

WARSAW HIGHLIGHTS: MONDAY, 11 NOVEMBER 2013

In the morning, the opening ceremony of the Warsaw Climate Change Conference was held, followed by opening plenary of COP 19. In the afternoon and evening, opening plenaries of CMP 9, SBI 39 and SBSTA 39 convened.

OPENING CEREMONY

COP 18/CMP 8 President Abdullah bin Hamad Al-Attiyah, Qatar, highlighted the Doha Climate Gateway and progress made in Doha.

Marcin Korolec, Minister of the Environment, Poland, called on "each party to contribute an ingredient to help cure the planet," expressing hope that COP 19 will build a solid foundation for addressing climate change.

Reminding delegates of the Olympic motto "faster, higher, stronger," UNFCCC Executive Secretary Christiana Figueres underscored that what happens at the National Stadium in Warsaw "is not a game: we either all win or lose."

Welcoming delegates, Hanna Gronkiewicz-Waltz, Mayor of Warsaw, highlighted her city's sustainable activities in water management, transportation and energy.

Reporting on unprecedented changes in the climate system and their consequences, IPCC Chair Rajendra Pachauri stressed the need for greenhouse gas (GHG) emissions to peak by 2015 and increasing the share of renewable energy.

COP PLENARY

ORGANIZATIONAL MATTERS: Marcin Korolec, Minister of the Environment, Poland, was elected COP 19/CMP 9 President by acclamation.

Parties agreed to apply the draft rules of procedure (FCCC/CP/1996/2) with the exception of draft rule 42 on voting.

On the agenda (FCCC/CP/2013/1), COP President Korolec underlined that the proposed new item on decision-making in the UNFCCC process is distinct from the item on the rules of procedure, and item on the proposal by Papua New Guinea and Mexico to amend Convention Articles 7 and 18. He also assured parties that discussions on the new item will be forward-looking and that its inclusion will not prejudge outcomes.

The COP adopted the agenda as proposed with the agenda item on the second review of the adequacy of Convention Articles 4.2(a) and (b) held in abeyance. PAPUA NEW

GUINEA stressed the need for transparent and effective decision-making in order to address "one of the biggest risks to humanity."

COP President Korolec indicated that consultations will be conducted on the election of officers. Parties agreed to the accreditation of observer organizations (FCCC/CP/2013/2).

OPENING STATEMENTS: Fiji, for the G-77/CHINA, highlighted the "most devastating" effects of typhoon Haiyan on the Philippines, Viet Nam and Palau, stressing that the countries least responsible for climate change are those most affected. Identifying priorities, he highlighted: implementation of outcomes of previous meetings; finance; the Review; loss and damage; technology; and response measures. He emphasized that finance forms the basis of any ambitious action to tackle climate change.

The EUROPEAN UNION (EU) called for progress on, *inter alia*, the loss and damage mechanism, the implementation agenda, and working toward a fair and ambitious post-2020 regime. Australia, for the UMBRELLA GROUP, said COP 19 needs to "cement" recent achievements, and underlined the importance of maintaining confidence in the decision-making procedures of the UNFCCC.

Switzerland, for the ENVIRONMENTAL INTEGRITY GROUP (EIG), indicated that the climate regime should be strengthened by implementing and clarifying mitigation pledges, operationalizing and capitalizing the GCF, and creating common accounting rules for units from market mechanisms. He stated that typhoon Haiyan is a "stark reminder" of the imperative of work under the Convention.

Thanking delegates for their expressions of solidarity following typhoon Haiyan, the PHILIPPINES recalled the appeal he made in Doha for urgent action in the aftermath of typhoon Bopha. Regretting "colossal devastation" in his country following Haiyan, he urged those denying the reality of climate change to descend from "their ivory towers." He underscored that the world has entered a new era "where even the most ambitious emission reductions by developed countries will not be enough." Stressing the need for global solidarity, he noted the importance of means of implementation and the need to address loss and damage.

Recalling that the last climate conference took place against the backdrop of hurricane Sandy, Nauru, for the ALLIANCE OF SMALL ISLAND STATES (AOSIS), said it is hard to claim that "we have lived up to the commitments we made to each other" in view of Haiyan. She emphasized the need to


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limit global warming to well below 1.5°C using the 2013-15 Review as an opportunity to ensure survival. Swaziland, for the AFRICAN GROUP, highlighted that loss and damage is beyond adaptation measures, and called for ambitious mitigation targets and appropriate levels of support to developing countries. Nepal, for the LEAST DEVELOPED COUNTRIES (LDCs), stressed COP 19 as an opportunity to address “the unfinished business under the Bali Action Plan,” suggesting, *inter alia*, the adoption of workplans on finance and for the ADP.

Papua New Guinea, for the COALITION FOR RAINFOREST NATIONS, called for progress on REDD+, including a concise set of modalities for results-based finance, a mix of public and private sources of finance, and clear MRV guidelines. China, for Brazil, South Africa, India and China (BASIC), said that advancing the implementation of previous commitments is “paramount” to creating the necessary conditions for work under the ADP. He urged for a clear roadmap for the provision of US\$100 billion of annual funding by 2020. Saudi Arabia, for the ARAB GROUP, emphasized: the need for continued differentiation between developed and developing country mitigation commitments; and support for developing country actions, including financing in the 2013-2020 period at levels that are not lower than during the fast-start finance period.

Panama, for the CENTRAL AMERICAN INTEGRATION SYSTEM (SICA), highlighted the need for more ambitious commitments from all parties, and identified loss and damage as “a fundamental requisite” for success in Warsaw. Chile, for the INDEPENDENT ALLIANCE OF LATIN AMERICA AND THE CARIBBEAN (AILAC), called for progress on: finance; framework for various approaches (FVA); adaptation; technology; and transparency, accountability and support for actions. The Dominican Republic, for the CARTAGENA DIALOGUE FOR PROGRESSIVE ACTION, announced the launch of the Quisqueya Platform in October 2013 at a meeting attended by 34 developed and developing countries across regions and negotiating groups.

Nicaragua, for the LIKE-MINDED DEVELOPING COUNTRIES (LMDC), called for: “unconditional” increase of Annex I mitigation targets in 2014; rapid and substantial capitalization of the GCF; operationalization of the loss and damage mechanism; and finalization of the technology mechanism, including by addressing intellectual property rights (IPRs). Tajikistan, for MOUNTAINOUS LANDLOCKED DEVELOPING COUNTRIES, emphasized equal access to the GCF for adaptation, and that developed countries’ efforts alone are not sufficient to stop climate change. Cuba, for the BOLIVARIAN ALLIANCE FOR THE PEOPLES OF OUR AMERICA (ALBA), stressed the need to implement decisions related to finance; and reconfirm the principle of common but differentiated responsibilities (CBDR), and the leadership role of developed countries.

BUSINESS AND INDUSTRY stressed that investment and innovation depend on strong institutions, and the protection of investment and IPRs. Calling on parties to take courageous actions and choose people over corporate interest, ENVIRONMENTAL NGOs emphasized that COP 19 negotiations are about a global emissions budget, which parties should agree to share fairly based on their historical responsibility. INDIGENOUS PEOPLES called for: full and effective participation of indigenous peoples in all UNFCCC processes; more concrete decisions relevant to indigenous peoples; and respect for indigenous peoples’ rights.

CMP PLENARY

ORGANIZATIONAL MATTERS: On the agenda (FCCC/KP/CMP/2013/1), Fiji, for the G-77/CHINA, proposed a new item on modalities and arrangements for the high-level ministerial roundtable to revisit the quantified emission limitation and reduction commitments for the second commitment period. Supported by Australia, the EU objected, stressing that the relevant decision from Doha on the ambition mechanism provides sufficient guidance on this matter. Noting the lack of consensus on its proposal, the G-77/CHINA underlined that the issue could be raised under the agenda item on other matters.

Parties adopted the agenda as originally proposed and agreed to the organization of work (FCCC/KP/CMP/2013/1) without amendment. CMP President Korolec reported that consultations on the election of officers will be conducted.

OPENING STATEMENTS: The G-77/CHINA, called for: prompt ratification by all parties of the Doha Amendment to the Protocol; ongoing work under the SBSTA to enhance environmental integrity and avoid “creating loopholes;” and increased ambition by Annex I parties under the ambition mechanism launched at CMP 8.

Noting that the entry into force of the Doha Amendment requires ratification by three fourths of Protocol parties, but has only been ratified by three, the EU highlighted its commitment to ratify. Australia, for the UMBRELLA GROUP, stressed the need to consolidate recent achievements and finalize rules for the second commitment period. Lichtenstein, for the EIG, expressed satisfaction with the Doha Amendment.

Nauru, for AOSIS; Nepal, for the LDCs; Swaziland, for the AFRICAN GROUP; Nicaragua, for the LMDC; and Colombia, for AILAC, called on developed country parties to increase their level of ambition and expedite the ratification of the Doha Amendment. The LDCs also urged Annex I parties that have not taken commitments for the second commitment period to raise their level of ambition. China, for BASIC, urged developed country parties to revisit and significantly increase their emission targets in 2014, and parties that have not undertaken such commitments to raise their level of ambition within the same timeframe.

The LMDC underlined that raising pre-2020 ambition is key to a strong post-2020 regime. Saudi Arabia, for the LEAGUE OF ARAB STATES, underscored the historic responsibility of developed countries to mitigate climate change. Ecuador, for ALBA, said addressing climate change requires a global effort and urged changing the development paradigm.

CLIMATE JUSTICE NOW! called on all Annex I parties to review and increase their targets immediately, and ratify the Doha Amendment. The CLIMATE ACTION NETWORK (CAN) called for countries to come to the UN Secretary-General’s 2014 Summit on climate change with ambitious targets. INDIGENOUS CAUCUS called for operationalizing equity for the indigenous peoples by guaranteeing their full participation. Underlining that this generation holds the world’s atmosphere in trust for future generations, YOUNGOS urged including intergenerational equity and loss and damage in the new agreement.

SBI PLENARY

ORGANIZATIONAL MATTERS: SBI Chair Tomasz Chruszczow (Poland) highlighted the need to streamline discussions and work efficiently. parties adopted the agenda (FCCC/SBI/2013/11) with the item on information in non-annex i national communications held in abeyance.

OPENING STATEMENTS: Fiji, for the G-77/CHINA, stressed adaptation and operationalization of a loss and damage mechanism as priorities. Nauru, for AOSIS, reiterated that loss and damage is different from adaptation and mitigation. Panama, for SICA, stressed the importance of a loss and damage mechanism with links to other bodies and institutions in the areas of adaptation, technology and finance. Nepal, for the LDCs, called for strong funding commitments from developed countries, including for adaptation through the Least Developed Countries Fund (LDCF) and the GCF.

Australia, for the UMBRELLA GROUP, highlighted, *inter alia*, International Consultation and Analysis (ICA), NAMAs and further clarifying developed countries' targets. Highlighting the IPCC WGI contribution to the AR5, the EU called for progress on the Review. Mexico, for the EIG, emphasized the need for: enhanced understanding of the diversity of NAMAs; agreement on institutional arrangements for REDD+; and institutional arrangements for loss and damage to be designed on the basis of existing facilities. Swaziland, for the AFRICAN GROUP, called for: more decision-making power for the Consultative Group of Experts (CGE); mitigation actions in the forestry sector; and for institutional arrangements on loss and damage to consider compensation, rehabilitation and insurance. Papua New Guinea, for the COALITION FOR RAINFOREST NATIONS, emphasized that a joint SBI/SBSTA process on coordination of finance for forestry actions is vital for REDD+ implementation.

Tajikistan, for MOUNTAINOUS LANDLOCKED DEVELOPING COUNTRIES, suggested further pre-sessional meetings prior to the next COP, and identified NAPs as a priority to all developing countries. Bolivia, for ALBA, observed that forests also have adaptation functions, and emphasized adaptation finance.

CAN said there should be “no U-turn” on loss and damage, highlighting that the issue is about climate justice, and protecting human rights and dignity. CLIMATE JUSTICE NOW! called for a mechanism on loss and damage that goes beyond adaptation and cannot be valued in monetary terms.

LOSS AND DAMAGE: Noting submissions from the EU and the G-77/China on loss and damage, SBI Chair Chruszczow encouraged parties also to engage informally and bilaterally, and bring textual proposals.

Bolivia, for the G-77/CHINA, stressed that work on loss and damage needs to be meaningful and highlighted the need for additional resources. Nauru, for AOSIS; Timor Leste, for the LDCs; and Tanzania, for the AFRICAN GROUP, urged fulfilling the Doha mandate by establishing a mechanism on loss and damage. EGYPT emphasized linkages between loss and damage, and adaptation, and called for: identifying the needs of developing countries; funding a loss and damage mechanism; and taking into account early warning systems. A contact group will consider the issue.

OTHER AGENDA ITEMS: The following agenda items and sub-items were briefly considered and forwarded to contact groups or informal consultations:

- Annex I national communications;
- non-Annex I national communications, including CGE, and financial and technical support;
- coordination of support for mitigation actions in the forest sector by developing countries, including institutional arrangements;

- technology, including: the joint annual report of the TEC and the CTCN; report on modalities and procedures of the CTCN and its Advisory Board; and the Poznan strategic programme on technology transfer;
- response measures, including: forum and work programme; matters relating to Protocol Article 3.14; and progress on the implementation of decision 1/CP.10;
- the 2013–2015 Review;
- Annex I parties whose special circumstances are recognized by the COP;
- a second dialogue under Convention Article 6 on public participation;
- gender, climate change and the UNFCCC;
- completion of the expert review process under Protocol Article 8 for the first commitment period;
- NAMAs, including: composition, modalities and procedures of the team of technical experts under ICA; and work programme to further the understanding of the diversity of NAMAs;
- finance, including the Adaptation Fund and other matters related to finance;
- capacity-building under the Convention and the Protocol;
- matters relating to the Protocol's mechanism and the relevant sub items;
- NAPs;
- Adaptation Committee Report;
- LDCs; and
- administrative, financial and institutional matters, including the programme budget for 2014–2015.

The SBI also took note of the report on national GHG inventory data from Annex I parties for 1990–2011; and the report of the administrator of the international transaction log.

Highlighting “extraordinary circumstances,” SBI Chair Chruszczow proposed, and parties agreed, to defer to SBI 40 the consideration of items on procedures, mechanisms and institutional arrangements for appeals against decisions of the CDM Executive Board, and privileges and immunities for individuals serving on constituted bodies established under the Kyoto Protocol. SAUDI ARABIA highlighted that this does not constitute a precedent for future rulings in the SBI.

SBSTA PLENARY

ORGANIZATIONAL MATTERS: On the agenda (FCCC/SBSTA/2013/4), SBSTA Chair Richard Muyungi (Tanzania) proposed including a new sub-item on clarification of the text in section G, Article 3.7 *ter* of the Doha Amendment under the item on methodological issues under the Protocol. Parties agreed, adopting the agenda and agreeing to the organization of work. On opening statements, the SBSTA also agreed that parties submit these to the Secretariat for posting online.

AGRICULTURE: SBSTA Chair Muyungi proposed a contact group to consider this issue. Fiji, for the G-77/CHINA, supported by BRAZIL, EGYPT, INDIA, ALGERIA, ARGENTINA and others, opposed, explaining that it had not been previously agreed. The US, the EU, SWITZERLAND, CANADA, NEW ZEALAND and AUSTRALIA, expressed willingness to discuss this issue and supported a contact group. SBSTA Chair Muyungi will consult with parties informally and report back to the SBSTA. The workshop on agriculture will take place as planned.

BUNKER FUELS: On emissions from fuel used for international aviation and maritime transport, the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO) reported on relevant work (FCCC/SBSTA/2013/MISC.20).

CUBA, on behalf of Algeria, Argentina, Brazil, China, the Democratic Republic of the Congo, Ecuador, Egypt, India, Malaysia, Nicaragua, the Philippines, Saudi Arabia and Venezuela, said that measures taken to combat climate change, including unilateral ones, should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. CHINA said he welcomed ICAO's "reaffirmation" of CBDR and stated that IMO recognizes the principles of the UNFCCC, including CBDR. The REPUBLIC OF KOREA expressed concern over unilateral approaches to aviation and stated that emissions from shipping should be considered under the IMO.

JAPAN underlined that the principle of non-discrimination in the Chicago Convention on International Civil Aviation conflicts with CBDR, and said the former should guide the aviation sector. She said CBDR is not appropriate for the shipping industry because of the complex registration of vessels. SINGAPORE, supported by PANAMA, called ICAO and IMO the "most competent" bodies to address emissions in their respective sectors. The SBSTA will consult informally.

OTHER AGENDA ITEMS: The following agenda items and sub-items were briefly considered and forwarded to contact groups or informal consultations:

- Nairobi Work Programme;
- report of the Adaptation Committee;
- methodological guidance for REDD+;
- coordination of support for mitigation actions in the forest sector by developing countries;
- technology, including: the joint annual report of the TEC and CTCN; report on modalities and procedures for CTCN; and third synthesis of non-Annex I technology needs;
- research and systematic observation;
- response measures, including: forum and work programme; and matters relating to Protocol Article 2.3;

- methodological issues under the Convention and sub-items;
- methodological issues under the Kyoto Protocol and sub-items;
- markets and non-market mechanisms, including FVA; non-market-based approaches; and the new market mechanism (NMM);
- the 2013-2015 Review; and
- work programme on clarification of quantified economy-wide emission reduction targets of developed countries.

OTHER MATTERS: The SBSTA considered a proposal by Brazil to address the development by the IPCC of a reference methodology on historical responsibilities to guide domestic consultations for the 2015 agreement under the SBSTA. The US, supported by the EU, AUSTRALIA, SWITZERLAND, CANADA, NEW ZEALAND, NORWAY and ISRAEL, opposed consideration of this issue, whereas VENEZUELA, INDIA, CUBA, CHINA, BOLIVIA and SAUDI ARABIA supported it. SBSTA Chair Muyungi said he would consult parties and report to the SBSTA plenary.

IN THE CORRIDORS

Delegates breathed a sigh of relief as the COP agenda was adopted smoothly on Monday morning, confirming that the ghosts of the stalled SBI session in June "were exorcized." According to rumors, this was a close call, as agreement on the inclusion of the new agenda item on decision-making in the UNFCCC process had been reached minutes before the opening ceremony. Some lamented, however, that the painless adoption of the heavily loaded agenda had been marred by two hours of opening statements. As a result, no time was left for opening statements under the SBSTA in the evening.

While the adoption of the agenda did not create any drama, the COP opening plenary was nonetheless highly emotional with many evoking the devastation caused by typhoon Haiyan in the Philippines, Viet Nam and other countries in the region. A powerful speech by Nadrev Saño, the Climate Change Commissioner from the Philippines, brought tears to the eyes of many, as he announced that, in solidarity with his people, he would voluntarily fast until the COP reaches a meaningful outcome and delivers real ambition on climate action.



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