

DURBAN HIGHLIGHTS: MONDAY, 5 DECEMBER 2011

On Monday the AWG-LCA plenary met in the morning to discuss the amalgamation document presented by the Chair. Contact groups and informal consultations on several issues, including the technology executive committee (TEC), a proposal on voting, the CDM, the Adaptation Fund, LULUCF, finance, market approaches, adaptation and shared vision met throughout the day.

AWG-LCA PLENARY

Opening the plenary, AWG-LCA Chair Reifsnnyder presented the “amalgamation document”, noting that delegates must decide how to deal with those issues where agreement is unlikely in Durban, and pointed to several procedural options, saying a new amalgamation document will be issued on Wednesday.

Argentina, for the G-77/CHINA, said the amalgamation document does not fully reflect the status of negotiations in the informal groups, and should not be used as the basis for negotiation. She also expressed concern that there was only a heading for response measures in the document, stressing that the issue should be part of the comprehensive result of the AWG-LCA.

SWITZERLAND cautioned that some issues, like peaking of global emissions, do not allow for further postponement and said a new process should be launched to negotiate a new comprehensive protocol.

ECUADOR noted that text on REDD+ falls short of reflecting an ambitious outcome, especially regarding how to finance REDD+ efforts, while TURKEY highlighted that every party must “shoulder its share” of responsibility for combating climate change.

SAUDI ARABIA, supported by IRAQ, expressed concern that response measures have not received as much attention as mitigation. AUSTRALIA welcomed progress on technology, adaptation, the Review and the Standing Committee.

BAHAMAS, for AOSIS, emphasized the need for a Review of the adequacy of the long-term global goal and opposed efforts to extend the scope of the Review. GRENADA said it should be part of a high level political package and not buried under a subsidiary body, calling for a new body to conduct the Review and to report directly to the COP.

On mitigation, the EU remarked that more progress is needed on closing the ambition gap, accounting rules and clarification of pledges. He called for an agreement in the early part of this

week on biennial reports, biennial update reports and, with JAPAN and AUSTRALIA, urged progress on issues related to transparency, including IAR and ICA.

COLOMBIA said it is “embarrassing” to present current language on mitigation of developed countries as a “middle ground” outcome and stressed the need to make the text shorter, more concrete and ambitious.

INDIA stressed the importance of defining the scope of Review and determining its modalities as one “can’t address the how without addressing the what.” He called for more clarity on the mandate of the informal group on legal form and said the GCF should be operationalized during this meeting.

The RUSSIAN FEDERATION said that text on mitigation, adaptation and MRV presented problems for his delegation and that the current text does not meet the expectations of countries with economies in transition. PAKISTAN said some parties are not looking for a solution on long-term finance and called for completion of work on the mandate of the Bali Action Plan in Durban.

BOLIVIA said the text does not include a compliance, monitoring and comparability system to ensure that developed countries meet their QELROs. He expressed concern over the low level of ambition, the trend towards market mechanisms, increased flexibility and decreased oversight, double-accounting, a heavy reporting burden on developing countries, “a fund without funds” and general lack of balance in the document.

NEW ZEALAND expressed optimism on the agriculture work programme on mitigation and adaptation. She said it is essential to: deliver transparent guidelines on mitigation; clarify mitigation targets and actions, and metrics and sectors; and ensure a positive outcome on market approaches.

NIGERIA expressed concern with the lack of balance in the text, emphasizing that it should not be used as a basis for negotiations but rather as a background document. The Gambia, for LDCs, said there was need to discuss the mandate of the AWG-LCA to continue work on the legal form.

The US observed that the amalgamation document was a useful step forward in progressing negotiations, but said some areas of the text are too long, while others capture disagreements that require further negotiation.

AWG-LCA Chair Reifsnnyder informed parties that a revised amalgamation text will be issued on Wednesday. On the process going forward, he noted that discussions were being undertaken

by the COP Presidency. He expressed confidence in finalizing work in the remaining days but noted the need to elaborate the political decisions that need to be taken.

CONTACT GROUPS AND INFORMAL CONSULTATIONS

FINANCE (AWG-LCA): During morning informal consultations, parties considered draft text on the functions of the Standing Committee regarding assistance to be provided to the COP. In the afternoon, parties discussed long-term finance paragraph by paragraph, addressing operational paragraphs on options for adequacy and predictability, and on continuity and scaling up of financing. Discussions continued later in the evening.

MARKET AND NON-MARKET APPROACHES (AWG-LCA): During this informal group, parties considered two draft texts contained in section E of the amalgamation document. The facilitator explained that in option 1 he attempted to distill the essence of parties' positions, and in option 2 he included a 15-page long compilation of parties' views. Parties were not able to reach an agreement on which option to use as the basis for further work. Some delegates expressed preference for giving parallel consideration to both options. The group reconvened in the evening during an informal informal to continue discussions.

PROPOSAL ON VOTING (COP): In afternoon informal consultations, delegates considered a proposal by Papua New Guinea and Mexico to amend the Convention establishing voting procedures as a last resort to take decisions when consensus is not possible. A wide group of countries spoke in favor of this proposal stating it would improve the effectiveness of the Convention, including COSTA RICA, COLOMBIA, GUYANA, SURINAME and the EU. SAUDI ARABIA, BOLIVIA and VENEZUELA opposed any change to the consensus rule.

LULUCF (AWG-KP): In afternoon informal consultations, a revised version of the co-facilitators' non-paper was presented. Co-Facilitator Rocha highlighted, *inter alia*: a new definition for natural disturbances and a revised version for forests definition; on accounting for forest management, deletion of footnotes and outstanding text under the option on reference levels and revised text under the option on baselines; and revised text on HWP and on natural disturbances. Delegates agreed to meet again on Tuesday in order to provide feedback and further inputs.

TEC (COP): A revised draft decision text on modalities and procedures was presented, and delegates provided comments and suggested amendments. Parties focused discussions on pending issues contained in the paragraph on the timeline for elaborating or concluding TEC modalities and its linkages with other institutions, and agreed to work on new text in a small drafting group.

ADAPTATION FUND BOARD (CMP): Parties considered two revised draft decision texts on the Report of the Adaptation Fund Board and review of the Adaptation Fund. Parties agreed to provide textual suggestions with a view to closing the issue before the next meeting.

CDM (CMP): Delegates considered a draft decision on agenda item 7 (CDM) during two informal consultations. The co-chairs presented a revised text in the afternoon. Some countries sought to specifically link participation in the CDM after 2012 to accepting a target under the Kyoto Protocol. Other countries felt that these issues were better dealt with in the AWG-KP. Parties will meet again on Tuesday to complete the review of the text.

ADAPTATION (LCA): During an afternoon meeting of this informal group, a number of delegates highlighted that progress in other areas related to adaptation has provided more clarity for the work of the Adaptation Committee. Delegates

also discussed: whether or not to reference the loss and damage work programme and national adaptation plans; linkages to regional centers and work with other organizations outside the Convention; and prioritizing activities that should be undertaken by the Committee during its first year. A number of delegates said the proposed Adaptation Committee's work programme for the first year is too ambitious and stressed the need for an achievable and realistic work programme. While one delegate supported a preambular paragraph referencing the adverse impacts of response measures, many others opposed such a reference. Facilitator Kumarsingh asked delegates to reflect on what activities they consider most important for the Committee to undertake in the first year. The group reconvened in the evening.

SHARED VISION (AWG-LCA): In afternoon informal consultations, parties discussed four possible options for consideration by ministers: a first option to agree on "the numbers" identifying the global goal for emission reductions and the time frame for global peaking of GHG emissions and then discussing other issues; a second option to first consider the context for the adoption of "the numbers;" a third option to propose a process to make a decision on the issue and possible steps forward; or a fourth option to drop the issue owing to lack of agreement. Many parties supported presenting the four options to the ministers and indicated their preferences. While many developing parties supported the third option to set up a process, some developed countries supported the two first options to discuss "the numbers." A group of developing countries cautioned against the third option, urging for the establishment of numbers to ensure peaking by 2015. One developing country supported forwarding the non-paper coming from Panama as is without presenting any options, while other parties said forwarding options or the non-paper is premature. Many developing countries said dropping the issue is not an option, while some others highlighted that it is the default option in case no agreement is reached. Facilitator Mukahanana-Sangarwe will continue bilateral consultations and encouraged parties to consult informally.

IN THE CORRIDORS

With a second wave of participants arriving in Durban for the last week, the intensity in the hallways increased. In the morning plenary, after reviewing the AWG-LCA text, some delegates complained that the lengthy text was disproportionately weighted to mitigation issues. "It's time we start discussing adaptation," said one negotiator, while another anxiously wondered whether we "will ever get anything concrete under response measures."

Outside the negotiating room, high-level officials began outlining their positions. During press conferences, China laid out five conditions for participating in a legally-binding climate deal to come into force after 2020 and Brazil signaled that they wanted a "robust, legally-binding instrument and not just any instrument." The EU continued to seek support for their proposal on a roadmap for a legally-binding agreement, with several AOSIS delegates indicating their strong preferences for early action under both tracks and "setting clear deadlines." The US called for all countries to take on comparable legal commitments, even if the timelines for implementation might be different.

Meanwhile, Indabas convened off-site by the COP Presidency appear to have become a popular place for problem solving. As issues that need political resolution are being defined, in the next few days teams of Ministers are expected to be assigned to consult with parties on key issues in order to further advance the work toward a balanced outcome.