



DOHA HIGHLIGHTS:

SATURDAY, 1 DECEMBER 2012

On Saturday, delegates met in contact groups, informal consultations and other meetings of the Convention and Protocol bodies throughout the day. In the evening, the closing plenaries of the SBs convened.

SBI

ELECTION OF OFFICERS: SBI Chair Chruszczow reported that consultations on nominations for the Vice-Chair and Rapporteur are still ongoing. He proposed, and parties agreed, that the SBI request the COP to elect these officers at the COP closing plenary on 7 December, while the current Vice-Chair and Rapporteur will continue to serve until their replacements are elected.

PROTOCOL ARTICLES 3.14 AND 2.3; FORUM AND WORK PROGRAMME ON THE IMPACT OF THE IMPLEMENTATION OF RESPONSE MEASURES; AND PROGRESS ON THE IMPLEMENTATION OF DECISION 1/CP.10: Parties adopted draft conclusions (FCCC/SBI/2012/L.34) on response measures. The SBI agreed to reflect in the meeting report that joint SBI/SBSTA consultations on Protocol Articles 3.14 and 2.3 had not been concluded at this session and will continue at the next session. They also agreed that the SBI will continue consideration of decision 1/CP.10 at the next session.

CTCN ARRANGEMENTS: Chair Chruszczow highlighted that negotiations are close to agreement. The SBI adopted conclusions (FCCC/SBI/2012/L.54) agreeing to take the draft decision forward for COP consideration and finalization.

TEC: On the report of the TEC, INDIA requested clarification on how the COP would consider outstanding text forwarded by the SBI. Chair Chruszczow responded that he would raise the issue with the COP President and that it is up to the COP to decide how to address bracketed text, on the advice of the President. GEORGIA stated that further work is required for the text to more fully reflect parties' views. The SBI adopted conclusions (FCCC/SBI/2012/L.51) and forwarded a draft decision for consideration to the COP.

Noting that discussions on the following items had not yielded agreement, the SBI adopted the conclusions and agreed to transmit the draft decisions to the COP for consideration and finalization:

- ICA (FCCC/SBI/2012/L.50);
- CGE (FCCC/SBI/2012/L.53);
- Capacity building under the Convention (FCCC/SBI/2012/L.42);
- National adaptation plans (FCCC/SBI/2012/L.41); and
- Loss and damage (FCCC/SBI/2012/L.44).

OTHER SBI AGENDA ITEMS: The SBI adopted draft conclusions on the following agenda items, with little or no further discussion:

- Annual compilation and accounting report for Annex B parties under the Protocol for 2012 (FCCC/SBI/2012/L.28);
- Review of the commitment period reserve (FCCC/SBI/2012/L.29);
- International transaction log (FCCC/SBI/2012/L.30);
- LDC matters (FCCC/SBI/2012/L.35);
- Technology transfer (FCCC/SBI/2012/L.37);
- Compliance (FCCC/SBI/2012/L.40);
- Appeals against the CDM Executive Board decisions (FCCC/SBI/2012/L.43); and
- Non Annex I Parties' national communications (FCCC/SBI/2012/L.52).

The SBI also adopted draft conclusions and recommended a draft COP decision on each of the following items:

- Report of the Adaptation Committee (joint SBI/SBSTA conclusions and decision (FCCC/SBSTA/2012/L.22-FCCC/SBI/2012/L.33);
- Prototype of the NAMA registry (FCCC/SBI/2012/L.39);
- Further guidance to the LDC Fund (FCCC/SBI/2012/L.49);
- GEF report (FCCC/SBI/2012/L.48);
- Article 6 of the Convention (FCCC/SBI/2012/L.47);
- Review of the financial mechanism (FCCC/SBI/2012/L.45); and
- Other matters: Enhancing participation of women in UNFCCC bodies (FCCC/SBI/2012/L.36).

On administrative, financial and institutional matters, the SBI adopted draft conclusions and recommended draft decisions to the COP and the CMP for adoption (FCCC/SBI/2012/L.31 and 32). INDIA requested that the Secretariat prepare an explanatory note on activities financed under the supplementary and core budgets, clarifying under which budget the provision of funds for ICA and biennial update reports would be considered.

On the initial review of the Adaptation Fund, the SBI adopted conclusions (FCCC/SBI/2012/L.46) and recommended a draft decision to the CMP for adoption.

On capacity building under the Protocol, the SBI adopted conclusions (FCCC/SBI/2012/L.38) and recommended a draft decision to the CMP for adoption.

CLOSE OF THE SESSION: The SBI adopted its report (FCCC/SBI/2012/L.27). In their closing remarks, many parties welcomed the establishment of the Doha Work Programme on Article 6 of the Convention and urged for the establishment of a mechanism for loss and damage in Doha. SBI Chair Chruszczow thanked participants and closed the SBI 37 at 2:32 am.



SBSTA

EMISSIONS FROM FUEL USED FOR INTERNATIONAL AVIATION AND MARITIME TRANSPORT:

The SBSTA took note of the information contained in the progress reports of ICAO and IMO, and invited these organizations to continue to report on this issue. This will be reflected in the report of the meeting.

METHODOLOGICAL ISSUES RELATING TO HCFC-22 AND HFC-23: The SBSTA agreed to continue discussions of this issue at SBSTA 38. This will be reflected in the report of the meeting.

PROTOCOL ARTICLES 2.3 AND 3.14 (ADVERSE IMPACTS): The SBSTA was not able to conclude consultations on how to address Protocol Articles 2.3 and 3.14. The report of the session will reflect that the SBSTA and SBI will continue these consultations at SB38.

ISSUES RELATING TO AGRICULTURE: Chair Muyungi reported that the SBSTA had been unable to conclude consideration of this agenda item, and informed parties that he would report this to the COP President. INDIA opposed this, stating that parties had not authorized the SBSTA Chair to make this report back to the COP President. He suggested that the SBSTA should adopt a decision stating that the parties could not conclude discussion of this item and would continue discussions at the next SBSTA session.

URUGUAY said SBSTA should focus on food production and the technical aspects of agriculture, highlighting that emissions from agriculture-related activities in developing countries would need to increase because of the need for increased food production.

BANGLADESH, BRAZIL, the GAMBIA, ARGENTINA, NICARAGUA and CUBA supported deferring the agenda issue to the next SBSTA session. VENEZUELA and others said the issue is of a technical nature and therefore should not be sent to the COP. ETHIOPIA said the COP in Durban mandated the SBSTA to adopt a decision on agriculture at COP 18 and that the COP should therefore decide if consideration of the issue can continue at the next SBSTA session. The EU said the work under this item should progress as much as possible in Doha.

Chair Muyungi clarified that he will report to the COP President that the SBSTA will consider this issue at the next SBSTA session and, after further interventions by parties, ruled that he would report to the COP that no consensus was achieved on the issue and that the SBSTA will consider the issue at its next session. Supporting other developing countries, BOLIVIA highlighted that agriculture has to be addressed in the context of adaptation, poverty eradication and food security.

REDD+: SBSTA Chair Muyungi reported lack of agreement on the issues under this agenda item. Parties adopted conclusions (FCCC/SBSTA/2012/L.31), which provide that the issue will be further taken up at SBSTA 38, with the aim of completing work at SBSTA 39. Saying that in Cancun the COP decided that REDD+ should be fully measured, reported and verified, NORWAY expressed concern at the lack of agreement on MRV, noting the issue is key for environmental integrity. She expressed willingness to continue work in Doha to arrive at a decision on this issue.

BRAZIL, ARGENTINA, INDIA, CUBA, VENEZUELA and CHINA expressed support for continuing consideration of the issue at SBSTA 38. The US, for Australia, Canada, Japan, New Zealand, Norway and Russia, with the EU, supported finding common ground on the issue in Doha, emphasizing MRV. COLOMBIA supported further work in Doha to arrive at a decision.

SBSTA Chair Muyungi reiterated that according to the adopted conclusions and in accordance with rule 26 of the draft rules of procedure, the issue will be taken up at SBSTA 38.

TECHNOLOGY TRANSFER: The SBSTA adopted conclusions (FCCC/SBSTA/2012/L.32), as amended. The

SBSTA agreed that the matter would be transmitted to the COP for consideration and finalization.

COMMON TABULAR FORMAT FOR THE UNFCCC BIENNIAL REPORTING GUIDELINES FOR DEVELOPED COUNTRIES: Noting that discussions on this item had not yielded an agreement, the SBSTA agreed to transmit the draft decision to the COP for consideration and finalization.

IMPLICATIONS OF IMPLEMENTATION OF DECISIONS 2-5/CMP. 7: Noting that discussions on this item had not yielded agreement, the SBSTA agreed to transmit the draft decision to the CMP for consideration and finalization.

OTHER SBSTA AGENDA ITEMS: The SBSTA adopted draft conclusions on the following agenda items, with little or no further discussion:

- Research and systematic observation (FCCC/SBSTA/2012/L.25 & Add.1);
- Nairobi work programme on impacts, vulnerability and adaptation to climate change (FCCC/SBSTA/2012/L.26);
- Forum and work programme on the impact of the implementation of response measures (FCCC/SBSTA/2012/L.23);
- General guidelines on domestic MRV of domestic NAMAs (FCCC/SBSTA/2012/L.24);
- LULUCF (FCCC/SBSTA/2012/L.30);
- Work programme on the revision of the guidelines for the review of developing country biennial reports and national communications, including national inventory reviews (FCCC/SBSTA/2012/L.28); and
- Carbon capture and storage as CDM project activities (FCCC/SBSTA/2012/L.21).

The SBSTA also adopted draft conclusions and recommended a draft COP decision on each of the following items:

- Report of the Adaptation Committee (joint SBI/SBSTA conclusions and decision – FCCC/SBSTA/2012/L.22-FCCC/SBI/2012/L.33); and
- Other matters: activities implemented jointly under the pilot phase (FCCC/SBSTA/2012/L.27).

CLOSE OF THE SESSION: SBSTA 37 adopted its report (FCCC/SBSTA/2012/L.20). Parties made closing statements. SBSTA Chair Muyungi thanked participants for their dedication and closed SBSTA 37 at 3:04 am.

CONTACT GROUPS AND INFORMAL CONSULTATIONS

ADP: Workstream 1: Post-2020 regime: During the morning informal consultations, parties presented their views on the way forward. They supported the Co-Chairs' proposal to produce a summary note on the Doha roundtable discussions under the two workstreams and draft text by Sunday, based on parties' inputs.

Several parties called for a high-level decision in Doha demonstrating commitment to a legally-binding agreement by 2015. A number of parties stressed that the absence of robust and ambitious outcomes under the AWG-KP and AWG-LCA would set a "dangerous" precedent for the ADP.

Many parties requested an ADP meeting during the first quarter of 2013 to discuss the way forward, with subsequent meetings focusing on substance. They also encouraged the Co-Chairs to prepare a schedule of meetings for 2013. Acknowledging the value of written submissions, several parties also supported face-to-face discussions in a roundtable format.

Many parties supported keeping the two workstreams distinct. One group of countries noted that Workstream 1 is still in the conceptual rather than specific content phase, with another party emphasizing the value of conceptual discussions in building convergence.

ADP Workstream 2: Ways to bridge the ambition gap: During informal consultations, many parties focused their interventions on the planning of work for 2013 and beyond, as

well as on ways to engage ministers and bridge the ambition gap. Many parties supported an additional session in the first quarter of 2013 and called for a timetable for 2013, with one calling for defining “deliverable milestones that can serve as benchmarks of progress.” Others emphasized identifying a range of options for closing the pre-2020 ambition gap, noting that any decision should include cost-effective policies and measures, and means for implementing them.

Many developed countries highlighted the need to understand the barriers preventing some parties from coming forward with their pledges; and the effects that complementary initiatives have on closing the ambition gap. In response, a party proposed calling for national submissions on conditions for raising ambition. Many supported the preparation of a summary paper by the Co-Chairs capturing parties’ views. Some favored convening a resumed session in Bonn to continue the work started in Doha.

Parties supported multiple modalities for working in 2013, with meetings and workshops at different levels and involving multiple stakeholders, including parties, international organizations, the private sector and the scientific community. This, many agreed, could increase ambition and expand work already undertaken. The Co-Chairs will produce draft text by Sunday. Informal consultations will continue on Monday.

AWG-LCA: Stocktaking Plenary: AWG-LCA Chair Aysar Tayeb and several spin-off group facilitators reported on progress achieved during the week. On shared vision and on countries whose special circumstances have been recognized by the COP, Facilitator Zou Ji (China), and Chair Tayeb, respectively, reported that divergent views remain and further work is needed.

On developed country mitigation, Facilitator Andrej Kranjc (Slovenia), reported agreement on some elements, such as the need for further work to be carried out after the closure of the AWG-LCA, particularly on the clarification of pledges. He highlighted parties’ submissions, noting that a facilitator’s note will be prepared. On developing country mitigation, Facilitator Gary Theseira (Malaysia), reported that a facilitator’s note will be prepared, outlining elements of agreement, as well as matters that need further work.

On various approaches, Facilitator Alexa Klesysteuber (Chile), reported positive progress and constructive discussions on the framework for various approaches and the new market mechanism, although divergence remains on both issues and the relationship between them. She said a facilitator’s note was prepared based on submissions and discussions. On Review, Facilitator Gertraud Wollansky (Austria), reported progress on clarifying options, as well as divergent views on the establishment of an expert group and the scope of the Review.

On sectoral approaches, Chair Tayeb said a facilitator’s note was prepared based on exchanges and informal meetings, but highlighted that the text has not been approved by parties to be used as a basis for negotiations. On REDD+, Chair Tayeb reported that the facilitator was requested by parties to work on text that can take work forward. On EITs, Chair Tayeb said that progress was reflected in text that enjoys agreement by parties engaged in the discussions. Chair Tayeb reported divergent views on the need for further decisions on issues addressed under the AWG-LCA Chair’s informal consultations, namely adaptation, technology, finance, response measures and capacity building. He said views diverge on, *inter alia*: unilateral trade measures; further guidance regarding national adaptation plans; economic diversification; relationship between the CTCN and the TEC; technology and IPRs; mid-term finance for the 2012-2020 period; and the need for a work programme for capacity building.

AWG-LCA Chair Tayeb said he intended to convene open-ended informal consultations on the AWG-LCA agreed outcome starting Monday, focusing on how the last pieces of the AWG-LCA work can come together to fulfill its mandate. He said the

proposal would allow parties to identify some of the elements of a more political nature and require political engagement by the ministers.

The US requested clarification on the status of the notes produced under the different spin-off groups. BOLIVIA said the draft text on various approaches did not reflect his country’s proposal, submitted jointly by 21 countries, and only focused on market mechanisms.

Some countries expressed support for the proposed way forward. Switzerland, for the EIG, suggested parties could work on the issues where agreement is possible and decide whether text is necessary for other issues. SINGAPORE asked how discussions would be organized in the open-ended informal consultations. The EU stated that the group should focus on the issues prioritized in Durban. CUBA, supported by ECUADOR, proposed that the Chair prepare draft text for issues where parties are not able to come up with text. MEXICO supported a model that allows broader conversations while enabling spin-off groups to continue their work.

Chair Tayeb explained that all the informal notes prepared by the spin-off groups are based on informal consultations and need to be brought to the contact group for endorsement. He added that none of the informal notes at this stage represent consensus. He said open-ended informal consultations would begin with a broad overview of the AWG-LCA issues before starting on substantive work. Chair Tayeb indicated that where work under the spin-off groups can proceed in parallel, it would. Noting the challenges ahead, he expressed confidence that the AWG-LCA would conclude its work successfully.

AWG-KP: Matters relating to the Second Commitment

Period: During afternoon informal consultations, discussions focused on a new version of the draft CMP decision on amendments to the Kyoto Protocol. Parties discussed the text paragraph-by-paragraph, trying to streamline the options and remove brackets. Divergence remained in particular on the issue of how to reflect the urgency of ratifying the amendments, with several developed countries objecting to the imposition of a time limit for adopting the amendments, and several developing countries asserting the importance of having such a time limit.

A revised version of the AWG-KP Chair’s text incorporating discussions and proposals made so far will be prepared. Consultations will continue.

IN THE CORRIDORS

The first week of negotiations culminated in a long drawn-out closure, as the SBs concluded their work in the early hours of Sunday morning; drawing clear lines between parties’ positions, but also finding what one delegate called “overlaps in comfort zones.” The SB plenaries convened late, and in one case suspended a number of times, to allow delegates “last chance conversations” on text.

Meanwhile, in the afternoon, the ADP Co-Chairs’ special event to further engage observers in the work of ADP was marked with an exceptional turnout, with NGOs representing “all shades of grey.” “If only parties could make interventions that are so concise and to the point,” marveled one delegate. During the event, Professor Daniel Bodansky suggested options for an outcome for the ADP in Doha, outlining three legal options: a contractual, a facilitative and a multi-track approach. Professor Jiahua Pan elaborated on the idea of a nexus for sustainability stressing the inter-linkages between energy, climate, water, and food security.

With only five negotiating days remaining, many began to wonder if Doha would actually be able to deliver. One developed country negotiator complained “Durban and Cancun were complicated; all we have to do here is to close the AWG-LCA, agree on a second commitment period and send a signal on the ADP. There are certain parties who are making this COP much more complicated than it needs to be.” As ministers begin to arrive, it remains to be seen what will unfold during the week ahead.



Climate Change Policy & Practice

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