



## **Group of 77 and China Press Statement on the Imperative of the Continuation of the Kyoto Protocol as a Key Component of the Copenhagen Outcome**

The UNFCCC is the foundation of the international framework for climate change, and the Kyoto Protocol is the most important instrument embedding the commitments of Annex I parties.

Essential element of the KP is that it is an international and legally binding treaty; it has an aggregate figure that specifies the emission reduction commitments for developed country members of the KP collectively, and it contains the emission reduction commitment of each of these members.

The KP will not expire in 2012. Rather it has a first commitment period which ends in 2012. The KP states that there shall be subsequent commitment periods after the first period ends. It is a legal obligation of KP members to enter a second commitment period.

In Bali, the understanding was that negotiations under the AWG-KP would finalise negotiations on the second commitment period figures for commitments for developed country KP members collectively and for individual countries.

As 2012 is nearing, Copenhagen must produce new emission reduction targets for a second commitment period to ensure there is no gap or legal vacuum for the KP. This is the most important component of the Copenhagen outcome. Failure to do so would signal a failure of commitment on the part of Annex I countries.

In this context, we are extremely concerned that:

- The negotiations on emission reduction figures for the KP 2<sup>nd</sup> commitment period are very slow and there has been no progress, even though there are only a few negotiating days left before Copenhagen.

- There are clear signals that the developed country members of KP do not want to negotiate a 2<sup>nd</sup> commitment period for the KP.
- The statements from most of the KP developed country members indicate instead that they want to abandon the KP altogether, and instead set up a new agreement altogether.
- Through the discussions at the AWG-LCA in Bangkok, it is also becoming clear that in this new agreement, the developed countries aim to drastically water down the nature of their commitments. The preference of some (USA) is to set targets nationally that are adopted by the government or parliament, which could then be noted down in a new international agreement, without it being internationally binding nor would there be a proper mechanism for compliance.

The replacement of the KP with such a loose international arrangement will result in the drastic downgrading of international disciplines over developed countries in their emission reduction targets and efforts.

In addition, the new international arrangement envisaged would undermine the differentiation between Annex I and non-Annex I Parties.

In the light of recent evidence of accelerating climate change impacts, it is plain that the aggregate ambition for emission reduction by Annex I countries of only 16-23% (the UNFCCC secretariat estimate without counting the US) or just 11-18% (AOSIS estimate, including the US) by 2020 compared to 1990 levels, is too low. Since these pledges are conditional on commitments of others, and in part rely on the use of international offsets, the actual domestic efforts would be even much less.

The excuse given by developed country members of KP as to why they are moving out of KP and into a new agreement is that only in such a new agreement will they be able to include the US. However, this is not the solution because by going out of a binding protocol with collective and individual targets and into a new agreement which has only a collection of individual countries' national targets (i.e. national targets rather than internationally binding targets), they would be taking the international climate regime many steps backwards.

This is ironic and tragic a time when the IPCC report indicates that climate change will cause a devastating crisis if we do not act now, and when international public

opinion is demanding strong action now. The developed countries should show strong leadership with their own commitments, and not give up leadership at this critical stage only weeks before Copenhagen.

We believe that the solution is to implement our understanding at Bali, that developed countries in the KP agree to deep emission cuts collectively and individually and to inscribe these in the KP for a second commitment period beginning in 2013.

The Bali understanding is that there shall be comparable emission-reduction efforts among developed countries, as stated in para 1 (b) (i). The understanding is that the developed countries in KP would make their commitments for deep cuts in line with what the science requires, within the KP, while the US would make a comparable level of commitment, in a device such as a Decision in the Convention.

It now looks like the Annex I would like to make “comparable effort” in a collection of national pledges instead of an international binding treaty, and at low ambition levels. This is simply unacceptable. It would betray the trust of the world public that is demanding a major step forward, and not a major step backwards, in developed countries' commitments and actions.

We call on the developed countries that are members of the KP to stand firmly in the KP and to engage seriously in negotiations for a second commitment period. This has to be done immediately, as there are so few days left before the Copenhagen COP meeting.

We will also consider the Copenhagen COP meeting to be a disastrous failure if there is no outcome for the commitments of developed countries for the 2<sup>nd</sup> commitment period of the Kyoto Protocol.

Therefore we urge our developed country partners to engage in negotiations on their emission reductions within the Kyoto Protocol, while finding a solution for the case of the US in the LCA track within the para 1 (b) (I) context.

9 October 2009, Bangkok