

Uncertainty over direction of Bangkok climate talks

Bangkok, 7 April (Meena Raman) – Uncertainty reigned over the direction of the Bangkok climate talks in the two working groups of the Ad-Hoc Working Group on Long-term Cooperative Action (AWG-LCA) under the United Nations Framework Convention on Climate Change (UNFCCC) and the Ad-hoc Working Group on Further Commitments of Annex 1 Parties under the Kyoto Protocol (AWG-KP).

A crisis-like atmosphere pervaded the corridors as delegates were in informal discussions to figure out how work should proceed not only in the remaining negotiating days in Bangkok (which ends on Friday, 8 April) but also for further negotiating sessions on the road to Durban. It was heard that there were intense discussions on the AWG-LCA agenda in a packed conference hall in the afternoon of 7 April that were closed to observers.

No agreement was reached under the AWG-LCA on an agenda for the current session.

Meanwhile, at the AWG-KP, discussions were underway on how to enable a process to seek the political clarity needed on whether developed countries were committed to the continuity of the Kyoto Protocol, including in making commitments for the second commitment period of emissions reductions without placing any conditions, as well as in determining the scale of their ambition in terms of the aggregate target for emissions reductions. (The first commitment period ends in 2012.)

Several options for seeking the political clarity needed were proposed, including through the convening of a Ministerial level meeting well before Durban.

Informal consultations were held in the afternoon and it was unclear if any agreement was reached.

AWG-LCA

An informal meeting was held under the AWG-LCA to consider whether an agreement could be reached on the agenda for the 14th session of the Working Group in Bangkok, following a submission by the Group of 77 and China of a new draft agenda for the consideration of Parties, in place of the provisional agenda proposed by the Chair of the AWG-LCA.

On Tuesday, 5 April, Ambassador Jorge Arguello of Argentina presented the submission by the Group and said

that it was structured to be inclusive of the Bali Action Plan building blocks and was carefully balanced to address the concerns of the Group, which also allowed Parties to address issues from the Cancun decision as well as issues under the Bali Action Plan.

It was learnt that as various options were being considered on the basis of the G77 and China proposal, the United States opposed the G77 and China proposal which led to the Chair of the AWG-LCA, Mr. Daniel Reifsnyder of the United States, to propose that he could prepare a paper which had a status less than a non-paper for the consideration of Parties.

This proposal by the Chair was opposed by Venezuela objecting to the Chair having any role in drafting anything and for Parties having to negotiate with the Chair. It was of the view that this was a matter for Parties to settle. According to sources, the Venezuelan position was supported by many developing countries.

From interventions at the opening plenary of the AWG-LCA on Tuesday, some developed countries especially the US and Russia viewed the G77 and China proposal as “going backwards” by focusing on the Bali Action Plan and reflected a questioning of the Cancun decision.

As reflected by developing countries at the opening plenary, there was a perception among several developed countries in relation to the agenda that Cancun resolved all the issues and all that remained was a work programme to implement the Cancun decision. On the other hand, developing countries were of the view that the Cancun outcome was one step of the process from the Bali Action Plan and did not resolve all the issues.

Hence the need for an agenda and work programme that was consistent with the Bali Action Plan mandate for an outcome that enabled “the full, effective and sustained implementation of the Convention”.

It was not clear how matters would now proceed.

The G77 and China proposal has been issued as a conference room paper and included the following items on the agenda:

“3. Preparation of an outcome to be presented to the Conference of the Parties for adoption at its seventeenth session to enable the full,

effective and sustained implementation of the Convention through long-term cooperative action now, up to and beyond 2012.

- 3.1. *A Shared Vision for long-term cooperative action*
- 3.2. *Mitigation*
 - 3.2.1 *Mitigation commitments or actions by developed country Parties*
 - 3.2.2. *Nationally appropriate mitigation actions by developing country Parties*
 - 3.2.3. *Policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries*
 - 3.2.4. *Cooperative sectoral approaches and sector-specific actions, in order to enhance the implementation of article 4. 1. c of the Convention.*
 - 3.2.5. *Various approaches to enhance cost effectiveness of mitigation actions*
 - 3.2.6. *Economic and social consequences of response measures*
 - 3.3. *Enhanced action on adaptation*
 - 3.4. *Enhanced action on technology development and transfer*
 - 3.5. *Capacity-building*
 - 3.6. *Enhanced action on the provision of financial resources and investment*
4. *Review: further definition of its scope and development of its modalities*
5. *Legal options for an agreed outcome consistent with the continued mandate of the*
6. *Work programme*
7. *Other matters*

AWG-KP

Meanwhile, the AWG-KP held its first contact group meeting on Wednesday, 6 April for the consideration of further commitments for Annex 1 Parties under the Kyoto Protocol (KP).

Mr. Adrian Macey of New Zealand, the Chair of the AWG-KP said the meeting provided an opportunity to deal with the “political issues” relating to the KP. Developing countries, at the opening plenary of the AWG-KP on 5 April wanted developed countries to state clearly whether they were committed to the continuation of the KP and in making commitments under the second commitment period post-2012.

Several developing countries said that Parties had been going round and round in circles and discussed ad infinitum the technical issues for years and that the time now was best spent to express the political commitment of the Annex 1 Parties on their commitments. Several options were being proposed on a way forward, including through the convening of a Ministerial level meeting well before Durban to seek the political clarity needed.

Tuvalu said that Parties have been going around in circles and need to step back a little and reflect on the commitment to the KP. The AWG-KP was established in 2005 with the aim of completing its work and have results adopted at the meeting of Parties as early as possible and in time to ensure that there is no gap between the first and second commitment period of the KP and should be the focus of the discussions. There was need for political commitment for this and to ensure there is no gap. This was not a technical issue but a political one and once the political intent was established, the technical issues will fall into place.

Tuvalu proposed the establishment of a process for Parties to put on paper their intent on the KP and without that, there was no point in going forward in other processes. It said that the developed countries were applying “a wait and see” game as some Parties wanted to see the outcome of the KP process contingent on the outcome of AWG-LCA.

In response to developed countries insisting that the rules [relating to land-use, land use change and forestry (LULUCF), emissions trading and flexibility mechanisms, methodological issues etc.] needed to be clear before commitments on targets can be made, Tuvalu said that these discussions have been held before and Parties have looked at the written rules that currently exist under the KP.

It was concerned that new unwritten rules were being imposed which have nothing to do with the KP rules, such as all major economies having to be part of a comprehensive agreement before there can be a second commitment period under KP. This included the EU commitment for a second commitment period, which was subject to “part of a wider outcome including a global and comprehensive framework involving all major economies”. Referring to the analogy of football (soccer) games being played in the two tracks, it appeared that results of the game under the AWG-KP depended on results in the AWG-LCA game and this was “match-fixing”. Tuvalu stressed it was vital for the “KP game” to be resolved first. There should be no rules or conditionality and this should be decided first before the procedural rules, it said.

The sentiments of Tuvalu was also shared by several developing countries, including the Least Developed Countries group (LDCs), Brazil, St. Lucia, China, Marshall Islands, Bolivia, Bangladesh, Sudan, Saudi Arabia, Egypt, Thailand and Timor Leste.

Bolivia said that it was a political decision if Annex 1 Parties were going to comply with the obligations for the second commitment period. On the issue of numbers, Bolivia said that if a 2 degree C (temperature rise) is to be met, then globally, by 2020, the emissions reduction should be 14 Gt of CO₂. Figures are showing that given the pledges of countries, both developed and developing, reductions efforts are in the range of 6.6 to 8.5 GtCO₂ and there is a big gap, which will lead to a 4 degree C scenario which is catastrophic. Developed countries are saying that they are not willing to make stronger commitments if emerging countries do not do their share.

Bolivia said that current figures show that developing countries are already doing greater efforts in emission reductions than the Annex 1 countries. The argument that they have to wait and see what emerging economies are doing first has no standing and developed countries are doing very badly on their numbers (regarding their emissions reduction pledges). Bolivia said that the developed country pledges are shameless and it was concerned that rules were being transformed to increase the loopholes and allow for even further lower ambition levels. So the rules have to be strong to achieve the greatest emissions reductions and not less. A technical discussion on the rules should not be about the weakening of the emission reductions.

It asked what if there was no second commitment period under the KP in Durban, was there going to be a stronger agreement that will allow greater emissions reductions? It said that if there was no second commitment period in Durban, there would be nothing but only national voluntary pledges and not an international agreement.

St. Lucia said that the issues that are technical have political elements embedded in them. However, in the hierarchy of the political issues, that the second commitment period is key, as well as the aggregate scale of ambition for emissions reduction by Annex 1 Parties. It asked if the scale of the ambition and the issue of the rules are being discussed in the context of the KP or not. The technical rules are dictated by the scale of the ambition and this was a political issue.

Brazil agreed with Bolivia and St. Lucia and said that rules are needed for the environmental integrity of the commitments and not for the watering down of them. In that sense, everything is political but more than that, it was an economic issue. It said that developed countries were worried about the cost and it was this that was in the minds of the developed countries.

China said that it was confused by the interventions of developed countries whose positions on the second commitment period remain unchanged despite the Cancun outcome. At Cancun, a compromise had been reached that is the basis for moving forward. The Cancun decision is clear on the second commitment period and that there should be no gap between the first and second commitment periods. It is clear also on the need to enhance the ambition levels of Annex 1 Parties. On the KP obligation being conditional, China said that this was wrong and was against the Convention and the KP. It asked Parties not to waste time and make clear their political will.

It said that some Parties say that they are committed to the KP but not the second commitment period. This has no meaning, said China. It said the issue of political commitment is first and the technical issue is second and that the numbers and rules are very important. If there was no political willingness to the second commitment period, it asked if technical rules are necessary.

Saudi Arabia echoed similar sentiments as China.

Switzerland said that it was committed to implement the Cancun decision which was clear on the need for the second commitment period and the need to avoid the gap between the first and second commitment periods. However, it said that the numbers were important and so were the rules.

New Zealand said that some KP Parties are willing to go into a second commitment period under conditions and that is political. The commitments that Parties make are underpinned by clear rules and the choice of the rules determine the ambition level.

Australia agreed with New Zealand and said that the KP has got the political attention and Ministers have given clear messages and there was no need to abandon the work of the AWG-KP. It said that there was a broader context to the work of the AWG-KP (referring to work under the AWG-LCA).

Norway said that it was a firm supporter of the KP. It was willing to move to the second commitment period as part of a balanced outcome.

The **European Union** said that it agreed that the rules are for the purpose of ensuring environmental integrity. In reference to Tuvalu on the issue of the new rules being imposed, it said that it was not about a conditionality for making its commitments but it was about reaching the overarching objective of the Convention which was an old rule and not new.

In relation to St. Lucia's intervention, the EU said that it was working in the context of the KP and wanted the rules to ensure an environmentally sound result. Given the experience of developing the rules under the KP in Marrakech, it did not want to work in two shifts, with the numbers being set first before the rules as this must go together.

Referring to the US walking away from the KP, the EU did not want others to walk away too. It said that issue of numbers and ambition were being confused as a number could be big (referring to targets) but if the rules are not right, the ambition level could be low.

Chair of the AWGKP, Adrian Macey said that it was clear that there was need for clarity of the political stance of countries on the second commitment period and on the rules; an acknowledgement on the relation between rules and numbers and the comparability of mitigation commitments.

He said that the need for further clarity on how the rest of week is to be used and if spin-off groups (to discuss various issues) were needed and suggested convening an informal session. Brazil, for the G77 and China said that it needed to consult among themselves further while St. Lucia said that there was value on consulting whether to have an informal session or not.