence to UN working methods will ensure inclusiveness and transparency, which is the only way that may lead to consensus. “We should not repeat the mistakes that have been made in Copenhagen. Any attempt to deliberately exclude the majority of the membership in favour of a small group setting will only obstruct the chances to achieve an inclusive and accepted outcome,” it stressed.

Grenada, speaking for the Alliance of Small Island States (AOSIS), said that Copenhagen did not achieve the outcome that was expected from Bali, which was to address the climate challenge as reported by the findings of the Intergovernmental Panel on Climate Change. As recent scientific findings reveal more alarming effects, AOSIS registered its concern from public statements that the collective ambition of Parties should be scaled back in Mexico. It recalled that significant progress had been made on the AWG-LCA negotiating text in Copenhagen and said that with political will, a comprehensive legally binding outcome in Mexico was possible. While it was flexible on new approaches to solve difficult issues, AOSIS said the principles of inclusiveness and transparency must

be respected at all times. It said that the AWG-LCA Chair could be given the mandate to draft a negotiating text, drawing upon those texts that were developed in Copenhagen.

Lesotho, speaking for the LDCs, called for the restoration of confidence and the building of trust in the process. It said that the negotiation process must be transparent and inclusive.

Spain, speaking for the EU, said that all Parties have to frankly assess and examine the lessons learnt last December. It said that it had realized that there is a need to improve the organization and methods of work within the UNFCCC process. It said that confidence in the process and among Parties has to be recovered. To this end, it said that negotiations should continue in both the AWGs in a transparent and inclusive way, finding innovative working

methods that guarantee efficient and effective use of time and resources. It said that Parties had to honour their commitments and in this regard, there was a need to implement the elements contained in the Copenhagen Accord.

Australia, speaking for the Umbrella Group (which includes the United States, Canada and New Zealand), stressed the importance of the Copenhagen Accord. It said that many countries now have put their pledges for mitigation in appendices. It said that all the elements of the Accord must move forward in a meaningful way. It supported the proposal for a single contact group and a new Chair's text to take account of progress in the negotiations.

Many developing countries also spoke, stressing the need for the restoring of confidence and trust building in the process. (Details will follow in a further article).

Emission Pledges of Developed Countries Insufficient

Bonn, 10 April (Lim Li Lin) – The first meeting since Copenhagen of the Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) opened on Friday, 9 April. Many developing countries expressed disappointment that the further emission reduction commitments of developed countries were not agreed in Copenhagen and emission reduction pledges under the Copenhagen Accord have been shown to be insufficient.

The AWG-KP is meeting in Bonn for three days to discuss how to advance its work in 2010. The mandate of the AWG-KP is to determine the further commitments of Annex I (developed country) Parties under the Kyoto Protocol, after the end of the first commitment period in 2012.

Yemen on behalf of the **G77 and China** emphasized reaching agreement at the sixth meeting of the Parties (CMP 6) to the Kyoto Protocol (to be held in Cancun, Mexico in December 2010) in accordance with the provisions and principles of the UN Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol, in particular the principles of equity, and common but differentiated responsibilities and respective capabilities.

With respect to the organization and methods of work of the AWG-KP in 2010, the G77 and China highlighted the following:

- The centrality of the UNFCCC process has to be preserved and respected in order to achieve the desired outcome in Cancun.
- The AWG-KP must continue to make progress on the second commitment period of Annex I Parties under the Kyoto Protocol that commences in 2013, and that Annex I Parties that are not Party to the Kyoto Protocol must make a comparable commitment under the UNFCCC.
- Sufficient meetings for the AWG-KP negotiations are necessary and should be simultaneous with the AWG-LCA (Ad hoc Working

Group on Long-term Cooperative Action under the Convention). The participation of developing countries in these meetings must be supported, and holding such meetings in either New York or Geneva would ensure greater participation by developing countries.

Australia on behalf of the **Umbrella Group** said that emission reduction pledges of developed countries are already reflected in Appendix I of the Copenhagen Accord, and that technical work under the AWG-KP is nearly completed. It said that the AWG-KP is heavily dependent on work in other work streams which need more time, and this should be taken into account when considering the organization of work.

Spain on behalf of the **European Union** emphasized having a comprehensive global legal framework, and that Copenhagen was a step towards a post-2012 agreement under the UNFCCC. It wants to maintain a sensible role of the AWG-KP in the overall process, and is open as to how to take it forward. It said that its priority is to reach agreement on as many of the elements as possible, while reflecting the political guidance from the Copenhagen Accord in the negotiations. It emphasized that it would deliver on its Kyoto Protocol commitments. It already has binding legislation in place based on the Kyoto Protocol architecture, with a 2020 target and an objective for 2050.

Spain said that credibility and legitimacy are key for the EU to provide stakeholders with certainty. Current rules must be improved, and environmental integrity and the Copenhagen pledges strengthened. These have been complemented by developing countries, which have put forward quantified mitigation actions. It said that the outcome has to be a package that all Parties can agree on.

It supported working in a single contact group, and innovative negotiating formats that are inclusive

and transparent. It also said that close coordination with the AWG-LCA will be important and this could be done by establishing horizontal groups across the two tracks, for example.

Switzerland, speaking on behalf of the **Environmental Integrity Group**, emphasized that efforts should concentrate on the substance of pending key issues, mindful of interdependencies, and means to achieve them. On the organisation of its work for this year, it said that work should be based on the draft CMP decisions and useful elements from the Copenhagen Accord that can help to advance negotiations, for example the 2 degrees Celsius 'goal'. It said that 40 developed countries have submitted emission reduction pledges and the focus should be to raise the level of ambition for Annex I Parties which should commit to targets in accordance with meeting the 2 degrees 'goal'. It said that work on the aggregate target, flexible mechanisms, land use, land use change and forestry (LULUCF) and carry over of assigned amount units (AAUs) should ensure clarity on the basis and parameters for Annex I targets.

It supported a single contact group to ensure comprehensiveness and coherence, and to advance on the key elements. Smaller settings for specific purposes and needs can be decided upon as necessary, and priorities need to be set as not all need equal negotiating time. It said that there are inter-relations between the two working groups, in particular cross cutting issues like mitigation by developed countries. It supported the organization of two more meetings between the June session and Cancun, and benchmarks to facilitate decision-making.

The Democratic Republic of Congo on behalf of the **Africa Group** said that Copenhagen saw the sidelining of the two negotiating tracks, and this broke the trust. The priority is therefore to restore trust and build confidence. It stressed that there should be a return to the two tracks and the UNFCCC is the only forum for negotiations, that the basis of the work is contained in the report of the AWG-KP, and that the second commitment period of the Kyoto Protocol must be agreed. It noted that the 2 degrees Celsius 'goal' has translated to 3.9 degrees (based on the emission reduction pledges in the Copenhagen Accord). It said that strict adherence to UN working methods will ensure transparency, and that at least three additional meetings (besides those already scheduled) should be held.

Grenada on behalf of the **Alliance of Small Island States (AOSIS)** emphasized the importance of quantified emission reduction commitments for

Annex B Parties (Annex I Parties under the UNFCCC with emission reduction targets listed in Annex B of the Kyoto Protocol). AOSIS and other vulnerable countries, totaling around 100 countries, have been supporting a temperature goal of well below 1.5 degrees Celsius. It noted that the emission reduction pledges put forward by Annex B Parties are inconsistent with the 2-degree goal in the Copenhagen Accord. It said that the pledges amount to a 10-16% reduction on 1990 levels by 2020, and with LULUCF amount to only a 6-11% reduction. The IPCC report reflects that a temperature increase of 2-2.4 degrees will require a reduction of 25-40%, it said. Annex B must go beyond the 25-40% range in order to stay below 2 degrees, and current pledges are insufficient.

It said that we must and can do more, as efforts are technically and economically feasible. Only political will is lacking. Every year's delay is extremely costly, and for AOSIS, extremely dangerous. Failure to achieve more ambitious commitments than Copenhagen will result in loss of life, increased food and water insecurity for millions and threatens the sovereign existence of countries.

Grenada stressed that a greater than 45% level of ambition is necessary, and that concentrations should be well below 350 ppm. Temperature increase should peak no later than 2015. By 2050, global reductions should be more than 85%, and 95% for Annex I Parties. It stressed that we must deliver what we failed to deliver in Copenhagen which is the emission reduction commitments by Annex B Parties. This would restore confidence to Parties and investors, and secure the future of the carbon market globally.

It highlighted technical issues that needed to be addressed in an environmentally sound way - improvements to project-based mechanisms, banked surplus AAUs, accounting rules for LULUCF, and translation of pledges to quantified emission limitation and reduction objectives (QELROs). It said that additional technical work could be undertaken on what the pledges are capable of delivering in terms of real environmental outcomes. It said that a significant number of meetings, formal and informal, are needed to work through the technical issues to deliver agreed outcomes in Cancun, in order to avoid a gap in the commitment periods.

Russia said that the negotiations have almost exhausted the potential for agreement at the expert level, and that this is possibly a good thing. The future of this track can only be decided politically. As such, the main emphasis needs to be on the work of the AWG-LCA.

Bolivia said that to get negotiations back on track, trust and confidence need to be regained. It said that the problem that we are facing is that the Copenhagen Accord is going to end the Kyoto Protocol and the very existence of the AWG-KP, whose mandate is to agree on a second commitment period under the Kyoto Protocol and the methodology to do this has been approved. As an analogy, it said that we need to agree on the size of the dam that needs to hold back the waters. Once we agree on the size and height, then we bring the number of stones necessary to construct the dam. So we need to agree on the aggregate emission reductions first.

In the Copenhagen Accord, it is *laissez faire* as to what each Party is willing to do. Everyone brings what they can and then we build the dam. It said that we need to return to the Kyoto Protocol's essence and system, for otherwise, humankind will be swept away. It said that the aggregate figure should be between 40-50% by 2020; then the individual commitment will require comparable efforts. This has also been done away with under the Copenhagen Accord, as some have pledged 40%, and some 3%, it said.

The purpose of 2010 is to achieve the second commitment period for Annex I Parties under the Kyoto Protocol, and meetings should be formal so that civil society can be present, as we are dealing with human lives, biodiversity and Mother Earth, it said.

Lesotho on behalf of the **least developed countries (LDCs)** said that there is an urgency to conclude the work of the AWG-KP in 2010, to ensure continuity of the commitment periods. It emphasized the centrality of the AWG-KP in the UNFCCC process. It said that the basis for negotiations should be the report of the Chair of the AWG-KP in Copenhagen, as well as proposals by Parties. If the UNFCCC fails to agree on the mechanisms to deal with the emission reductions required by science, there will be increased breakdown in law and order, increased migration, food and water shortages, and land loss. It is an issue of human rights, survival and existence, it said.

Pakistan said there has been little progress on targets for the second commitment period, and that more ambitious targets are necessary. The basis of the work should be the texts adopted by CMP 5. In terms of technical assistance, it requested for an update of the Secretariat's non-paper which analyses the pledges by Annex I Parties.

India said that the work of the AWG-KP is crucial toward achieving a successful outcome in

Cancun. The balance on the two tracks has to be maintained, and serious outcomes are required for limiting temperature increase at 2 degrees Celsius. The levels of emission reductions are inadequate and come with conditionalities, which are issues that are extraneous to the Kyoto Protocol and cannot be part of the AWG-KP process. Compliance with existing legal obligations is critical, as well as finalizing the targets for the second commitment period. It said that the LULUCF window should not be widened in a manner that dilutes more tangible action in energy, transport, waste management. The International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO) should follow UNFCCC principles, in particular, common but differentiated responsibilities.

Guatemala, speaking on behalf of **Belize, Costa Rica, El Salvador, Dominica Republic and Panama**, said that several additional working sessions with the participation of all developing countries are needed so that a negotiating text can be concluded in time for a second discussion in Cancun.

Egypt said that the Kyoto Protocol is a legal instrument, and does not have a termination date. Only the first commitment period ends in 2012. But all other elements remain valid for Parties unless a Party withdraws. It said that all the issues under discussion in the AWG-KP are important and depend on each other but emissions trading, LULUCF and methodological issues have affected the efficiency of the core issue (further commitments of Annex I Parties), which has not been sufficiently addressed because of other issues. It said that enough additional sessions for the AWG-KP should be scheduled, and it should be given equal time to the AWG-LCA. It expressed its discomfort with a submission that stated that there is no need for the AWG-KP to meet this year. It said that the work needed to be rationalized, and that focus should be on emission reduction commitments of Annex I Parties, then the rest of the issues can be resolved. It said that paragraph 4 of the Copenhagen Accord states that Annex I Parties that are Party to the Kyoto Protocol will further strengthen the emission reductions initiated by the Kyoto Protocol, but the pledges in Appendix I are not consistent with this. Emission reductions should be legally binding and consistent with the level of commitment expressed by Annex I Parties.

China said that the AWG-KP is a core part of the Bali Road Map process. In Copenhagen, the mandate of the AWG-KP was renewed. The international community reaffirmed that the Kyoto Protocol has a legal position, and is a very important

foundation and legal framework to tackle climate change at the global level. The Kyoto Protocol is also a concrete demonstration of common but differentiated responsibilities. It said that the failure of Copenhagen was that the working group did not have enough time to fulfill its mandate. The AWG-KP has not managed to fulfill its task of determining Annex I emission reduction targets in five years, as the AWG-KP was constituted in 2005. Mutual trust, and the UNFCCC process were undermined. The current pledges fall far short of the requirements of the Kyoto Protocol, historical responsibility and the requirements and objectives of the Convention. It is most urgent and important to accelerate the work of the AWG-KP. There should be enough time and meetings, and the legal basis for the work is the paper put forward by the Chair that was adopted in Copenhagen.

Malaysia said that at Copenhagen, a significant number of developing country Parties voluntarily announced mitigation actions, and this should not be allowed to go to waste. Annex I Parties must strengthen their level of ambition to keep temperature increase to below 2 degrees Celsius. The Copenhagen Accord is numerically inconsistent, and

an additional level of commitment is required in the second commitment period of the Kyoto Protocol to prevent the most serious and expensive impacts of climate change.

Mexico stressed that the Kyoto Protocol track has the same importance as the AWG-LCA. This multilateral two-track approach requires a balance between the two. Outstanding areas need to be resolved at the same time. It said that there should be formal and informal meetings.

Sri Lanka said that 2010 is critical year as we need a complete and comprehensive agreement in Mexico. The pledges are grossly inadequate, and negotiations should be aimed at bridging the gap to reach a final legally binding decision in Mexico.

The Chair concluded the session by informing the meeting that he would convene a contact group to discuss how to ensure that work on all outstanding issues is finalized this year. The contact group will consider the agenda, modalities of work, documentation to use as the basis for further negotiations, and the need for technical work that would support discussions. Draft conclusions would be presented at the closing plenary on Sunday, 11 April.

No Consensus on New Text for Negotiations

Bonn, 10 April (Meena Raman) – Parties at the opening of the climate talks in Bonn on April 9, expressed divergent views over the question of whether a new draft negotiation text should be prepared for the forthcoming June session of the Ad-hoc Working Group on Long-term Cooperative Action (AWG-LCA).

While all the developed countries and some developing countries were in favour of the Chair of the AWG-LCA drafting a new text for negotiations for the working group's next session in June, many developing countries were opposed to this proposal.

They were opposed to the drafting of a new negotiating text at this stage of the talks when no opportunity had been provided as yet to discuss the outcomes of the AWG-LCA documents from Copenhagen. There was also opposition from several developing countries to taking into account the Copenhagen Accord when it was not a consensus document and was not adopted by the Conference of Parties. Several countries including China and India stressed that the outcome document from the AWG-LCA be the basis for negotiations to move forward.

This issue arose when the Chair of the AWG-LCA, Margaret Mukahanana Sangarwe of Zimbabwe, in opening the AWG-LCA session on 9 April, had said Parties should provide guidance on the documentation for its next session in June. She said that the Conference of the Parties (COP) in Copenhagen had requested the AWG-LCA to continue its work drawing on the report of the AWG-LCA as well as the work undertaken by the COP on the basis of that report. She said that a number of Parties had also expressed interest in drawing on the points of convergence reflected in the Copenhagen Accord and utilizing them to advance the work of the AWG-LCA where appropriate. Sangarwe drew reference to her informal note where she had

suggested that the AWG-LCA could invite its Chair to prepare a document, including draft negotiating text for consideration by Parties at its next session in June.

Bolivia said that the AWG-LCA and the AWG-KP had produced negotiating texts in Copenhagen that were reflected in the outcome reports. To produce new text when Parties had existing negotiating texts which were adopted at COP is not a timely way to proceed, it said. Each Party is free to put forward its position based on the AWG-LCA texts.

It also said that it shared the view that there was a need to rebuild the confidence that was broken down in Copenhagen and to learn from mistakes. The main mistake made was in not respecting the broad and equal participation by all Parties to the Convention (in decision-making). It said that proposals were being suggested for only 40 countries to be negotiating and the rest to be side-lined as regards new innovative methods, which seemed to continue the illegitimacy and mistake of Copenhagen. It said that in Copenhagen, there was no respect for the participatory, inclusive and bottom-up processes of the UN.

Bolivia was also concerned about the objective of the work for 2010. There was a need for a broad-based comprehensive agreement on climate change especially with commitments by developed countries for the second commitment period of the Kyoto Protocol. It expressed concern that there was talk that Mexico would only deal with some issues and that the rest would be postponed for consideration next year. This, Bolivia said, was unacceptable. It said that after the Copenhagen Accord, the emission reduction pledges being proposed represented reduction from 1990 levels of only 13-17%. According to the EC, if one wishes to limit temperature rise to be below 2 degrees C, reductions

should be 25-40% on the basis of 1990 levels. The situation is far worse. The EC's own press release showed that there would be an increase in emissions of 2.6% from 1990 levels and with the best-case scenario, there would be a decrease in emissions by only 2%. So, after Copenhagen, we are not in a better position, said Bolivia.

India said that the Copenhagen Conference raised fundamental concerns on the quality of transparency and inclusivity. The principle of consensus in recent months has come to be questioned and this is a dangerous trend. Consensus now is part of the cementing process in the two-track process (of the AWG-LCA and the AWG-KP). The Copenhagen Accord is a political document. It cannot have a life of its own and it is not a stand-alone document. It has the potential to assist in building consensus but it cannot substitute the formal outcomes of the two tracks. The Accord has also not touched many critical areas. India emphasized that trust and legitimacy in the negotiations is the norm but this has now come under a cloud which must be lifted. India also stressed the need for balanced outcomes in both the working groups and the various elements within the AWG-LCA.

Venezuela said that after the total failure of Copenhagen, the Bonn meetings seek to allow Parties to decide on the work programme on the basis of transparency and legitimacy to recover confidence in the process. It said that the failure of Copenhagen was due to the principles and multilateral rules of the United Nations not being followed. It said that it had raised its voice against the Copenhagen Accord as regards both the form and the substance. The political will of some Heads of States (who were engaged in drafting the Accord) cannot be imposed on others. The Accord was a political statement where the pledges for emission reductions would lead to a temperature rise of 5 degrees C. Venezuela said that no one should be congratulating themselves based on this. It said that work must proceed on the basis of the texts from the two working groups which were adopted by the COP. Parties should now have the opportunity to work on these texts before new texts are asked for.

Saudi Arabia said that there was a need to establish confidence and maximum transparency that ensures that all countries are involved in the negotiations process. It did not support a new negotiating text for the AWG-LCA and stressed that significant progress was made in Copenhagen as regards the negotiations with a 60-page document. Parties should be allowed to decide what needs to be agreed to in that text. On the Copenhagen Accord, it said that it was not legally binding and its

importance should not be exaggerated as the COP was only informed of the Accord. As the Accord was not adopted by the COP, undue weight should not be given to it.

China said that the Cancun meeting in December must have clear objectives. There must be clear numbers in terms of GHG emission reductions by 2012 by Annex 1 Parties under the Kyoto Protocol in the work of the AWG-KP. The AWG-LCA must establish the commitments for emission reductions of developed countries who are not Parties to the Protocol (referring to the US) which must be comparable. There has to be funding for developing countries to ensure sustainable development, eradicate poverty and take steps to cope with climate change. China stressed that the AWG-LCA's work is clear and there is good basis for negotiations based on the Chair's text which represented the result of a proper legal process. Hence, Parties should work on the Chair's text as the starting point. This is reflected in the decision of the COP and Parties cannot be redrafting the mandate. As regards the process, China said that the UN process is proven and innovation and diversity can be left for another time when there is more trust among Parties.

Egypt said that the text for the negotiations should be the outcomes from COP 15 which were adopted by Parties by consensus as the basis for future negotiations. This does not prevent inputs from the Copenhagen Accord by Parties who have associated with the Accord, with the specific interpretations, conditions and nuances linked to their association. It said that the process should be Party-driven and opportunity must be given to negotiate the outcomes of the Copenhagen meetings. Now was not the time for a new Chair's text and it was not in favour of this, as this would mean that a reset button has been pushed in the process of negotiations. It would also mean giving the same weight to documents which have substantially different values (referring to the Accord which was not adopted by the COP, and texts which were adopted by the COP).

Pakistan said that there are working methods in the UN system that have produced results that Parties take pride in. Innovation and diversity (in methods of work) can only be possible once there is greater mutual trust and less suspicion among Parties. On the documentation needed to guide further work, Pakistan said that reports of the AWG-LCA should be the basis for negotiations.

Nicaragua also emphasized the need for the creation of measures to foster and increase the climate of trust in the negotiations. It said that what happened in Copenhagen was in total breach of the

negotiating process. It said that there was a fracturing of the UN when some Parties tried to impose an agreement that was not democratically drafted. The main thing at this stage is to work on the basis of the outcomes of the two working groups from Copenhagen. If any Party wants further proposals included in these texts, they could do so.

Cuba said that the Copenhagen Accord was a violation of multilateralism. It is weak in content and is a threat to negotiations under the Convention.

Singapore said that the AWG-LCA did not currently have a text for negotiations. The AWG-LCA text from Copenhagen was not an agreed text, and it was also not agreed as being the basis of negotiations. Singapore said that Parties agreed to continue work drawing on the AWG-LCA reports which were a point of reference. It supported the Chair to produce a new text in time for the June session.

Barbados supported the proposal for the Chair to prepare a draft negotiating text to capture the good progress made in Copenhagen and asked that it be available before the next session of the AWG-LCA in June.

Chile called for the preparation of a new document that can include the central aspects of the Copenhagen Accord.

Japan said that the Copenhagen Accord captured the mitigation actions of all major economies. It said that 120 countries have expressed association with it and this achievement cannot be underestimated. It said that there was a need for a

comprehensive agreement by all major economies based on the Copenhagen Accord. Japan was in support of the Chair drafting a new negotiating text.

The **United States** said that Copenhagen was a significant milestone. In an apparent reference to the Copenhagen Accord, it said that it was a collective effort that was amazing and should not be dropped. It said that Parties should capitalise on what was agreed to by Heads of States and that progress in the Accord should be captured and influence the negotiations. The US said that the Accord was not a casual agreement but one done by world leaders whose understandings cannot be ignored. It said that Parties cannot go back to the stalemate of negotiators. The US supported the proposal for the Chair to draft a text for June. It said that the text should draw from the AWG-LCA report and reflect the understandings of the final days of Copenhagen. The AWG-LCA text is not the basis for negotiations, as the question of the basis was rejected in Copenhagen and it was only agreed to be drawn upon this LCA text. It said that the text should also draw from what the leaders did (referring to the Accord). The text should have all the core components fleshed out in a package, said the US.

Canada said that the Copenhagen Accord provided political guidance for a new legally binding agreement where all major emitters were involved. The Accord must be viewed as a package to be elaborated for adoption in Mexico. It supported the Chair in considering a new text.

Australia also gave support to the Chair in producing a new text for June.

UNFCCC Group Gives Mandate to Chair to Prepare New Draft

Bonn, 12 April (Meena Raman) – After an intense session that ended close to midnight on the last day of the Bonn climate talks on 11 April, Parties agreed to invite the Chair of the Ad-hoc Working Group on Long-term Cooperative Action (AWG-LCA) to prepare, under her own responsibility, a text to facilitate negotiations among Parties for its next session in June.

Following the opening of the climate talks in Bonn on April 9, there had been differences among Parties on whether a new draft negotiation text should be prepared for the forthcoming session of the AWG-LCA and if so, on what basis. While all the developed countries and some developing countries were in favour of the Chair of the working group drafting a new text for negotiations for its next session, many developing countries were opposed to this proposal, as they wanted a round of discussions first on the draft of the previous AWG-LCA Chair (Michael Zammit Cutajar) that had been adopted in Copenhagen.

On the other hand, developed countries led by the United States wanted the Chair to do a new draft that takes account of both the Copenhagen Accord and the AWG-LCA text. Many developing countries had objected to this, as the Accord does not have legal status in the UNFCCC unlike the AWG-LCA text that had been adopted by the Conference of Parties. (See separate article on views of Parties expressed on Friday, April 9.)

(The Accord, arising from a meeting of 25 political leaders, was not adopted by the COP but was only taken note of.)

The session on Sunday, 11 April was considering draft conclusions proposed by the Chair of the AWG-LCA, Margaret Mukahanana Sangarwe of Zimbabwe, for adoption on the organization and methods of work in 2010.

The Chair, on Saturday, 10 April 2010 proposed the adoption of the following conclusion in relation to the negotiating text –

“The AWG-LCA invited its Chair to facilitate negotiations among Parties by preparing, under her own responsibility, texts for consideration by Parties. The first of such texts should be made available two weeks in advance of the tenth session of the AWG-LCA; draw on the report of the AWG-LCA presented to the COP at its fifteenth session, as well as work undertaken by the COP on the basis of that report; and take into account decisions taken by the COP at its fifteenth session as well as views expressed by Parties at this session of the AWG-LCA”.

Several developing countries had concerns with the words in the last line of the paragraph “and take into account decisions taken by the COP at its fifteenth session as well as views expressed by Parties at this session of the AWG-LCA” which they felt was a way for the Copenhagen Accord to be taken into account.

Following interventions from Parties on Saturday, 10 April, the Chair of the AWG-LCA proposed the following language in paragraph 5 as follows to be considered by Parties on the final day of its meeting on Sunday (which commenced only at around 7 pm when it was scheduled to begin at 11.30 am) –

“The AWG-LCA invited its Chair to prepare, under her own responsibility, a text to facilitate negotiations among Parties, drawing on the report of the AWG-LCA presented to the COP at its fifteenth session, as well as work undertaken by the COP on the basis of that report, and to make it available two weeks in advance of the tenth session of the AWG-LCA.”

Bernarditas Muller, Coordinator of the G77 and China in the AWG-LCA, said the group wanted a

small amendment to include a footnote to reflect the correct citation of the document referred to as the report of the AWG-LCA presented to the COP.

The Group also proposed new paragraph 5 *bis* as follows -

“The AWG-LCA invites Parties to make submissions on additional views at the latest by 26 April 2010 which the Chair may draw upon in preparation of her draft text for consideration of Parties at the June session”.

Saudi Arabia elaborated why the G77 and China presented the paragraph. It said that it was to show that the Copenhagen Accord does not have legal status. It said that whoever wants to include (the Accord) into the negotiating text can do that in the form of submissions which the Chair can take into consideration. Otherwise, it would be understood that all documents have the same legal basis, which is not the case. The Accord was only taken note of. Nobody can prevent any Party from submitting the whole or parts of the Accord to be included (in the text). This was the reason for the additional paragraph, it explained.

In response, Jonathan Pershing of the United States said he was upset with the process. He said that Parties spent time to find middle ground but it appeared to be a “quicksand”. He said that there were a great number of Parties in the G77 who had associated with the Accord and felt differently. This notion that (the Accord) cannot be drawn upon is not acceptable, said the US.

Russia said that it was willing to accept the G77 proposal if its proposal for the Chair to also “take into account decisions adopted by the COP” was also accepted. The Russian proposal was also supported by the US and the European Union.

Mueller, speaking for the G77 and China, in response said that the proposal it made (re addition of new paragraph 5 bis) was to recognise that there were different levels of understandings (as regards the documents to be drawn on for the negotiating text). The report of the AWG-LCA (including the annexes) was fully negotiated in an open and transparent manner. Work undertaken by the COP on the basis of that report during the last week in Copenhagen had not been negotiated. Other Parties may wish to put in “whatever” which was not openly negotiated (in an apparent reference to the Accord) and that was why the proposal was being offered. The (Russian) proposal was not acceptable to the Group, said Mueller.

She explained further that the Group had tried to exercise utmost flexibility to come to an agreement that was difficult and was carefully calibrated.

Following further exchanges, the Chair Margaret Sangarwe proposed that the meeting would have an understanding that “work undertaken by the COP on the basis of that report” (the AWG-LCA report) covers all work undertaken by the COP and asked Russia to consider this.

(This “understanding” would not be in the text of the conclusions of the meeting).

Russia then accepted the compromise based on this understanding announced by the Chair.

Kyoto Protocol Work Continues in 2010 Despite Threats to Its Future

Bonn, 12 April (Lim Li Lin) – The concluding session of the Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) ended early in the morning of Monday, 12 April after heated wrangling over whether or not the Chair of the AWG-KP should meet with the Chair of the Ad hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) on the issue of developed countries' emission reduction commitments.

This debate reflects divergent views over the future of the Kyoto Protocol and whether it should continue after 2012 as legally mandated or whether it should be terminated and replaced with a new legally binding instrument. Many developing countries viewed the proposed meeting of two Chairs as a procedural stepping-stone towards merging the two working groups, and collapsing the Kyoto Protocol into a new treaty.

Developed countries have been advocating for one single treaty, which would require merging the outcome of the two working groups, and terminating the Kyoto Protocol. This is because the United States is not a Party to the Kyoto Protocol, and developed countries would like to have some developing countries also take on emission reduction targets or actions, with all countries committing in a single legal instrument.

Some developed countries are also attempting to avoid the international legally binding disciplines of the Kyoto Protocol for emission reductions, and setting an aggregate figure for emission reductions determined by what is necessary according to the science. Instead, they want a pledging system, where countries can voluntarily propose the amount of their emission reductions, without consideration of whether the collective pledges are sufficient to prevent dangerous climate change.

Developing countries on the other hand are united in their demands that the Kyoto Protocol

should not be terminated in order to preserve the Kyoto Protocol's system of international legally binding emission reduction targets for developed countries, and that the negotiations for the second commitment period must be concluded so there is no time lag in between the first and second commitment periods.

The AWG-KP and the AWG-LCA met for three days in Bonn on 9-11 April to discuss their work programme, and organization and methods of work for 2010. The closing plenary of the AWG-KP was postponed until related issues being discussed in the AWG-LCA were concluded.

The AWG-KP has been meeting since 2006 to determine the second commitment period of Annex I (developed) countries under the Kyoto Protocol, beginning in 2013. The AWG-LCA has been meeting for the last two years in order to reach an agreed outcome on the full, effective and sustained implementation of the UN Framework Convention on Climate Change (UNFCCC). These two working groups were supposed to conclude in Copenhagen last December, but their work will continue in 2010 and is scheduled for adoption in Cancun, Mexico this December.

The African Group had proposed deletion of the paragraph on the meeting of the AWG-KP Chair with the AWG-LCA Chair to discuss developed countries' emission reduction commitments. The African Group's view was that this was not necessary as the two working groups have separate mandates, work programmes and outcomes, and that a "firewall" should be maintained between the two.

The European Union (EU), Japan, Colombia and Micronesia opposed its deletion. The EU went so far as to say that if this issue was not included in the AWG-KP outcome, it could not support any outcome of this AWG-KP session.

This issue had initially been introduced by the EU and other developed countries who had proposed

that horizontal groups across the two working groups could be established in order to have closer coordination. Some developed countries had also proposed that the work of the AWG-LCA should be prioritized over the work of the AWG-KP. In an official submission, New Zealand had proposed that there should be no additional meetings of the AWG-KP in 2010.

The Chair of the AWG-KP, John Ashe from Antigua and Barbuda, requested Luiz Machado from Brazil to facilitate discussions in order to reach a compromise.

In the end, the following text was adopted on this issue:

“The AWG-KP noted that taking fully into account the mandate of the AWG-KP, the Chair of the AWG-KP has undertaken, under his own initiative, to meet with the Chair of the AWG-LCA to identify information on the commitments of Annex I Parties, which is to be made available to the Parties.”

The decision that was adopted by the AWG-KP mirrors the decision of the AWG-LCA in terms of additional meeting time in 2010. Meetings of the AWG-KP and the AWG-LCA will be held in parallel. In total it was agreed that four meetings of the AWG-KP (and the AWG-LCA) will be held in 2010 – in June, in conjunction with the meetings of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA); and another two meetings between the June session and the meetings in Cancun, Mexico “of a duration of at least one week each while ensuring sufficient negotiating time as well as allowing sufficient time between sessions to enable Parties to consult and prepare...”

It was also agreed, after much negotiation in the AWG-LCA closing plenary, that the two working groups would also meet in Cancun “for as long as necessary”.

The AWG-KP also took note of a proposal to the SBI to consider that a high-level session be held between the June session of the subsidiary bodies and the meetings in Cancun to “provide guidance”. This was a proposal by Papua New Guinea.

The AWG-KP agreed to focus its work on the aggregate Annex I emission reduction commitment, and the individual and joint contribution of each Annex I Party to this target. It also agreed to continue to work on “other issues” arising from the implementation of the work programme, to improve the environmental integrity of the Kyoto Protocol.

The “other issues” include improvements to emissions trading and the project-based mechanisms;

the definitions, modalities, rules and guidelines for the treatment of land use, land use change and forestry (LULUCF) in the second commitment period; the coverage of greenhouse gases, sectors and source categories; common metrics to calculate the carbon dioxide equivalence of anthropogenic emissions by sources and removals by sinks; and consideration of information on potential environmental, economic and social consequences, including spillover effects, of tools, policies, measures and methodologies available to Annex I Parties.

The Chair of the AWG-KP has been requested to prepare documentation to facilitate negotiations on the basis of the Chair’s text that was adopted by the AWG-KP in Copenhagen, taking into consideration the work undertaken and decisions adopted by the 5th Conference of the Parties serving as the meeting of the Parties (CMP) to the Kyoto Protocol on the basis of the report of the AWG-KP in Copenhagen. This documentation should be made available at least two weeks before the next session of the AWG-KP in June.

After some discussion, a paragraph that requested the Chair to revise the documentation for each of its sessions in 2010, was deleted. The deletion was proposed by the African Group and supported by Saudi Arabia, on the basis that it was not necessary to provide the Chair with a “blank cheque” to revise the documentation, and that this request could be made as and when necessary. The paragraph was deleted on the understanding that this issue could be decided upon when necessary at each session.

(Consultations on the next Chair of the AWG-KP are still on-going, and will be decided at the beginning of the next session in June. There are two nominations – John Ashe from Antigua and Barbuda (the current Chair), and Adrian Macey from New Zealand.)

The Chair will make proposals on the scheduling of the issues in his scenario note prepared for each session in 2010, bearing in mind the focus of the AWG-KP’s work this year, and its work on “other issues”.

The Secretariat has been requested to prepare, for consideration at the June session of the AWG-KP, a paper compiling pledges for emission reductions and related assumptions provided by the Parties to date and the associated emission reductions, and a technical paper laying out issues relating to the transformation of pledges for emission reductions into quantified emission limitation and reduction objectives.

Concerns over Mexican Reluctance to Ensure Groups' Meetings at Cancun

Geneva, 14 April (Meena Raman) – Developing countries, on the final day of the climate talks in Bonn on 11 April, expressed surprise at the proposal by the Government of Mexico, the host of the sixteenth meeting of the Conference of Parties (COP 16), not to already schedule time for the conduct of meetings of the two working groups under the United Nations Framework Convention on Climate Change and its Kyoto Protocol during the COP16 in Cancun in November this year.

Several developing countries stated that it was the normal practice in the meetings of the UNFCCC's Conference of Parties to also include meetings of its subsidiary bodies, such as the working groups.

In an intense exchange between the Mexican delegation and developing countries that lasted around two hours, at issue was whether a COP President can make decisions about working group meetings or whether it was a matter for Parties to make that decision.

The G77 and China was concerned that not having working groups meet to carry out negotiations during the duration of the COP was deviating from established practice.

The final session of the Bonn meeting saw a tug-of-will between Mexico insisting on its right as the COP President to decide on the organisation and procedures as regards the COP meetings and developing countries insisting that negotiations on the texts of the two working groups (on long-term cooperative action or AWG-LCA and on the Kyoto Protocol) must continue in Cancun and that it was a decision for the Parties to make and not that of the host country.

Eventually, following a proposal by the Chair of the AWG-LCA and the Secretariat, Mexico agreed that the thirteenth session of the AWG-LCA will be held in conjunction with COP 16 "for as long as necessary."

While being puzzled by the Mexican reluctance, the developing countries have fears that the organisers may be planning exclusive meetings at high-level (heads of governments or Ministers) in Cancun that deviate from the transparent and inclusive processes of the United Nations, as happened in Copenhagen that led to its failure.

In Copenhagen, a small group of political leaders were invited by the host country Denmark to a secretive meeting which resulted in the Copenhagen Accord which was not adopted but only "taken note of" because of the objections of many countries that said they had not mandated or even known about the small-group meeting.

At the final plenary session of the AWG-LCA, Saudi Arabia, speaking for the G77 and China on this issue, said that there was a need for additional meeting time for the work of the Ad-hoc Working Group on Long-term Cooperative Action (AWG-LCA). It said that it was the common understanding of Parties that the AWG-LCA (as well as the Ad-hoc Working Group on the Kyoto Protocol) would meet in conjunction with the subsidiary bodies of the UNFCCC as well as with the Conference of Parties.

Hence, in considering the conclusions of the working group on the organization and methods of work in 2010 (as regards paragraph 7 of the conclusions), there was a need to reflect that the AWG-LCA will hold its thirteenth meeting session together with COP 16.

(Paragraph 7 of the draft conclusions for consideration of Parties on April 11 as proposed by the Chair of the AWG-LCA following consultations did not have any reference to the AWG-LCA meeting in conjunction with COP 16).

Mexico's special representative for climate change, Mr. Luis Alfonso de Alba Gongora, in response to the G77 and China proposal said that the Cancun Conference was not for further

negotiating meetings but for concluding negotiations. He said that its purpose was to carry the work forward prior to Cancun. As of day one (in Cancun), there was a need to resolve (the issue) of the two tracks to avoid two parallel processes, said de Alba, referring to the two tracks of negotiations in the AWG-LCA and the AWG-KP.

(Developed countries have been advocating for one single treaty, which would require merging the outcome of the two working groups, and terminating the Kyoto Protocol. This is because the United States is not a Party to the Kyoto Protocol, and developed countries would like to have some developing countries also take on emission reduction targets or actions, with all countries committing in a single legal instrument. However the developing countries are insisting on the continuation of the two-track negotiations, so that the Kyoto Protocol is preserved and a second commitment period is entered into).

De Alba said further that Mexico's intention was not to take content out of the Cancun meeting and that it wanted the negotiating session to be intense, and that would require many hours. What it did not want was "line by line negotiation." It was his hope that the line-by-line negotiation could be before Cancun and that in Cancun, only difficult issues could be negotiated. Mexico did not want to get to Cancun with work that was not ready.

De Alba said that in Cancun, the COP has more powers and can decide to re-establish the working group or have other groups. It was not its intention to limit the option of Parties. He said that Mexico offered to host the process for substantive solutions.

Saudi Arabia speaking for the G77 and China said that while the Group appreciated the role of Mexico, it was the Parties who decide how sessions take place. It said the Group was acknowledging that the AWG-LCA will continue its work at the COP. Having this clarity would help Mexico in formulating how the session will be conducted and it did not see any contradictions.

Spain, speaking for the European Union, supported the Mexican proposal.

The United States said that it heard the concerns of Parties on the need for greater certainty (on the meeting of the AWG-LCA). The US said that a compromise proposal could be for the AWG-LCA receive at its next session in June a report on Mexico's proposals for work of COP 16 and then decide about the need for the AWG-LCA session at COP 16.

Canada said that the US proposal had merit and that it had confidence in Mexico.

Nigeria in response said that it could not accept the US proposal as the need to make the decision

was now and an opportunity must be provided for the working group to meet so as not to repeat the sad and difficult moments of Copenhagen.

Ghana said that its understanding was that Cancun was an option for a further AWG-LCA meeting. If, not, there was a need for additional meeting time.

China and India both supported the G77 proposal. India said that the two working groups (of the AWG-LCA and AWG-KP) must continue up to and through COP 16 and that talks must proceed well in the two tracks for good decisions.

Sudan, who is the Coordinator of the AWG-LCA for the G77 and China, said that in Copenhagen, Parties had taken a decision to mandate Mexico to make the necessary arrangement to facilitate work of the Parties. It said that the discussion did not seem to reflect working towards success. Efforts of the COP Presidency to influence the process in this way would not necessarily facilitate success.

Sudan referred to rule 23 of the Rules of Procedure of the UNFCCC which states clearly that the COP President remains under the authority of the COP. It said that enough time was needed to be given to Parties and that the G77 and China wanted an effective, good and successful outcome.

Uganda, reflecting on the role of the COP Presidency and Parties, said that what it was hearing from the host was strange. It said that the host country is imposing conditions on how the negotiations are to proceed. Uganda said that there was no guarantee that the work of the AWG-LCA would finish by Cancun. For Mexico to prejudge that work must be completed by then was to impose unnecessary constraints and stress. Uganda was also concerned that future hosts of COPs may impose worse conditions. It said that this has never been done before and would be a precedent. Uganda said that the imposition by Mexico that the two working groups should not have their meetings in Cancun should be withdrawn.

Gambia said that in Bali, it was decided that the AWG-LCA was to complete its work in Copenhagen. That did not happen and hence, it was a case of "once bitten, twice shy." On the US proposal, it said that a decision would be needed (in June) as to whether the AWG-LCA should meet in Cancun. Then, discussions would have to restart all over again on the issue. Instead of wasting time, it said that the G77 proposal was a better one.

Saudi Arabia, speaking for the G77 and China, said that the issue clearly goes beyond that of just being about time. Time is one element but the notion that Parties have to decide the possibility or lack of possibility of having a session in Cancun is a strange

notion. The working groups, like the other subsidiary bodies, are subsidiary bodies of the COP. There has not been a COP session in which subsidiary bodies decide not to meet, especially when the working groups have to come to a conclusion of their work. This meeting is to determine from here to Mexico the organizational matters and the work programme and it is important to have that clarity. This does not prevent Mexico from presenting its view on how they see different subsidiary bodies working.

Egypt said that it was surprising that bargaining was happening about whether to have working group meetings or not during the COP. Parties were dealing with the agenda on the work programme for 2010. The lessons from Copenhagen have not been learnt. It said that different methods of work and committees are not welcome. There should be open-ended meetings in which all Parties have equal voice and are transparent in an inclusive setting. It said that there should be no bargaining about holding the working group meetings in Cancun.

Uganda said that the issue was one of principle on the host country deciding how the COP will organize its work. There cannot be a compromise. A Party cannot dictate to the COP. It asked if the host country has powers to override the COP.

Mexico said that there was a misunderstanding. Its reasoning was to learn from Copenhagen and it had no intention of imposing conditions. It said that it had a substantive responsibility for best outcomes from Mexico. It insisted that a decision can be made in June on this matter.

The Chair of the AWG-LCA, Margaret Mukahanana Sangarwe of Zimbabwe, said that paragraph 7 does not exclude a meeting of the AWG-LCA in Cancun. The Chair and the Secretariat suggested the addition of the words “as necessary” after the words proposed by the G77 and China so that the working group meets at COP 16 as necessary.

Saudi Arabia said that if there is no need for the working groups to meet they will not. The only scenario in Cancun where they would not meet would

be if they conclude work prior to Cancun. It said that there should not be a restriction as this was the prerogative of the COP and it is only the Parties who can decide this issue.

Mexico said that it could not agree on how Parties are imposing on how Mexico should organize the session. It said that this was a “storm in a teacup”. It said there were two options in relation to paragraph 7 – either to drop the paragraph or to accept the Chair’s proposal to add the words ‘as necessary’.

Following bilateral consultations among some developing country delegates and Mexico, Mexico accepted the proposal of the Chair and the Secretariat, that the thirteenth session of the AWG-LCA would be held as well as to hold its thirteenth session in conjunction with COP 16 for as long as necessary.

The AWG-LCA also agreed that in order to conclude its work it would need to hold two sessions between its tenth session and the sixteenth session of the COP, of a duration of at least one week each, while ensuring sufficient negotiating time as well as allowing sufficient time between sessions to enable Parties to consult and prepare in order to enable the AWG-LCA to continue its work with a view to presenting the outcome of its work to the COP for adoption at its sixteenth session. The AWG-LCA requested the secretariat to make the necessary arrangements.

Hence, in total it was agreed that four meetings of the AWG-LCA (and the AWG-KP) will be held in 2010 – in June, in conjunction with the meetings of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA); and another two meetings between the June session and the meetings in Cancun, Mexico.

The AWG-LCA also took note of a proposal for the SBI to consider the option that a high-level session be held between the thirty-second sessions of the SBI and the SBSTA and the sixteenth session of the COP to provide guidance.

Conclusions of Working Groups on 2010 Work Programme

Geneva, 14 April (Meena Raman) – The two working groups under the United Nations Framework Convention on Climate Change and the Kyoto Protocol met in Bonn, Germany from 9 April and concluded their meetings on 12 April 2010 which focused on the organization and methods of work in 2010.

Below are the conclusions of the 9th session Ad Hoc Working Group on Long-term Cooperative Action (AWG-LCA) and the 11th session Ad Hoc Working Group on the Kyoto Protocol (AWG-LCA) respectively.

Conclusions on organization and methods of work in 2010 adopted by the AWG-LCA under the Convention at its ninth session –

1. The Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA) recalled its mandate in decision 1/CP.13 (Bali Action Plan) to enable the full, effective and sustained implementation of the Convention through long-term cooperative action.
2. The AWG-LCA further recalled decision 1/CP.15 that extended the mandate of the AWG-LCA with a view to presenting the outcome of its work to the Conference of the Parties (COP) for adoption at its sixteenth session.
3. The AWG-LCA took note of the views expressed by Parties in their submissions and in statements made during the plenary meetings of this session.
4. The AWG-LCA invited its Chair to prepare, under her own responsibility, a text to facilitate negotiations among Parties, drawing on the report of the AWG-LCA presented to the COP at its fifteenth session, as well as work undertaken by the COP on the basis of that

report, and to make this text available two weeks in advance of the tenth session of the AWG-LCA.

5. The AWG-LCA invited Parties to make submissions containing additional views, by 26 April at the latest, which the Chair may draw upon in the preparation of her draft text for consideration by Parties at its tenth session.
6. The AWG-LCA invited its Chair to propose, through her scenario notes, an indicative roadmap, and invited Parties to submit to the secretariat, by 4 May 2010, their views on this matter.
7. The AWG-LCA agreed that its tenth session would be held in conjunction with the thirty-second sessions of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA), as well as to hold its thirteenth session in conjunction with the sixteenth session of the COP for as long as necessary. The AWG-LCA further agreed that its sessions would be held in conjunction with those of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol.
8. The AWG-LCA agreed that in order to conclude its work it would need to hold two sessions between its tenth session and the sixteenth session of the COP, of a duration of at least one week each, while ensuring sufficient negotiating time as well as allowing sufficient time between sessions to enable Parties to consult and prepare in order to enable the AWG-LCA to continue its work with a view to presenting the outcome of its work to the COP for adoption at its sixteenth session. The AWG-LCA requested the secretariat to make the necessary arrangements.

9. The AWG-LCA took note of a proposal for the SBI to consider the option that a high-level session be held between the thirty-second sessions of the SBI and the SBSTA and the sixteenth session of the COP to provide guidance.
10. The AWG-LCA invited Parties in a position to do so to offer, as soon as possible, to host such sessions.
11. The AWG-LCA expressed appreciation for the contributions received from Parties for the work of the AWG-LCA and strongly urged Parties in a position to do so to provide contributions to the Trust Fund for Participation in the UNFCCC Process and the Trust Fund for Supplementary Activities in order to ensure the widest possible participation in the negotiations, aimed at funding two delegates from each eligible Party and a third delegate from the least developed countries and small island developing States.
12. The AWG-LCA acknowledged that financial contributions or firm pledges should preferably be made by 26 April 2010 for its eleventh session and by 9 June 2010 for its twelfth and subsequent sessions, to allow the secretariat to make the necessary arrangements.

Conclusions adopted by the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol at its eleventh session –

1. The Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP) recalled decision 1/CMP.5 and reiterated that it will deliver the results of its work pursuant to decision 1/CMP.1 for adoption by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) at its sixth session.
2. The AWG-KP took note of the views of Parties on the need for additional meeting time in 2010 contained in document FCCC/KP/AWG/2010/MISC.1.FCCC/AWGLCA/2010/MISC.1, as well as views expressed by Parties during its eleventh session.
3. The AWG-KP agreed to continue its work in 2010 in accordance with its work programme. It further agreed to focus its work on the issues identified in paragraph 49 (a) (“consideration of the scale of emission reductions to be achieved by Annex I Parties in aggregate”) and (b) (“consideration of the contribution of Annex I Parties, individually or jointly, consistent with

Article 4 of the Kyoto Protocol, to the scale of emission reductions to be achieved by Annex I Parties in aggregate”) of document FCCC/KP/AWG/2008/8, and to continue to work on the issues identified in paragraph 49 (c) (“other issues arising from the implementation of the work programme, with due attention to improving the environmental integrity of the Kyoto Protocol”) of the same document.

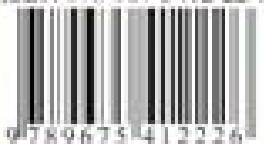
4. The AWG-KP agreed that its twelfth session would be held in conjunction with the thirty-second sessions of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA), as well as to hold its fifteenth session in conjunction with the sixth session of the CMP for as long as necessary. The AWG-KP further agreed that its sessions would be held in conjunction with those of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA).
5. The AWG-KP agreed that in order to conclude its work it would need to hold two sessions between its twelfth session and the sixth session of the CMP, of a duration of at least one week each, while ensuring sufficient negotiating time as well as allowing sufficient time between sessions to enable Parties to consult and prepare in order to enable the AWG-KP to continue its work and to deliver the results of its work pursuant to decision 1/CMP.1 for adoption by the CMP at its sixth session. The AWG-KP requested the secretariat to make the necessary arrangements.
6. The AWG-KP took note of a proposal for the SBI to consider the option that a high-level session be held between the thirty-second sessions of the SBI and the SBSTA and the sixth session of the CMP to provide guidance.
7. The AWG-KP invited Parties in a position to do so to offer, as soon as possible, to host such sessions.
8. The AWG-KP expressed appreciation for the contributions received from Parties for the work of the AWG-KP and strongly urged Parties in a position to do so to provide contributions to the Trust Fund for Participation in the UNFCCC Process and the Trust Fund for Supplementary Activities in order to ensure the widest possible participation in the negotiations, aimed at funding two delegates from each eligible Party and a third delegate from the least developed countries and small island developing States.

9. The AWG-KP acknowledged that financial contributions or firm pledges should preferably be made by 26 April 2010 for its thirteenth session and by 9 June 2010 for the fourteenth and subsequent sessions, to allow the secretariat to make the necessary arrangements.
10. The AWG-KP requested its Chair:
 - (a) To prepare documentation to facilitate negotiations on the basis of the annex to the report of the AWG-KP on its tenth session, taking into consideration the work undertaken and decisions adopted by the CMP at its fifth session on the basis of the report of the AWG-KP on its tenth session, for consideration by the AWG-KP at its twelfth session, and to make this documentation available at least two weeks before that session;
 - (b) To make proposals on the scheduling of the issues referred to in paragraph 3 above in his scenario note prepared for each of its sessions in 2010, bearing in mind the focus specified in that paragraph.
11. In order to make progress in its work under paragraph 3 above, the AWG-KP requested the secretariat to prepare for consideration by the AWG-KP at its twelfth session:
 - (a) A paper compiling pledges for emission reductions and related assumptions provided by the Parties to date and the associated emission reductions;
 - (b) A technical paper laying out issues relating to the transformation of pledges for emission reductions into quantified emission limitation and reduction objectives.
12. The AWG-KP noted that taking fully into account the mandate of the AWG-KP, the Chair of the AWG-KP has undertaken, under his own initiative, to meet with the Chair of the AWG-LCA to identify information on commitments of Annex I Parties which is to be made available to Parties.

(For background to conclusions of the working groups, see present and previous articles of the TWN updates 1-6.)

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