

DURBAN HIGHLIGHTS: TUESDAY, 6 DECEMBER 2011

On Tuesday, Heads of State and international organizations, as well as regional group representatives addressed delegates in a High-Level Segment held in the afternoon, while contact groups and informal consultations met throughout the day and into the night on several issues, including the CDM, the Adaptation Fund, LULUCF, REDD+, finance, response measures, legal options, sectoral approaches, market and non-market approaches, adaptation and the Review.

COP-17 CMP-7 JOINT HIGH LEVEL SEGMENT

COP President Nkoana-Mashabane opened the Joint High-Level Segment of the COP and CMP. Christiana Figueres, Executive Secretary, UNFCCC, reflected on topics where progress is being made in Durban. Ban Ki-moon, Secretary General of the United Nations, said economic troubles should not distract from the ultimate goal of a binding comprehensive agreement, adding that although this objective may be unattainable at present, parties must remain ambitious and keep up the momentum for Qatar.

President Jacob Zuma, South Africa, explained that parties considering a second commitment period need reassurance that others will be prepared to commit to a legally binding regime in the near future and share the load. He added that parties also need assurance on long-term funding. He called for agreement on the formalization and implementation of the mitigation pledges of developed countries and on rules of comparability between pledges of parties and non-parties to the Protocol. Zuma described adaptation and finance as critical issues.

The high-level segment continued throughout the afternoon with statements by heads of state and government. A webcast of all statements is available online at: http://unfccc4.meta-fusion.com/kongresse/cop17/templ/ovw_live.php?id_kongressmain=201

Alberto Pedro D'Alotto, for Argentina, on behalf of the G-77/China, described the continuation of the Kyoto Protocol as a cornerstone of efforts to address climate change, adding that non-Annex I parties also need to join these efforts with comparable commitments.

Connie Hedegaard, EU Commissioner for Climate Action, on a new comprehensive globally binding agreement, said that the EU was ready to take a second commitment period under the Kyoto Protocol. She said the EU must be assured that others will agree on a new legally binding framework.

Marcin Korolec, Minister of Environment, Poland, for the EU, called for a roadmap leading to a global comprehensive and legally binding framework. He warned that a second commitment period for a limited number of parties to the Kyoto Protocol must not become an excuse for inaction. He said the EU expects full implementation of the actions pledged in Cancun.

Greg Combet, Minister of Climate Change and Energy Efficiency, Australia, for the Umbrella Group, highlighted the collective contribution of his group to fast-start finance of US\$20 billion and said they are ready to support a deal that puts in place the building blocks of a comprehensive climate framework.

Jato Sillah, Minister of Forestry and the Environment, the Gambia, for LDCs, emphasized the plight of the poorest nations that are suffering from extreme weather events and internal migrations due to the effects of climate change, wondering how some parties can propose delaying action until 2015 or later.

Karl Hood, Minister of Foreign Affairs, Grenada, for AOSIS, stressed that a system based on multilateral rules is essential for the survival of vulnerable countries. He expressed concern over proposals to leave Durban without a final resolution on the second commitment period of the Kyoto Protocol, and called for a parallel protocol to cover countries that are not parties to the Kyoto Protocol.

PRESIDENT'S INFORMAL STOCKTAKING PLENARY

COP President Nkoana-Mashabane reported on ongoing consultations on the provisional COP agenda and on the informal open-ended consultations on the GCF, highlighting that a draft decision put forward by the Presidency is currently under discussion. She also said the Presidency is conducting consultations on the way forward, which will continue in the coming days at ministerial level.

SBSTA Chair Muyungi and SBI Chair Owen-Jones reported on the ongoing consultations on issues forwarded for COP or COP/MOP consideration.

AWG-KP Chair Macey underscored the need for more progress on, among other elements, QELROs, including form of the commitments, length of the second commitment period and mechanisms under the Kyoto Protocol, especially the CDM. He highlighted progress on LULUCF, and options discussed for the continuity of the Kyoto Protocol rules to ensure that the second commitment period enters into force by January 2013. He said such options include: provisional application of amendments to be ratified in a later stage; a decision-only outcome without amendments to the Kyoto Protocol; and a unilateral declaration

by parties. He said political resolution is required on a second commitment period and on the linkages between the Kyoto Protocol and the “Durban package.”

AWG-LCA Chair Reifsnyder observed that progress has been made on a broad range of issues and elements of an outcome are emerging more clearly. He noted that there has been little progress on shared vision and that regarding the Review two key issues remained unresolved: its scope; and how the Review will be carried out.

CONTACT GROUPS AND INFORMAL CONSULTATIONS

Informal consultations were held throughout the day with groups continuing to meet into the night with the aim of completing the core elements of draft decisions to allow for high-level political negotiations by ministers.

ADAPTATION FUND (CMP): Delegates considered two newly revised CMP decision texts on the Report of the Adaptation Fund Board and Review of the Adaptation Fund.

ADAPTATION COMMITTEE (AWG-LCA): Delegates discussed, among other things, the composition of the Adaptation Committee and linkages with other adaptation-related work programmes, bodies and institutions under the Convention.

REDD+ (AWG-LCA): Delegates addressed the text on REDD+ included in the amalgamation document, with parties presenting numerous proposals. Some parties favored references to mitigation and adaptation activities, while others preferred to leave these references in the preambular section. One party suggested that parties may choose, as appropriate, a combination of financing options that best meets their national circumstances. Some parties supported referring to private and public funding, others suggested separating the text and linking REDD+ phase one and two to public sources and phase three to private sources.

NATIONAL ADAPTATION PLANS (COP): Delegates discussed whether the Secretariat should establish a database. A number of developed countries expressed concern over costs, while many developing countries supported establishing a database, with one specifying it should be on support provided, not on activities. On developing countries that are not LDCs, delegates discussed a Colombian proposal on determining the modalities on how other vulnerable countries can plan, prioritize and implement their national adaptation strategies.

CDM (CMP): Delegates discussed several governance-related issues, including: standards and procedures, transparency and an appeals process.

REVIEW (AWG-LCA): Delegates discussed a revised draft text on further definition of the scope and development of modalities for the Review characterizing the key options as ‘Cancun’, ‘Cancun+’ and an option covering elements of both.

RESPONSE MEASURES (COP): Delegates discussed three documents, including a consolidated text distributed on behalf of the COP Presidency. Parties views diverged on, *inter alia*, the interpretation of mandates from the AWG-LCA and subsidiary bodies and on the role and inclusion of trade issues. The facilitator will seek guidance from the LCA Chair on how to proceed.

SECTORAL APPROACHES (AWG-LCA): Parties resumed work on the general framework and moved to round-table discussions focused on, *inter alia*: application of CBDR, sequencing of discussions, and possible integration of previous options into the text.

LEGAL OPTIONS (AWG-LCA): Parties addressed a revised non-paper presented by the facilitator with four options for an AWG-LCA outcome. The US suggested an additional option to develop a series of decisions based on Decision 1/CP.16 alone and not on Decision 1/CP.13.

The first option deciding to develop a protocol under Convention article 17 included elements on the content. The EU said that addressing the principle of CBDR “in a contemporary

and dynamic manner” is an essential component and suggested its inclusion. INDIA, supported by CHINA, suggested this option should be based on, and under, the UNFCCC and not involve reinterpretation or amendment of the Convention, with CHINA suggesting that “dynamic” interpretation of the principle may entail amendment. A second bullet under the content includes: mitigation (including targets and/or actions for all parties, MRV and market mechanisms) adaptation, technology transfer and finance. BOLIVIA expressed concern over the lack of balance on references to mitigation and other elements, such as adaptation and capacity building. Tuvalu, for the LDCs, supported by BOLIVIA, SINGAPORE, AOSIS and GHANA, and opposed by AUSTRALIA, suggested deletion of detailed references to mitigation elements.

FINANCE (AWG-LCA): On the issue of long-term finance for adaptation, many developing countries emphasized the need to focus on ground-based adaptation, both in the form of grants and with direct access to overcome current barriers to investments in adaptation. Delegates also discussed whether public sources will constitute the main funding source. Parties discussed a new proposal from a group of developed countries on the Standing Committee and continued discussions on new and innovative sources of finance. A group of developed countries observed that it is premature to discuss the establishment of a mechanism to assess the incidence of sources of finance. On bunker fuels, they proposed language noting that alternative sources such as carbon pricing of global aviation and maritime transportation have the potential to generate significant funds and will also generate the price signal necessary to achieve emission reductions in these sectors, inviting IMO and ICAO to develop instruments including market-based instruments. Other developed countries preferred to delete all the paragraphs relating to incidence. Parties agreed to forward the draft text on the Standing Committee and long-term finance to the AWG-LCA Chair.

MARKET AND NON-MARKET APPROACHES (AWG-LCA): During evening informal consultations, parties considered a revised text containing a condensed version of parties views as prepared by the facilitator (option 1). Some parties supported the revised option as a basis for further work, while others expressed concern that many details have been omitted. Parties reconvened later in the evening to continue discussions and make a determination on how to proceed.

IN THE CORRIDORS

On Tuesday, the arrival of heads of government and Ministers was evident from the pace of negotiations. Throughout the day delegates worked at full speed and continued meeting late into the night to meet a deadline for the preparation of draft decisions. They were instructed to refine lists of possible options, to be taken up for political resolution by Ministers. After listening to the reports from AWG-LCA and KP Chairs, however, several delegates commented that it is by no means clear that all issues will be resolved by the end of the conference.

Meanwhile, in the corridors, a visibly exhausted veteran negotiator emerging from a packed room said “deliberations on the GCF are hard,” while another experienced negotiator said that an agreement is achievable but pushing too hard may leave the GCF “an empty shell.”

As the COP Presidency announced that they will now elevate the Indaba meetings to ministerial level, a delegate expressed hope that the Zulu form of participatory democracy would inspire a decisive search for common ground.

In the evening, the UNFCCC Secretariat launched “Momentum for Change,” a new initiative celebrating adaptation and mitigation success stories. One of the delegates reflected “when we’re locked away in rooms arguing, we need to remember that climate change affects peoples’ lives.”