

## DURBAN HIGHLIGHTS: MONDAY, 28 NOVEMBER 2011

The United Nations Climate Change Conference in Durban, South Africa, opened on Monday morning, 28 November. Following a welcoming ceremony attended by South African President Jacob Zuma and other high-level dignitaries, delegates gathered for the opening plenary meetings of the COP, COP/MOP, SBI and SBSTA. During these opening plenaries, parties gave initial consideration to the various agenda items, referring many issues to informal groups for further consideration.

### WELCOMING CEREMONY

COP 16 President Patricia Espinosa, Minister of Foreign Affairs, Mexico, urged delegates to agree on, *inter alia*: full implementation of the Cancun Agreements; capitalizing the Green Climate Fund; and the future of the Kyoto Protocol, reaffirming the relevance of a rules-based system.

UNFCCC Executive Secretary Christiana Figueres stressed that two decisive steps must be taken in Durban: tasks from COP 16 must be completed; and key political questions from Cancun answered. She highlighted: launching the Adaptation Committee; operationalizing the Technology Mechanism in 2012; approving the Green Climate Fund; and providing more clarity on fast-start finance. She stressed the need for a fair and responsible process towards a multilateral rules-based system under the Convention.

Vice-President of Angola, Fernando de Piedade Dias dos Santos, representing the Southern African Development Community, stated that the Kyoto Protocol is the only suitable tool that can enable the international community to remain committed to reducing greenhouse gas emissions.

President of Chad, Idris Déby Itno, representing the Economic Community of Central African States, said Africa needs the resources to mitigate and adapt to climate change.

Jacob Zuma, President of South Africa, emphasized the need for a balanced, fair and credible outcome in Durban. He highlighted the responsibility of affirming the multilateral rules-based system, anchored by the Kyoto Protocol, as well as the need to provide funding to address climate change impacts by operationalizing the Green Climate Fund.

Delegates observed a minute of silence to honor SBSTA Chair Mama Konaté of Mali, who had recently passed away and had been a key actor in the climate change process over many years.

### COP PLENARY

Maite Nkoana-Mashabane, South Africa's Minister of International Relations and Cooperation, was elected COP 17 and COP/MOP 7 President by acclamation. She said negotiations and outcomes in Durban should be transparent, inclusive, fair and equitable. She called for progress on key issues, such as legal options and the Green Climate Fund.

**ORGANIZATIONAL MATTERS: Rules of procedure:** COP President Nkoana-Mashabane reminded parties of the practice since COP 1 of applying the draft rules of procedure

(FCCC/CP/1996/2) with the exception of draft rule 42 on voting, which has remained unresolved since COP 1. PAPUA NEW GUINEA expressed concerns, suggesting that lack of agreement on voting can mean "lowest common denominator" outcomes. Further consultations will be held during COP 17.

**Adoption of the agenda:** Parties agreed to proceed with their work based on the provisional agenda (FCCC/CP/2011/1) with a view to its formal adoption at a later stage following informal consultations on three agenda items proposed by India (on accelerated access to critical technologies, equitable access to sustainable development and unilateral trade measures). SINGAPORE expressed concerns over this procedure, noting that it could open the door to more agenda items and make the workload unmanageable. SYRIA supported having discussions on India's proposals.

**OPENING STATEMENTS:** Argentina, for the G-77/CHINA, supported a second commitment period under the Kyoto Protocol as part of a balanced and comprehensive outcome for Durban, saying the Cancun Agreements should be fully operationalized. Australia, for the UMBRELLA GROUP, supported a transition towards a climate change framework including all major economies, taking into account countries' respective capabilities. The EU said Durban should address the gap in the level of ambition, a common international accounting system and a process to deliver a new global comprehensive legally-binding framework to be completed by 2015.

Switzerland, for the ENVIRONMENTAL INTEGRITY GROUP (EIG), outlined three important steps for Durban: agreeing on key elements of an international regime after 2012; launching a process to further strengthen the regime in the mid-term; and agreeing on the key elements of a shared vision, including a long-term global goal for emission reductions and a date for peaking of global emissions.

Grenada, for AOSIS, supported: a process to scale up the ambition of mitigation pledges; a second commitment period; a Durban mandate for a legally-binding agreement in accordance with the Bali Action Plan; operationalizing the new institutions established in Cancun; and reviewing the adequacy of the long-term global goal for emission reductions.

YOUTH said Durban should not be the "burying ground for the Kyoto Protocol."

### COP/MOP

AWG-KP Chair Adrian Macey (New Zealand) discussed the need for a decisive outcome that completes the work of the AWG-KP. On challenges, he noted bridging differences, especially over the fundamental issue of the commitment period and the need for a major political decision.

**ORGANIZATIONAL MATTERS:** Parties adopted the agenda and agreed to the organization of work (FCCC/KP/CMP/2011/1). Parties referred a number of issues to the Subsidiary Bodies (FCCC/SBSTA/2011/3 and FCCC/SBI/2011/8).

**OPENING STATEMENTS:** Argentina, for the G-77/CHINA, reaffirmed the need for a second commitment period under the Kyoto Protocol, calling for a higher level of ambition by Annex I parties.

Switzerland, for the EIG, called for, *inter alia*: further clarity on the AWG-LCA outcome, maintaining a rules-based system; and enhancing the environmental integrity of the regime in areas such as land use, land-use change and forestry (LULUCF) and the flexible mechanisms.

Australia, for the UMBRELLA GROUP, supported a new climate change framework that builds on the Kyoto Protocol, when appropriate, and takes operationalizing the Cancun Agreements as a foundation for future action.

The EU supported a multilateral, ambitious rules-based system with broad participation, notably from major economies. He said a second commitment period of the Kyoto Protocol could be considered as part of a transition to a wider legally-binding framework, provided there is an agreement for a robust roadmap for a new legally-binding framework with a clear timeline and engaging all parties.

The Democratic Republic of the Congo, for the AFRICAN GROUP, said the two negotiating tracks should remain separate and expressed concern over countries not willing to commit to a second commitment period. Grenada, for AOSIS, said the Protocol is central to the future of the climate change regime.

The Gambia, for LDCs, called for a second commitment period under the Kyoto Protocol and on Annex I parties to reduce their greenhouse gas emissions by at least 45% below 1990 levels by 2020 and at least 95% below 1990 levels by 2050. Saudi Arabia, for the ARAB GROUP, rejected attempts to marginalize the Kyoto Protocol.

China, for the BASIC countries, said defining a second commitment period should be the main priority for Durban. He opposed “unilateral measures” on international aviation under the EU’s Emissions Trading Scheme.

Papua New Guinea, for the COALITION FOR RAINFOREST NATIONS, supported an agreement on a second commitment period, the introduction of a REDD+ mechanism on a voluntary basis, and eliminating loopholes in the rules on LULUCF.

Venezuela, for ALBA, condemned the “selfishness” of predatory economies that are destroying the existing climate regime to replace it with a voluntary approach that will be lethal for the planet.

### SBSTA

SBSTA Chair Richard Muyungi (Tanzania) opened the meeting on Monday afternoon and parties made opening remarks.

**OPENING STATEMENTS:** Argentina, for the G-77/CHINA, highlighted the work of the Technology Executive Committee (TEC) and urged operationalizing the work programme and holding a forum on response measures.

On the Nairobi work programme, the EU supported making it more relevant for practitioners and a COP decision to enhance its work.

Costa Rica, on behalf of the COALITION FOR RAINFOREST NATIONS, highlighted the critical role of forests and the need for draft decisions on MRV for REDD+.

Australia, on behalf of the UMBRELLA GROUP, stressed the need for continued progress on reform of the CDM and technical issues under REDD+ in order for SBSTA to absorb the work of the AWGs “when their mandate ends.”

El Salvador, on behalf of the Central American Integration System (SICA), underscored the need for a holistic approach to REDD+ that considers the multifunctional role of forests and ecosystem services.

The Gambia, for LDCs, stressed the need to define appropriate policy incentives for REDD+ to ensure adequate and predictable funding for developing countries.

The Democratic Republic of Congo, on behalf of the AFRICAN GROUP, called for strengthening the mandate of the NWP and further engage the region into the CDM process.

Delegates then took up the various agenda items.

**NAIROBI WORK PROGRAMME:** Delegates were briefed on the recent IPCC Special Report on Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation. ECUADOR highlighted linkages with water issues.

**BUNKER FUELS:** On emissions from fuel used for international aviation and maritime transport (bunker fuels), CUBA, ARGENTINA, BRAZIL, CHINA, INDIA and SAUDI ARABIA, said work to address sectoral emissions under the IMO and ICAO should be guided by the principles of the UNFCCC. PANAMA said the IMO, not the UNFCCC, is the correct forum to discuss maritime emissions.

**OTHER AGENDA ITEMS:** The following agenda items were also briefly considered and forwarded for further consideration either to contact groups or informal consultations:

- methodological guidance on REDD+;
- technology transfer (including the TEC);
- research and systematic observation;
- methodological issues (Convention);
- methodological issues (Protocol);
- response measures; and
- Protocol Article 2.3 (adverse impacts of policies and measures).

### SBI

SBI Chair Robert Owen-Jones (Australia) opened the meeting and delegates adopted the agenda. Delegates briefly considered the agenda item on Convention Articles 4.8 and 4.9 (adverse effects and LDCs), which will be the subject of informal consultations.

The meeting closed at 7:00 pm and will resume on Tuesday morning.

### IN THE CORRIDORS

Uncertainty seemed to be the order of the day as delegates in Durban began their first formal work day. Many participants were speculating about what the meeting might deliver, particularly in terms of the future of the Kyoto Protocol and how it may link to some parties’ hopes for a broader agreement down the road.

“The legal options negotiations will be critical,” opined one negotiator, reflecting a widely shared view. Some experts noted the linkages between discussions on the legal form of the AWG-LCA outcome and the possible adoption of a second Kyoto commitment period.

In this respect, some participants were discussing media reports that Canada planned to formally withdraw from the Protocol under Article 27 by the end of the year. Although Canada’s lack of interest in a second commitment period was widely known (along with Japan and Russia), some supporters of the Protocol seemed to feel that the timing of this latest announcement would cast a shadow in Durban.

Participants also debated the US position—repeated in its press conference on Monday afternoon—that it does not favor discussing a broader agreement at this time. The US prefers following up on previously agreed conference outcomes, such as under the Cancun Agreements. Some reacted to recent media reports that a number of developed countries did not foresee a broad agreement happening until 2020. “Not acceptable,” said one developing country delegate.

Meanwhile, there were discussions about the last meeting of the Transitional Committee for the design and transparency of the Green Climate Fund, which took place in October. The meeting, which had aimed to conclude discussions ahead of COP 17, ended without consensus to adopt the Committee’s report. Some felt that the topic could prove divisive in Durban, while others viewed it more as a “bargaining chip” to be traded off later in the negotiations.