

COPENHAGEN HIGHLIGHTS: WEDNESDAY, 16 DECEMBER 2009

On Wednesday morning, the COP/MOP plenary convened, followed by the opening of the high-level segment. The high-level segment continued into the evening with a number of Heads of State, Heads of Government and Ministers delivering national statements. Under the COP/MOP, contact groups on joint implementation and the CDM also took place in the afternoon and evening. The COP plenary took place in the evening.

COP/MOP PLENARY

REPORT OF THE AWG-KP: COP/MOP President Hedegaard noted that a group comprising fifty participants would meet to consider how to move forward.

Chair Ashe then presented the AWG-KP's report (FCCC/KP/AWG/2009/L.15), explaining that the AWG-KP had met in contact groups considering Annex I emission reductions, other issues and potential consequences. He underscored significant progress but regretted that parties were unable to reach agreement on amendments to the Kyoto Protocol. He expressed confidence that the COP/MOP would take appropriate action on the text developed by the AWG-KP.

BRAZIL and INDIA raised points of order concerning access to the Bella Center. The Secretariat apologized for "teething problems" in implementing new security measures.

TUVALU expressed "extreme disappointment" with lack of progress under the AWG-KP and, opposed by INDIA, urged consideration of parties' proposals for Protocol amendments as "a lifeboat for a sinking process." South Africa, for the G-77/CHINA, supported by INDIA, the PHILIPPINES, CHINA, Algeria, for the AFRICAN GROUP, OMAN and ZAMBIA, requested further time to resolve outstanding technical issues in the AWG-KP's text. The EU noted that the text was "well developed" and that political choices must now be made.

COP/MOP President Hedegaard then suspended the plenary to allow the high-level segment to convene.

UNFCCC Executive Secretary de Boer said he had received a letter of resignation by COP/MOP President Hedegaard and, in accordance with the draft rules of procedure, announced the nomination of Danish Prime Minister Lars Løkke Rasmussen as her replacement. He also noted that Connie Hedegaard had been appointed as the COP President's Special Representative and would be continuing her efforts in informal consultations.

COP President's Special Representative Hedegaard noted that as a consequence of the arrival of the large number of Heads of State and Government, it was appropriate that the Prime Minister of Denmark take over the position of the COP President. She also outlined plans by the COP Presidency to table a package for the outcome, consisting of two texts that are "based substantially on the two texts forwarded by the AWGs." She said the texts would be available shortly.

HIGH-LEVEL SEGMENT

During COP President Rasmussen's opening remarks, several parties raised points of order. BRAZIL sought clarification on the texts proposed by the Danish COP Presidency, questioning why they were presented when the COP plenary had not convened to consider the AWG-LCA's report. UNFCCC Executive Secretary de Boer informed delegates that the COP plenary would convene in the early afternoon to consider the AWG-LCA's report and decide on how to proceed in terms of taking the documents forward.

BRAZIL, supported by CHINA, said preparing new texts and focusing subsequent discussions on how to take them forward created the impression that text negotiated by parties would not form the basis of further work. CHINA identified the issue as "one of trust between the host country and parties," noting that the procedure had not been transparent. He stressed that "the only legitimate basis" for an outcome from Copenhagen is an outcome from the AWGs and the Presidency could not "put forward text from the sky." INDIA underscored that only the AWG-LCA and AWG-KP texts negotiated by parties should

guide further negotiations. The MALDIVES proposed moving forward by considering the new texts proposed by the COP Presidency.

Sudan, for the G-77/CHINA, emphasized that parties had agreed on a two-track, party-driven, transparent negotiating process and were not ready to “rubber stamp text coming out of the blue.” ECUADOR drew attention to “serious procedural problems,” highlighting lack of transparency and inclusiveness. SOUTH AFRICA recalled the COP Presidency’s undertaking to ensure a party-driven process. BOLIVIA said the problem was one of substance, not just procedure, highlighting that the Danish texts did not reflect the outcome of a democratic or participatory process.

COP President Rasmussen explained that the Danish texts had not yet been presented and that the Presidency fully respected the will of parties. He reminded parties that the COP plenary would convene in the afternoon and parties could then decide how to proceed.

Parties then moved on to the high-level segment to hear statements by Heads of State, Heads of Government and other heads of delegation.

Nafie Ali Nafie, Assistant President of Sudan, for the G-77/CHINA, stressed the need to maintain a two-track outcome under the AWG-KP and AWG-LCA, establish a second commitment period under the Kyoto Protocol on the basis of comparable and ambitious emission reductions, and respect the Convention’s principles of equity and common but differentiated responsibilities.

Meles Zenawi, Prime Minister of Ethiopia, for the AFRICAN GROUP, noted the importance of Africa speaking with one voice, and outlined a short-term finance proposal that includes: US\$10 billion per year for 2010-2012; a board of trustees with representatives from an equal number of donor and recipient countries; 40% of funds earmarked for Africa; and a committee of experts to facilitate the launch of the fund. On long-term financing he said, *inter alia*, that US\$100 billion per year by 2020 would be required with at least 50% earmarked for the LDCs and SIDS, and that Africa’s share should be administered by the African Development Bank.

Tillman Thomas, Prime Minister of Grenada, for AOSIS, called on all countries to work together to ensure that the Copenhagen outcomes fulfill the hopes and aspirations of millions of people “depending on us to do the right thing to help them stay alive.” He stressed that all countries must take “strong measures” to achieve needed emission reductions to achieve the goal of limiting temperature increase to well below 1.5°C and atmospheric greenhouse gas concentrations to below 350 ppm, in accordance with their common but differentiated responsibilities.

Pakalitha Bethuel Mosisili, Prime Minister of Lesotho, for the LDCs, noted progress by LDCs in developing their national adaptation programmes of action (NAPAs), and called for scaling up accessible, predictable and sustainable finance for LDCs that is additional to official development assistance.

Andreas Calgren, Minister for the Environment of Sweden, for the EU, urged parties not to leave Copenhagen without a legally-binding, ambitious, global and comprehensive agreement for all countries, including actions from developed countries and emerging economies. He called on the US to adopt legally-binding, economy-wide emission reduction commitments and on China to adopt binding actions, urging these countries to “unleash their full potential” to enable the world to achieve the objective of limiting the global temperature increase to below 2°C.

Penny Wong, Minister for Climate and Water of Australia, for the UMBRELLA GROUP, called for an agreement delivering an environmental outcome and which has legally-binding commitments for all major economies to realize a 50% reduction in global emissions by 2050. She highlighted the core element of mobilizing US\$120 billion from public and private sources, including carbon markets, particularly for vulnerable and LDCs.

A webcast of the statements made during the high-level segment will be available online at: <http://www.un.org/webcast/unfccc/>

COP PLENARY

COP Vice-President Figueres Olsen opened the COP plenary noting that the meeting of the COP/MOP remained suspended. AWG-LCA Chair Zammit Cutajar presented the report of the AWG-LCA (FCCC/AWGLCA/2009/L.7 Rev.1, and Add.1, Add.2 Rev.1, Adds. 3-7, Add.8 Rev.1, and Add.9). Noting that the main output of the group is a set of conclusions presenting decision text to COP 15, he emphasized that the text does not prejudice the possible form or legal nature of the outcome adopted by the COP. He stressed that while substantial progress has been made, the text has not been completed, requires further work and that, as a package, nothing is agreed until everything is agreed.

Figueres Olsen noted the historic nature of the process undertaken to fulfill the BAP. She said that COP President Rasmussen is consulting with parties on how to proceed and that he would inform parties in the morning on the outcome of these consultations and that the COP plenary would be suspended and resume in the morning. INDIA requested textual changes to make the text more consistent with the Convention, changes to the sections on NAMAs and on financial resources and investment.

TUVALU requested clarity on the process moving forward and specifics on how consultations would be conducted.

COP Vice-President Figueres Olsen clarified that the COP President is “consulting on how to conduct consultations” and noted that it had been an extraordinary day and that the road forward was not clear.

BANGLADESH, TUVALU, EGYPT and GUATEMALA said they had yet to be contacted by the COP President for consultations and noted that they should be inclusive, transparent and include all major groups. ECUADOR expressed concern with the final outcome and worried that basic standards of multilateralism would be violated.

The REPUBLIC OF KOREA emphasized that some proposals had not yet been discussed in the contact group. AUSTRALIA urged moving to outstanding issues, saying this should be done at the ministerial level. BOLIVIA, SAUDI ARABIA, NIGERIA, ARGENTINA, VENEZUELA and PAKISTAN urged openness, transparency and inclusiveness in the consultations, lamenting the lack of transparency so far. ARGENTINA said consultations must be carried out with all countries, and requested that her Minister of Foreign Affairs be included. CUBA highlighted the need for efficient use of time, noting that the COP plenary had been scheduled for 1:00 pm but had only convened at 10:00 pm. BANGLADESH requested the COP President to engage with parties constructively. COLOMBIA urged parties not to debate process, noting that these discussions are being held elsewhere.

COSTA RICA welcomed the report of the AWG-LCA and called for an ambitious and legally binding agreement. The US said that the text posed issues, which were not final nor finished and expressed willingness to work on specifics, noting that the relevant decisions would have enormous value. The COP Vice-President said that she would convey the general message to the COP President on the need for: quick clarity on the way forward; effective use of time; and an inclusive and transparent process. The COP Plenary was suspended at 11:03 pm.

CONTACT GROUPS AND INFORMAL CONSULTATIONS

JOINT IMPLEMENTATION: Co-Chair Barata invited discussion on text relating to share of proceeds and issues related to double counting. CANADA called for bracketed text to be restructured to reflect clear options.

The RUSSIAN FEDERATION requested adding a footnote to the options indicating they may require a Protocol amendment and said, with CHINA disagreeing, that this is not the right place or time for these discussions. Co-Chair Barta encouraged parties to consult bilaterally and noted another meeting would be scheduled for Thursday.

CDM: During a contact group meeting in the afternoon, parties based discussions on a revised draft COP/MOP decision on further guidance relating to the CDM.

On guidance to the CDM Executive Board, parties discussed matters relating to: improving the transparency, consistency and impartiality of the Board; conflicts of interests of Board members; the skills, expertise and time commitment required from Board members; a possible appeals procedure; and deferring payment of registration fees in countries with fewer than ten CDM projects. Parties were able to reach agreement on most paragraphs except those relating to: the prerogative of the host country to decide on incentive policies; conflicts of interest of Board members; the development of standardized baselines; the definition of forests in exhaustion; including CCS under the CDM; and providing loans to countries with fewer than ten registered projects.

Parties agreed that the issues on which agreement could not be reached should be forwarded to Ministers for consideration.

IN THE CORRIDORS

“What a crazy day!” This was how many described developments both inside and outside the Bella Center on Wednesday.

As the AWG-LCA was winding up its closing plenary just before 7:00 am, other delegates began returning to work. At the same time, police had surround the area in anticipation of protests and possible attempts by demonstrators “to take over” the Bella Center. Indeed, violent clashes outside the Center between demonstrators and police punctuated the morning. Inside the building, two individuals also jumped on to the podium during one of the high-level national statements, calling for “climate justice” before detonating a “sound bomb.”

The beginning of the high-level segment in the morning was no less dramatic. First, COP President Hedegaard passed her responsibility to Danish Prime Minister Rasmussen - a development subject to a lot of speculation in the corridors and the media. Some interpreted this as a dramatic “resignation,” speculating that it resulted from tensions between the COP President and developing countries, or was prompted by a decision taken by certain Prime Ministers. Others, however, noted that they had been informed about this in advance, saying it was “a question of protocol” to hand the Presidency over to the Prime Minister as Heads of State start arriving. “Be it as it may, she will still be heavily involved in the negotiations,” commented one delegate.

Another “hot topic” in the corridors related to the announcement by the Danish Presidency that it intended to table two texts as a possible Copenhagen outcome - something that many had already anticipated, or feared, following text leaked last week. Inside the plenary, many developing countries voiced their objection to the planned procedure. In the corridors, many were “outraged” at what they described as an attempt to sideline the work done by the AWGs. “What is going on? What are they doing?” despaired one veteran negotiator. “Tense backroom discussions” were reportedly occurring behind the scenes during the day to determine how to proceed. However, most delegates, even many well-known negotiators, appeared to be unaware of the exact details of these consultations. “This has been an extraordinary day in the UNFCCC negotiations. My best advice is for us all to have a good night’s sleep tonight so that we can come back tomorrow with renewed energy needed to complete our work,” remarked COP Vice-President Figueres Olsen as she wrapped up the COP’s evening plenary.



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