

TIANJIN CLIMATE CHANGE TALKS: 4-9 OCTOBER 2010

From 4-9 October 2010, the 14th session of the *Ad Hoc* Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP 14) and the 12th session of the *Ad Hoc* Working Group on Long-term Cooperative Action under the Convention (AWG-LCA 12) will convene in Tianjin, China, as part of ongoing negotiations under the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol. The two AWGs are scheduled to report the outcomes of their work at the United Nations Climate Change Conference to be held in Cancun, Mexico from 29 November to 10 December 2010.

AWG-LCA 12 is expected to concentrate on its negotiating text (FCCC/AWGLCA/2010/14). The text encompasses the key aspects of the Bali Action Plan (decision 1/CP.13), namely a shared vision for long-term cooperative action, mitigation, adaptation, finance and technology, as well as capacity building. In her scenario note for the session, Chair Margaret Mukahanana-Sangarwe (Zimbabwe) notes that the AWG-LCA may not be able to resolve all issues within the time remaining and suggests that focus be put on issues that lend themselves to resolution within the time available, bearing in mind the need to achieve balance.

AWG-KP 14 is expected to consider the Chair's draft proposal, presented to the parties at AWG-KP 13 (FCCC/KP/AWG/2010/CRP.2). The document contains several draft decision texts on, *inter alia*, Protocol amendments under Article 3.9 (Annex I parties' further commitments), the flexibility mechanisms and land use, land-use change and forestry (LULUCF). In his scenario note, Chair John Ashe (Antigua and Barbuda) suggests focusing on narrowing down the options contained in the document and making progress on substantial outstanding issues.

A BRIEF HISTORY OF THE UNFCCC AND THE KYOTO PROTOCOL

The international political response to climate change began with the adoption of the UNFCCC in 1992, which sets out a framework for action aimed at stabilizing atmospheric concentrations of greenhouse gases to avoid "dangerous anthropogenic interference" with the climate system. The UNFCCC entered into force on 21 March 1994 and now has 194 parties.

In December 1997, delegates to the third session of the Conference of the Parties (COP 3) in Kyoto, Japan, agreed to a Protocol to the UNFCCC that commits industrialized countries and countries in transition to a market economy to achieve emission reduction targets. These countries, known as Annex I parties under the UNFCCC, agreed to reduce their overall emissions of six greenhouse gases by an average of 5.2% below 1990 levels between 2008-2012 (the first commitment period), with specific targets varying from country to country. The Kyoto Protocol entered into force on 16 February 2005 and now has 192 parties.

In 2005, the first session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (COP/MOP 1), held in Montreal, Canada, established the AWG-KP on the basis of Protocol Article 3.9, which mandates consideration of Annex I parties' further commitments at least seven years before the end of the first commitment period. In addition, COP 11 agreed in Montreal to consider long-term cooperation under the Convention through a series of four workshops known as "the Convention Dialogue," which continued until COP 13.

BALI ROADMAP: COP 13 and COP/MOP 3 took place in December 2007 in Bali, Indonesia. Negotiations resulted in the adoption of the Bali Action Plan (BAP), which established the AWG-LCA with a mandate to focus on key elements of long-term cooperation identified during the Convention Dialogue: mitigation, adaptation, finance and technology transfer. The Bali conference also resulted in agreement on a two-year process, the Bali Roadmap, which established two negotiating "tracks" under the Convention and the Protocol, and set a deadline for concluding the negotiations at COP 15 and COP/MOP 5 in Copenhagen in December 2009.

FROM BALI TO COPENHAGEN: In 2008, the two AWGs held four parallel negotiating sessions in: April in Bangkok, Thailand; June in Bonn, Germany; August in Accra, Ghana; and December in Poznań, Poland. In 2009, the AWGs met in: April, June and August in Bonn, Germany; October in Bangkok, Thailand; November in Barcelona, Spain; and December in Copenhagen, Denmark.

AWG-LCA: For the AWG-LCA, the first part of 2009 focused on developing draft negotiating text. This process resulted in a text that was nearly 200 pages long and covered all the main elements of the BAP. Because of the length of the text, delegates began producing non-papers, reading guides, tables and matrices aimed at making the negotiating text more

manageable. The outcome was a series of non-papers, forwarded to Copenhagen as an annex to the meeting report. Heading into Copenhagen, many felt the AWG-LCA had made satisfactory progress on adaptation, technology and capacity building, but that “deep divides” remained on mitigation and certain aspects of finance.

AWG-KP: For the AWG-KP, the focus in 2009 was on the “numbers,” namely Annex I parties’ aggregate and individual emission reductions beyond 2012, when the Protocol’s first commitment period expires. Parties also discussed other issues in the AWG-KP’s work programme, including the flexibility mechanisms, LULUCF and potential consequences of response measures to climate change. The discussions were based on documentation divided into proposals for amendments to the Protocol under Article 3.9 and text on other issues, such as LULUCF and the flexibility mechanisms. Most felt that insufficient progress had been made on Annex I parties’ aggregate and individual targets, and differences also surfaced between developed and developing countries concerning whether the outcome from Copenhagen should be an amendment to the Kyoto Protocol or a single new agreement under both AWGs.

COPENHAGEN CLIMATE CHANGE CONFERENCE: The UN Climate Change Conference in Copenhagen, Denmark, took place from 7-19 December 2009, and included COP 15 and COP/MOP 5, the 31st sessions of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA), as well as AWG-KP 10 and AWG-LCA 8. Over 110 world leaders attended the joint COP and COP/MOP high-level segment from 16-18 December.

The event was marked by disputes over transparency and process. In particular, differences emerged on whether work should be conducted in a small “Friends of the Chair” format or open contact groups. A proposal by the Danish COP Presidency to table two texts reflecting the work done by the AWGs also caused divisions. Many parties rejected the Danish text, urging that only texts developed in the AWGs by parties should be used. During the high-level segment, informal negotiations took place in a group consisting of major economies and representatives of regional and other negotiating groups. Late in the evening of 18 December, these talks resulted in a political agreement: the “Copenhagen Accord.”

After the Accord had been agreed on by this small group, delegates from all parties reconvened for the closing COP plenary. Over the next 13 hours, they discussed the transparency of the process and debated whether the COP should adopt the Copenhagen Accord. Many supported adopting it as a COP decision in order to operationalize it as a step towards securing a “better” future agreement. However, some developing countries opposed the Accord, which they felt had been reached through an “untransparent” and “undemocratic” process. Ultimately, parties agreed that the COP “takes note” of the Copenhagen Accord. Parties also established a process for indicating their support for the Accord and, by 3 October 2010, 139 countries had indicated their support. More than 80 countries have also provided information on their emission reduction targets and other mitigation actions, as agreed under the Accord.

On the last day of the Copenhagen Climate Change Conference, the COP and COP/MOP also agreed to extend the mandates of the AWG-LCA and AWG-KP, requesting them to present their respective outcomes to COP 16 and COP/MOP 6 in Cancun.

BONN CLIMATE CHANGE TALKS (APRIL AND JUNE 2010): Negotiations resumed in 2010 with AWG-LCA 9 and AWG-KP 11, which took place from 9-11 April. Their focus was

on the organization and methods of work in 2010 to enable each AWG to fulfill its mandate and report its outcome in Cancun. In the AWG-LCA, delegates mandated the Chair to prepare text for the June session. The AWG-KP agreed to continue considering Annex I parties’ aggregate and individual emission reductions, as well as various other issues.

Discussions continued in Bonn from 31 May to 11 June. AWG-LCA 10 focused on the Chair’s new draft text. Late in the evening of 10 June, AWG-LCA Chair Mukahanana-Sangarwe circulated the advance draft of a revised text, which she said could be considered at AWG-LCA 11. Some developing countries felt that the advance draft was “unbalanced” and should not be used as the basis for negotiations in August unless their views were reflected more fully. A revised version of the text was circulated in July.

AWG-KP 12 focused on Annex I emission reductions and other issues, including the flexibility mechanisms and LULUCF. It also addressed ways to avoid a gap between the first and subsequent commitment periods, and requested the Secretariat to prepare a paper on legal options for achieving this.

BONN CLIMATE CHANGE TALKS (AUGUST 2010): AWG-LCA 11 considered a text circulated by Chair Mukahanana-Sangarwe in July 2010 (FCCC/AWGLCA/2010/8). The text was intended to facilitate negotiations in preparation for reaching an outcome at COP 16. The AWG-KP continued consideration of the scale of emission reductions from Annex I parties to the Protocol. It also discussed legal issues, including a possible gap between the Protocol’s first commitment period (2008-2012) and subsequent commitment periods. In addition, delegates addressed LULUCF, the flexibility mechanisms and potential consequences of response measures of climate change. The AWG-KP agreed to forward a Chair’s draft proposal on Annex I parties’ further commitments (FCCC/KP/AWG/2010/CRP.2) for further discussion in Tianjin.

INTERSESSIONAL HIGHLIGHTS

GENEVA DIALOGUE ON CLIMATE FINANCE: From 2-3 September 2010, the Geneva Dialogue on Climate Finance took place in Geneva, Switzerland. At the invitation of Switzerland and Mexico, a group of ministers and government representatives from 46 countries and the European Union, together with the AWG-LCA Chair and the UNFCCC Executive Secretary, met in an informal setting to discuss current themes related to finance in the ongoing UN climate negotiations. The issues discussed included finance architecture, the new climate fund, the role of the private sector and sources of long-term finance. In their summary, the Co-Chairs of the Dialogue characterized the meeting as positive and identified the need to feed the constructive spirit back to the formal negotiations under the UNFCCC.

MAJOR ECONOMIES FORUM ON ENERGY AND CLIMATE: The Eighth Meeting of the Leaders’ Representatives of the Major Economies Forum on Energy and Climate took place in New York, US, from 20-21 September 2010, and was attended by officials from 17 major economies, as well as the UN, Barbados, Denmark, Egypt, Singapore and Spain. Participants discussed how to advance prospects for a successful outcome at the Cancun Climate Change Conference. They recommended that the Tianjin negotiations should focus on key issues and “extract” from the negotiating text what should be decided upon in Cancun.