

Durban Platform: Parties reiterate positions

Bonn, June 5 (Meena Raman)- The Ad hoc Working Group under the Durban Platform (ADP) resumed its work in Bonn on June 4, with an opening plenary.

The resumed session, following its last meeting in Bonn four weeks ago (29 April-3 May), was chaired by Mr. Jayant Mauskar (India) and Mr. Harald Dovland (Norway).

In his opening remarks, Mauskar referred to the reflections note prepared by the Co-chairs at the last Bonn session, which identified “perceived areas of common ground” which were in two annexes to their note for workstreams 1 and 2. (Workstream 1 relates to the agreement to be concluded by 2015 while workstream 2 deals with the pre-2020 ambition). He said that the “perceptions of broad areas of common ground” in the note were what the Co-chairs had “spoken” about at the last session on the final roundtable and were written down to assist Parties and “they are of no other value”.

Developing countries from the Like-Minded Developing Countries raised concerns over the perceptions by the Co-chairs, saying that there was no engagement between Parties or consensus among them on the issues for there to be a convergence on selective issues that portrayed a skewed picture of the ADP’s progress.

Fiji, speaking for the **G77 and China** reiterated its six points as the position of the Group on the ADP: (i). The work of the ADP must be under the Convention and should be based on its principles, provisions and related commitments and responsibilities with regard to mitigation, adaptation and the means of implementation; (ii) the process under the ADP should not lead to a reinterpretation or rewriting of the Convention; (iii) the outcome must be in accordance with the Convention’s objective, principles and

provisions, including the principles of equity and common but differentiated responsibility and respective capabilities (CBDRRC); (iv) negotiations under the ADP must be a party-driven process, and must be fully inclusive and transparent; (v) it must lead to a balanced, ambitious, fair and equitable outcome under the Convention; and (vi) progress depends on a balanced approach between mitigation, adaptation and means of implementation in accordance with the spirit of the Convention.

It said further that the Durban and Doha decisions provide the mandate for the ADP and a balanced approach was needed. Fiji said that the members of the Group are prepared to do their part but the developed countries must demonstrate leadership, which is critical. The outcome of the work must enable the full, effective and sustained implementation of the Convention. It must strengthen the multilateral rules based regime to achieve the ultimate objective of the Convention. It applauded the amendments to the Kyoto Protocol (KP) in Doha on the second commitment period (CP2) and called for focus on efforts to give legal effect to the amendments.

Sudan, speaking for the **Like-Minded Developing Countries (LMDC)** referred to the ‘reflections note’ prepared by the Co-chairs and said that it had reservations on the annexes to the informal note. It added that there was no engagement between or consensus among the Parties on these and there cannot be convergence on selective issues that portray a skewed picture of ADP progress. Convergence can be based on the ADP’s mandate from Durban and Doha for enhanced action under the four main pillars of the Convention, said Sudan.

Referring to the technical paper prepared by the secretariat in relation to workstream 2 on the

mitigation benefits, initiatives and options to enhance mitigation ambition, it said the paper failed to fully capture the views of developing countries. It was concerned over the lack of balance and stressed that this could not carry any legal weight in the ADP process or negotiations.

Sudan said that equitable and durable “win-win-win” solutions for the people, the climate, and sustainable development cannot be achieved by wasting time discussing some new concepts and ideas deviating from, renegotiating, rewriting, replacing, restricting, and reinterpreting, the principles, provisions, and structure of the Convention. The ADP should instead advance its work through constructive, progressive, and positive engagement by all Parties in accordance with its mandate.

It called for a balanced in both workstreams. Annex I Parties should immediately take the lead in showing pre-2020 ambition. Annex 1 KP Parties must immediately ratify the KP amendment for CP2 and increase their quantified emission limitation and reduction objectives substantially, and remove any conditions for doing so. The non-KP Annex 1 Parties should make comparable unconditional increases in their mitigation targets under the Bali Action Plan outcome. These should be done no later than April 2014.

It wanted developed countries to also show increased ambition by fully financing mitigation projects, including those already in the Clean Development Mechanism pipeline (amounting to 6 gigatons of reductions), in developing countries regardless of the carbon price and without seeking to get emission reduction credits for doing so.

On the selection of themes for the roundtables and workshops, Sudan called for balance and comprehensiveness across all sectors and to reflect the different elements within the two workstreams. Specific themes are needed on enhanced provision of finance and on enhanced technology development and transfer, including removal of barriers. Themes that do not reflect the agreed elements of the workstreams, such as investments and enabling environment for such investments, divert from the problem of the inadequate provision of financing and technology from developed countries.

It wanted workshops on enhancing the provision of the finance and technology support under

workstream 1, and a roundtable on how developed countries take the lead after 2020. Under workstream 2, the equity issue and increasing the pre-2020 ambition on finance and technology support from developed countries should also have workshops. It was concerned with proposals which seek to discuss a selective list of issues as sectoral activities under workstream 2, some of which imply imposing additional burdens on developing countries contrary to the Convention.

It added that any shift in approach in workstream 2 away from the Convention approach, such as a “result-oriented approach”, endangers the process. It is only the Convention approach – where developed countries take the lead and support developing countries in implementing the Convention – that will give positive results.

Sudan stressed the four pillars of the Convention and the mandate of the ADP from Durban and Doha. Both paragraph 5, decision 1/CP.17, and paragraph 6, decision 2/CP.18, lay out the scope and the elements to be covered as part of the plan of work of the ADP under workstream 1. These elements are: mitigation, adaptation, finance, technology development and transfer, transparency of action and support, and capacity-building. It wanted focus on these existing ‘common ground’ elements, and build on them as integral, comprehensive, holistic, and interlinked components of the outcome of the ADP by 2015.

It said that based on the four pillars of the Convention and the agreed elements from Durban and Doha, the ADP negotiations should address the following: enhanced Annex 1 mitigation commitments; enabled and supported non-Annex 1 nationally appropriate mitigation actions; enhanced action and support to adaptation in developing countries and an effective international mechanism on loss and damage; the enhanced provision of finance, including for technology development and transfer; enhanced technology access, transfer, and development, including through removal of barriers such as intellectual property rights; enhanced capacity building; forest activities, including through non-market-based mechanisms; effectively addressing the economic and social consequences of response measures on developing countries; and transparency and compliance.

On process, it said negotiations must be open, transparent, Party-driven, fully participatory, and provide mutual benefits for all. The negotiating approach, pace, and procedural and substantive progress of all issues and their elements must be appropriately sequenced and balanced, based on the four pillars. It wanted the chairs of the COP's other subsidiary bodies, to periodically brief the ADP.

India, speaking for the **BASIC (Brazil, South Africa, India and China)** reaffirmed that the objective of the ADP is to further strengthen the multilateral climate regime. It is for the full, effective and sustained implementation of the Convention and not to renegotiate, reinterpret or rewrite its principles and provisions. Both the process and the outcome must adhere to the Convention's principles and provisions, especially the principle of equity and CBDRRC. The ADP's work is not in a vacuum but is based and built on the Bali Roadmap and its work must be based on information from the IPCC, the 2013-2015 review and the subsidiary bodies. The ADP should institutionalise a mechanism for receiving and accounting for regular feedback. It is important that technical work in the subsidiary bodies/mechanisms are formalised in decisions between now and 2015. The work of the DP is a comprehensive process, covering mitigation, adaptation, technology, capacity-building and transparency. Enhanced actions should translate into enhanced actions under each of these pillars. Focused discussions are needed to find convergence.

India stressed that the pre-2020 ambition should primarily be addressed in the context of actions of Parties under the KP's CP2 and the agreed outcome under the Bali Action Plan. The low ambition level of the developed countries under the KP and the Convention remains a cause for grave concern. There is a huge ambition gap between the pledges of developed countries and what is required by science and historical responsibility. It underlined that developed countries under CP2 should raise their ambition level by 2014, consistent with science and historical responsibility, while those under the Convention should raise their ambition in the same time frame and take comparable mitigation commitments under the Convention. The ambition gap can be overachieved if they demonstrate the leadership not only in addressing the mitigation gap but also in the

provision of financial resources, technologies and capacity building support for both adaptation and mitigation. Capitalisation of the Green Climate Fund is important for the building of trust. The operationalization of the Technology Mechanism and the Adaptation Committee is also needed.

Swaziland for the **African Group** said that in respect of the 2015 agreement, all the principles and provisions of the Convention apply. The ADP is not a renegotiation of the Convention and its annexes. The work of the ADP is the realisation of a balanced package from Durban that will guide the implementation of the Convention beyond 2020. Sustainable development and poverty eradication remain the priorities for the African continent. The agreement should reinforce a fair, multilateral rules based regime that brings into effect the right to equitable access to sustainable development. It said adaptation is a key issue and welcomed the workshop on enhancing adaptation through the 2015 agreement and called for discussions to consider a global adaptation goal that is linked to the global temperature goal.

As regards workstream 2, it called for discussion on enhanced actions to be expanded to incorporate issues of compliance with scientifically determined targets and the measuring, reporting and verification (MRV) of the means of implementation. It called for leadership from developed countries in raising ambition as basis for building trust.

To facilitate fairness in the contributions by various Parties towards the achievement of the global goals, as well as towards operationalization of equity, a non-binding, principle-based 'Equity Reference Framework' that reflects relative fair efforts by Parties in responding to mitigation and adaptation is necessary. The relative efforts should consider the combined mitigation, adaptation, finance and technology responsibility of a Party, against which nationally derived commitments can be assessed. It called for a September session this year to deepen the discussion on the ADP and for the Co-chairs to produce a report that the new Co-chairs could use for continuity.

Nauru, for the **AOSIS** said that the scientists have confirmed that unless we dramatically reduce greenhouse gas emissions in the short-term, well before 2020, the opportunity to keep

global warming below the 1.5-degree threshold may be irrevocably lost. In the ADP workstream 2, we must promote opportunities to mitigate by focusing on specific mitigation policies and actions that have the greatest promise, are cost effective and scalable. Then, we must enable interested Parties to deploy these immediately, by engaging those with on-the-ground expertise in the development and implementation of successful mitigation actions, and by overcoming barriers to implementation, such as the delivery of scaled-up financial resources, technology, and capacity building. It is also important to remember that a failure to close the mitigation ambition gap by acting decisively now will have profound implications for the scale and nature of obligations under the 2015 agreement.

Discussions under workstream 1 must also be ambitious enough to protect the interests of future generations as well as our own. It is the view of AOSIS that the outcome of the process launched in Durban should be a Protocol under the Convention applicable to all Parties, to be adopted no later than 2015. As we continue to develop the core elements of the new legally binding agreement, we should build on the foundations of the Convention and the Kyoto Protocol, including their fundamental principles and provisions. The new legally binding agreement should be based on the best available science, strengthen the multilateral rules-based and legally binding regime, and ensure the survival of the most vulnerable. Being “applicable to all”, it will require universal participation and contributions from every Party.

Nauru said that in addition to other key elements raised in the co-chairs note, elements that AOSIS sees as absolutely essential to the ADP agreement include: mitigation ambition at a scale that can keep warming well below 1.5 degrees Celsius; a mechanism to address loss and damage; and a compliance system to give confidence that the commitments of all Parties will be met. It welcomed the announcement made by UN Secretary-General Ban that he will convene a leaders’ summit in 2014 and see it as an important decision point for Parties, with developed countries taking the lead by putting forward more ambitious targets using the 2014 KP ratchet mechanism and for non KP Parties to make comparable commitments.

Nepal for **LDCs** said there is need for a new protocol applicable to all in 2015. Achievement

of the 2°C goal leading towards 1.5°C requires ambitious reductions by all Parties. Under workstream 1, it expressed concern over discussions, which will move toward locking some Parties in a vicious circle of low ambition under an unsustainable bottom-up approach. The new 2015 agreement would only be meaningful if it is based on a clear-science based approach and consistent with the Convention. It welcomed the workshop on adaptation. It expected to clarify the added value of the new treaty for adaptation. It wanted a focused workshop on the role of means of implementation to trigger effective climate actions in developing countries. An international mechanism on loss and damage should be incorporated within a new legal agreement. It proposed the calling of proposals on legal form in Warsaw.

On workstream 2, it called for enhanced pledges by Annex 1 KP Parties through the KP review process by 2014; moving the Annex 1 Party commitments under the Convention towards upper end of the range and enhanced NAMAs by developing countries. It reiterated the importance for developed countries to ratify the amendments to the KP as early as possible.

Nicaragua for the **ALBA** said that the mandate of the DP decision should not be misinterpreted and expressed concern that some Parties seem to have interpreted the mandate to change the Convention, its principles and annexes. It said the decision (1/CP.17) makes clear that the agreement must cover adaptation, mitigation, finance, technology and capacity-building. It should not have legally-binding commitments without the means of implementation. Article 4 of the Convention makes clear the differentiation between what all Parties have to do and the specific obligations of the developed countries. It was concerned that some Parties want to ignore Article 4.7 and the historic debt owed by developed countries. Historical responsibility cannot be washed away. This will not be in line with the CBDR principle and with what was agreed by world leaders at Rio-plus 20. It also expressed concerns about impacts on Mother Earth and reminded Annex-1 Parties of the KP to give effect to the immediate entry into force of CP2 and to raise their ambition levels.

Saudi Arabia for the **Arab Group** stressed that the UNFCCC and the KP principles and provisions are the foundation of any agreement.

The principles of equity, CBDR, historical responsibility are key, with developing country priorities being sustainable development and poverty eradication. It also stressed that there should be no reinterpretation or renegotiation of the Convention and that the new agreement is for its full, effective and sustained implementation. It called for Annex 1 Parties to show the lead and deliver their commitments under the CP2 and the Convention, as well as on the delivery of finance, technology transfer and capacity building. It stressed that the ADP is not only about mitigation. As regards the Co-chairs' "perceived common ground" it had concerns, as they did not reflect the Bali Action Plan. On the pre-2020 ambition, it was not just a focus on the mitigation gap but on all the ambition gap. It was not happy with references to "result-oriented actions" when the focus should be on the commitments of Parties under the Convention. It called for an up-scaling of Annex 1 pledges and commitments and not to transfer the burden to developing countries. It said that the secretariat's technical paper under workstream 2 did not reflect viewpoints of developing countries.

Costa Rica for Central American Integration System (SICA) wanted one contact group for effective follow up. It called for closing the ambition gap, including the financing gap. It also called for Annex 1 Parties to raise the level of ambition under the KP and for comparable efforts by Annex 1 Parties under the Convention. It also stressed the importance of the loss and damage mechanism and wanted a roadmap for financing pre 2020 and post 2020, with public financing being important. It called for a robust MRV for financing.

Chile for the Independent Alliance of Latin America and the Caribbean (AILAC) said that the alliance is for building bridges among different groups. The purpose of the ADP is for enhancing action to achieve the long-term goal and all have something to contribute. The aggregate effort (in mitigation) is insufficient and there is need for urgency and transformational change needed in our work. The design of the new agreement could combine a bottom up approach taking into account relevant national circumstances and with elements of top-down to ensure comparability of efforts and MRV. Differentiation requires accurate data analysis with a robust review process, which is

differentiated according to Parties. There should be ex-ante and ex-post review. It also stressed the importance of finance, technology transfer, capacity-building and adaptation in the new agreement as well as loss and damage.

Papua New Guinea for the Coalition of Rainforest Nations wanted a REDD-plus mechanism to be supported in the 2015 agreement.

Bangladesh spoke for the **Cartagena Dialogue** (which involves countries from both developed and developing countries) and called for an ambitious and effective new agreement. The 2015 agreement needed to be effective, robust, multilateral rules based and lead to effective climate action as called by climate science. It should be based on CDRRC and differing national circumstances supported by means of implementation where needed. There should be a spectrum of commitments for all Parties in line with differing capabilities.

Australia for the Umbrella Group said there is need for solutions to strengthen the UNFCCC legal framework for the challenges of a new century, promote national action and development co-benefits. It was of the view that ideas are maturing and areas of potential convergence are clearer. It wanted discussion on how to define a spectrum of commitments; what elements could ensure transparency, ambition and fairness of those commitments; what is the best way to promote and support implementation; how adaptation should be reflected in the new agreement and the use of flexible mechanisms for meeting commitments.

On the ambition workstream, it wanted concrete and practical discussion on where there is potential to scale up action to cut GHG emissions individually and collectively; help the 100 odd countries who have not put in their pledges to do so and those who have made pledges to increase their ambition with incentives and support. It also supported complementary initiatives including engagement with non-state actors. Australia wanted the Co-chairs to prepare a "hand-over note" to the in-coming Co-chairs of the ADP to capture the progress made.

Switzerland for the Environmental Integrity Group (EIG) said the new agreement must provide a clear message the future is about low carbon economies and to establish robust and predictable legally binding mechanism for action.

The pre-2020 ambition is fundamental for the transformation into a low carbon future. Sufficient level of ambition needs political willingness and a fair and dynamic differentiation between Parties according to CBDRRC. It wanted workstream 1 to advance the common understanding on fair differentiation under the Convention; formulation of mitigation commitments by all Parties, including targets or actions; the process for accompanying the formulation of commitments; and on internationally determined rules for accounting and transparency underlying these mitigation commitments; empower Parties on adaptation efforts; catalyse means of implementation and climate friendly investments, ensuring both a fair burden sharing and targeted support for effective action to those who need support; and how best to build on existing institutional arrangements. It called for sufficient time to be allowed to determine the commitments in a meaningful manner, develop common rules for accounting and MRV and to get clear understanding on the legally binding framework and timeframe in which the commitments are anchored. On workstream 2, Switzerland said there is need to recognise current action and encourage further action.

The **EU** wanted an agreement that includes mitigation commitments for all in such way that is fair and reflects evolving economic realities and development opportunities for all Parties consistent with the need to limit temperature increase below 2°C. There is need to elaborate on the elements of the 2015 agreement in order to prepare a draft text by the end of 2014. On workstream 2, there is need to continue identifying concrete actions that will help close the gap between what science tells us and the pledges put forward. It welcomed the work of the secretariat in compiling the technical paper on the list of international cooperative initiatives. It had made a submission setting out a proposal

for a COP decision in relation to phasing down HFCs under the Montreal Protocol.

At the outset of the plenary, Co-chair Mauskar said that the June session needs to provide a solid basis for future work, including appropriate modalities for the organization of future work and how to move towards textual work in line with the milestones set out by decision 2/CP.18. The ADP will also have to determine the need for any additional sessions in 2014 before the end of this year and the need for any additional sessions in 2015 before the end of 2014.

He said the Co-chairs intended to continue discussions with Parties on the following matters concerning the work of the ADP, which are relevant to both workstreams, in an informal setting: possible additional meetings during 2014 and also indications for 2015 if possible; any specific requests to the secretariat to support the work of the ADP; or best utilization of the time between the June session and the Warsaw Conference in November; or whether to capture progress made and if so how; closure or suspension of this second session.

Mauskar said that under workstream 1, the main objective for the June session is to continue identifying the main contours and central elements of the 2015 agreement, taking into account the progress made during April/May. He believed that the areas where there may be common ground can be enlarged, and also explore areas where there are differences and see how we can address these.

Concerning workstream 2, he said discussions on pre-2020 ambition will further explore proposals on concrete options and ways to increase ambition through enhanced action at the national and international level as well as the role of finance, technology and capacity building enablement and support for such an increase in ambition.